

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Wednesday, November 8, 2023 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Grace Crampsie Smith, Wandalyn J. Enix, Hillary G. Kwiatek, Rachel Leon, Paige Van Wirt, Kiera L. Wilhelm, and Michael G. Colón, 7.

PUBLIC HEARING

President Colón stated that prior to the consideration of the regular Agenda items, City Council will conduct a Public Hearing to accept public comment on the request for the intermunicipal transfer of restaurant liquor license No. R-11795 from Aiello & Grigoli, Inc. at 821 Main Street, Northampton Borough, Northampton County, to Sheetz, Inc. at Fourth and Emery Streets, Bethlehem, Northampton County.

President Colón called the Public Hearing to order and stated he will now recognize a representative from the applicant to address this matter.

Mark E. Kozar, Esquire, of Flaherty & O'Hara of Pittsburgh, addressed Council on behalf of the applicant, Sheetz, Inc. Attorney Kozar said this license would be used at a Sheetz store under construction at 1780 E. 4th Street (also referred to as 4th and Emery Streets). Sheetz has more than 700 stores in six states. Many sell beer and wine. Because this is a restaurant liquor license, Sheetz is required to offer a minimum of 30 seats for on-premises consumption. Attorney Kozar said that Sheetz would prefer not to permit this, but will offer the 30 seats because of the requirement. The store also will offer beer for take-out, up to 192 fluid ounces in one transaction. Wine may be sold up to four 750-ml bottles. Although the store will be open 24 hours, beer and wine sales will be limited to Mondays through Saturdays 7 AM until 1:45 AM and Sundays 9 AM until 1:45 AM. Wine sales must cease at 11 PM nightly. Liquor will not be sold.

Sheetz has an alcohol management plan. The carding policy is to check identifications for those who appear to be younger than 35. A card scanner is used to identify false and underage IDs. All store employees receive Responsible Alcohol Management Program (RAMP) training. This training includes recognizing fake IDs, intoxicated patrons, pass-off to underage customers, etc. Attorney Kozar added that Sheetz stores have 30-40 cameras to monitor activities. These are monitored by on-premises personnel as well as by employees in Altoona. He said that Sheetz has a responsible track record related to alcohol sales and requested that City Council pass a Resolution in support of the license transfer request.

Council Comment

Ms. Wilhelm asked the requirements for on-premises consumption.

Attorney Kozar said that Pennsylvania requires a minimum of 30 seats and 400 square feet. They will meet these standards. It is unusual for patrons to consume beer or wine onsite.

Sheetz District Manager Travis Miller was introduced. Ms. Wilhelm said there are many wonderful breweries and distilleries locally. She asked whether some shelf space is reserved for products from local producers.

Mr. Miller said the policy varies by location and supplier.

Ms. Wilhelm encouraged Mr. Miller to do what he could to reserve some space for local products. She believed this would serve the interest of both consumers and Sheetz.

Public Comment

None.

President Colón announced that Resolution 10 A is on the agenda for tonight and adjourned the Public Hearing at 7:33 PM.

President Colón moved on to the regular Council meeting. He announced the removal of Item 9A from the agenda. He said this new ordinance was tabled at the Finance Committee meeting earlier tonight.

2. APPROVAL OF MINUTES

October 17, 2023

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

Answers Involving Water Dispute

Resident Sally Will-Weber spoke about an on-going issue involving a water bill dispute with the City. She and her husband, Mark, addressed this matter at the October 17 Council meeting. Since that time, she said they have received support from others who have heard about their situation. Ms. Will-Weber reminded that they were away for 35 days during winter. The water bill for that quarter claimed the couple used 54,000 gallons. Their total usage for 2022 was 26,000 gallons. They had someone checking on the house twice weekly inside and outside with no sightings of water usage, leakage, etc.

Ms. Will-Weber wanted to respond to some questions raised during the last meeting by Ms. Kwiatek. She appreciated her concern and interest. Ms. Will-Weber said the couple has no problem sharing details of their water account. She sent an email to all Council members of the steps the Will-Webers have taken since receiving this bill in March. One question asked was whether someone could have stolen the water. There is an outside spigot, but no neighbors saw any theft. She noted that a tanker truck holds about 9,000 gallons. It would have taken six tanker trucks to have taken away 54,000 gallons. She was certain that would have been noticed. Similarly, had the spigot been left open, the amount of running water would have been noticed. She also discussed the 31-year-old meter, noting the age is 11 years beyond its recommended life. Testing was done after it was replaced and was witnessed by the Will-Webers. She said the only test performed was to see if the meter was properly measuring water. This is not in doubt because

the Will-Webers were monitoring their water usage daily. However, the couple requested a test of whether the 10,000 cylinder was functioning correctly. This is where the Will-Webers believe the problem lies. But, the City refused to have this test performed because it would take too long. She added that old-style car odometers run on the same principle. However, they begin skipping after 10-15 years. This meter is 31 years old. She said there is a chance that the cylinder would skip.

Mrs. Will-Weber addressed another Water Department assertion that a toilet must have been running. She said a running toilet would waste 200-250 gallons daily. It would take 240 days for a running toilet to waste 54,000 gallons. They were gone 35 days. This is not even close. It also was suggested that the water could have gushed from a broken pipe. However, she asked where were the caved-in ceilings or walls or things floating in the basement? Further, no leaking pipe no running toilet were found.

She also termed dealing with the Water Department to be "extremely frustrating." She found them to be "dismissive and smug." Publicity about their situation has brought comments to her from other dissatisfied residents. She said others who have received similar bills did not fight back because they were angry, tired of fighting, or just did not have the time, energy or money to dispute improper charges. Mrs. Will-Weber was curious how many disputes have been filed in recent years and whether a homeowner ever won one. She suggested Council should look into this since it oversees the Water Department. She said she is hopeful that City Council or the Mayor's Office would take a more active role in oversight, especially as the City transitions to Smart meters.

Smart Meter Warning

Mark Will-Weber said he has been researching Smart meters because the City has said that these represent current precision technology. But Mr. Will-Weber has found some news articles to the contrary, including big problems in San Diego, Houston, and DeKalb County in Georgia. He conceded that Smart meters can be more accurate. But when things go wrong, customers are considerably overcharged. Mr. Will-Weber asked Council to be sensitive to potential problems with these meters if customers report problems. Mr. Will-Weber added that he left a check at the last meeting because he did not want to accept any favors from the Water Department. He has since realized that he misdated that check, so he was providing a corrected check tonight. He said it was in the amount of \$139.96 and he left it on the podium.

Neighborhood Concerns

Resident Angela Mitchell said she has run an Airbnb since 2018. This closed during the pandemic and she has not been open since 2020. She has been getting conflicting information on regulations from the City's housing and zoning departments. She does not understand why she cannot now renew her license. She asked if it is true that the City does not want Airbnb rentals and, if so, why? She asked for the facts and an explanation. She asked who to speak to.

Ms. Mitchell also thanked Ms. Leon and Anna Smith of the Community Action Center of the Lehigh Valley for helping with a cleanup in Enix Park and worked up to the 400 block of Cherokee Street. This was good, but she asked what it will take for the City to enforce laws for landlords to be responsible for the upkeep of their rental properties including maintaining their trash and picking up leaves and trash left behind by garbage collectors. Ms. Mitchell also asked

about recycling. She said she has been told that recycling is no longer necessary since January. She also urged a re-examination of the City having a single trash hauler rather than this being left up to the residents. She believes garbage needs to be collected at least twice weekly. We need a unified garbage system. She said she can smell garbage in her neighborhood.

Finally, she asked the status of placing a stop light at Cherokee Street and Delaware Avenue, stop signs at all four corners of Cherokee and 4th Streets and Cherokee and Dakotah Streets, and placing a speed bump between Dakotah and 4th Streets. She also asked why landlord signatures, rather than those of tenants, are needed on petitions. She pointed out that it is the tenants who live with these conditions.

President Colón said he could answer that recycling is required in the City. He asked her to stay until after the meeting to discuss her concerns with the Director of Community and Economic Development and the Public Works Director concerning Airbnb regulations and traffic concerns.

Police Force Challenges

Robert Nicholson, President of Star Lodge No. 20, provided continued insights into services provided by the Police Department and the challenges faced. In October, the Department had 4,681 calls for service, bringing the number to about 15,000 year to date. These ranged from minor citizen assists to routine traffic stops in which guns were found. Officer Nicholson provided examples of the wide range of police activities and noted concerns for recruitment challenges, total number of police officers who are able to work, and potential looming retirements. This is at a time when 6 percent of the Department is eligible to retire. The number will rise to 12 percent by June. He added that the entire hiring process takes about 18 months until an applicant can begin to work as an officer.

Sewage Sludge Update

Mahoning Township resident Carol Ethridge addressed Council as President of Save Carbon County. She reminded that she and other group members addressed Council several meetings ago about sewage sludge being spread on fields in Carbon County, including sewage sludge that originates from Bethlehem through a contract with Synagro. Ms. Ethridge reported that the Carbon County Commissioners adopted a resolution asking federal and state officials to review current laws involving sewage sludge application and the effects on the environment and residents if not properly treated and applied. Ms. Ethridge pointed out that Bethlehem's water supply originates in Carbon County. She said the City should be concerned about this water source as the practice of spreading sewage sludge on Carbon County fields increases. She asked Council to learn from what other communities who allowed spreading of the sludge have learned and to reconsider how it disposes of its sewage sludge.

Police Map/Log Request

Resident Robert Virgilio returned to Council to again discuss crime mapping in Bethlehem. He said since he first discussed this matter, he has gone to the City Police Department's link on the state website, which includes Bethlehem data. There is a mapping feature of sorts, but this was not exactly what he had hoped. He next asked if the City would offer

a police log, since newspapers only report the most serious crimes rather than providing a broader picture. He reasoned that police must provide these statistics to the state, so why not provide them to the public? Mr. Virgilio believes it is important for people to know what is going on near them so they can be more vigilant or know areas to avoid.

Request for Parking Garage Plans

Resident Alan Lowcher identified himself as the President of the Bethlehem Historic District Association (BHDA). He said his Board believes that the Walnut Street Parking Garage project is a matter of high importance that deserves careful and deliberate consideration to assure compliance with Historic District guidelines and to assure that property interests of adjacent residences are protected. He said he attended the related HARB meetings on this project and found it “highly unusual” for approval to be granted for demolition before plans were submitted for its replacement. Mr. Lowcher requested that a message be sent to the Parking Authority to provide architectural plans and full site development plans well in advance of the December HARB meeting in which the redevelopment is expected to be reviewed. He provided his email address so that any information to be reviewed can be sent to him as President for distribution to BHDA members. He said this release of information would promote transparency and public trust.

Police/Resident Cooperation

Resident William Scheirer agreed with Mr. Virgilio that crime information should be made available to the public. He added that he understands that only two Block Watch groups remain active in the City. He believes that part of this problem is that residents do not want to attend Block Watch meetings. Getting people more involved in their City is necessary, but he does not know how to get that done. Mr. Scheirer said that in Washington, D.C., a monthly meeting between police and residents was held in each ward for updates. Police and the residents worked together to catch criminals through this exchange of information. He said simple coordination can work.

Opposes Walnut Street Apartments

Resident Francine Spivak addressed the proposed Walnut Street apartments. She said the Open Doors Part II presentation stated that 1,052 new rental units are needed to return to a 7 percent vacancy rate, which would be 312 market rate apartments and 740 low-income apartments. There are now 685 market rate apartments either completed, in progress or proposed. She cited Six 10 Flats, the Boyd project on Broad Street, Hanover Apartments, the former Boys and Girls Club on 4th Street, The Mint, and 1247 E. 4th Streets. She asked whether another apartment building is necessary. Alluding to the fact the Market Street apartments would be at market rate, she wondered when the City will focus on encouraging low- and very low-income housing. She added that she is aware that plans are being made to expand Pembroke Village housing, but she believes that something must be done sooner. Ms. Spivak also said she was “intrigued” by James Follweiler’s proposal at the last meeting to include a new Police Department at a new Walnut Street Parking Garage. She said perhaps this would attract new police recruits.

Apartments/Police Comments

Resident Terry Kloiber once again objected to the 317-unit Hanover Apartments proposal. She said this is overload for the small area. Regarding crime, Ms. Kloiber said she emailed Police Chief Michelle Kott to tell her about a Checkmate program in which residents could report crime by providing their registered Checkmate number. She believes the program should be resurrected.

Urges Help for Veterans and Homeless

Resident Arthur Curatola spoke on behalf of veterans in need of help including homelessness. He encouraged getting veterans and the homeless the help they need. He suggested taking a “tough love” approach and bringing back enforcement of vagrancy laws to force the issue and have contact with people who need it rather than simply letting them get by as best they can.

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

None.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director of Community and Economic Development – Choice Neighborhoods 2023 HUD Grant*

The Clerk read an October 30, 2023 memorandum with an attached Resolution from Laura Collins, Director of Community and Economic Development, advising that the U.S. Department of Housing and Urban Development has awarded a \$500,000 Choice Neighborhoods Planning Grant to the City and the Bethlehem Housing Authority. Ms. Collins states that a Resolution must be passed authorizing the Mayor to execute the contract agreement in order to receive the award.

President Colón stated Resolution 10 B is on the agenda.

B. *Director of Water & Sewer Resources – Contract – 2021 29 GC WWTP – Influent Pump Room Project*

The Clerk read an October 31, 2023 memorandum with an attached Resolution from Edward Boscola, Director of Water & Sewer Resources for a contract with Eastern Environmental Contractors, Inc. of Green Lane. Mr. Boscola recommends a change order for a 2021 contract for the Waste Water Treatment Plant West Influent Pump Room Upgrade Project. The work will involve installing 2nd floor control door and access hatches, wall plate, additional demolition, isolation valve

replacement, east pump room control upgrades, and east wet well cleaning. It also will include the installation of flexible connectors on the West Influent Pumps to reduce vibration and associated vibration testing. The City has requested the changes to address unforeseen conditions and additional work items to improve system performance. The change order request would increase the cost of the project by \$148,437 raising the total contract cost to \$1,489,737. Substantial Completion is required by February 29, 2024 with Final Completion required by March 31, 2024. There are no renewals.

President Colón stated Resolution 10 C is on the agenda.

C. Director of Community and Economic Development – Contract – 2023 58 Choice Neighborhoods Planning

The Clerk read an October 30, 2023 memorandum and Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends a contract with Collabo Planning and Design of Chicago to act as the City's planning Coordinator for its Choice grant for the Stefko/Pembroke Community and produce a Choice Neighborhoods Transformation Plan. Collabo was part of the City's Comprehensive Housing Strategy team. It has extensive experience in applying for planning and implementation grants. The cost of the contract is \$320,000. The completion date is December 31, 2026. There are no renewals. The Choice Neighborhoods grant will pay \$290,000 of this contract, while \$30,000 of the City's match will cover the two additional contract components.

President Colón stated Resolution 10 D is on the agenda.

D. *Director of Community and Economic Development – Memo – LSA Grant Walnut St Parking Garage*

The Clerk read a November 2, 2023 memorandum with an attached Resolution from Laura Collins, Director of Community and Economic Development, seeking a Council Resolution of support of an application for a \$1 million statewide Local Share Assessment grant. If received, the grant would be distributed to the Bethlehem Parking Authority to support capital improvements to the Walnut Street Garage.

President Colón stated Resolution 10 E is on the agenda.

6 E. *Director of Community and Economic Development – Contract – 2023 59 Bethlehem Emergency Shelter Analysis*

The Clerk read a November 1, 2023 memorandum and proposed Resolution from Tiffany Wismer, DCED Business Manager, recommending a contract with Lenhardt Rodgers Architecture + Interiors of Fort Washington. The firm would provide preliminary architectural and engineering feasibility analysis of potential shelter sites to determine location suitability. If after a preliminary analysis, the City wishes to move forward with a location, Lenhardt Rodgers can provide a complete set of construction plans for renovations to allow the City to solicit construction bids. The amount of the contract is \$27,750. Work is to be completed by December 31, 2024. There are no renewals.

President Colón stated Resolution 10 F is on the agenda.

7. REPORTS

A. *President of Council*

President Colón thanked Vice President Crampsie Smith for leading the October 17 meeting in his absence.

B. *Mayor*

Congratulations Offered

Mayor Reynolds congratulated President Colón for his re-election to City Council and called it well-deserved.

Halloween Parade/Tree-lighting Ceremony/Climate Action Plan Update

The Mayor also thanked those involved with rescheduling this year's Halloween Parade, recognizing that there is a lot of work involved in doing so. He also observed that the Christmas trees have been delivered to Payrow Plaza. He reminded that a tree-lighting ceremony will take place at 5:00 PM November 24. Also, the annual Climate Action Plan update will be provided at 9:00 AM November 15 in Town Hall. The nine implementation committees will update accomplishments in 2023 as well as offer goals for 2024.

Sewage Sludge/Police Interaction

Mayor Reynolds also checked to see that Council received a memo from Mr. Boscola concerning the City's disposal of sewage sludge. After it was confirmed that Council received the memo, Mayor Reynolds observed that group members from Save Carbon County have left the meeting, but he wanted them to know that their concerns are being discussed. The Mayor also followed up on Officer Nicholson's concerns. The Mayor noted that he regularly meets with Officer Nicholson and Chief Kott. He said he has encouraged Officer Nicholson to share concerns as well as stories of the work that officers do, and he is glad that Officer Nicholson is doing so. Mayor Reynolds also acknowledged the decline of Block Watch but believes police officers interact with the public in different ways today. This is done in schools, the community, biking, walking and generally interacting by getting out into the community. He believes the message is getting out into the community even though the methods have changed.

C. *Finance Committee (Dr. Enix)*

Dr. Enix reported that the Finance Committee met earlier this evening and addressed two agenda items. The Committee voted to advance the Choice Neighborhoods Planning Grant budget adjustment for Council consideration at tonight's meeting. However, the proposed 2024 sewer rate increase matter was tabled.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

President Colón reminded that agenda Item 9 A., Bill No. 38-2023 involving the proposed 2024 sewer rate increase has been removed from tonight's Council agenda because it was tabled at tonight's Finance Committee meeting. He directed that the meeting be continued with the reading of Item 9 B.

B. Bill No. 39-2023 – General Fund Adjustment – DCED – Choice Neighborhoods Planning Grant

The Clerk read Bill No. 39-2023 – General Fund Adjustment – DCED – Choice Neighborhoods Planning Grant, sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2023 GENERAL FUND BUDGET.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. Bill No. 39-2023 was passed on First Reading.

10. RESOLUTIONS

A. Approve Resolution – Liquor License Transfer – Sheetz, Inc.

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-220 that authorized the approval by the City Council of the City of Bethlehem, Northampton County, for the proposed transfer of Pennsylvania restaurant liquor license No. R-11795 from Aiello & Grigoli at 821 Main Street, Northampton Borough, Northampton County, to Sheetz, Inc. at 4th and Emery Streets, Bethlehem, Northampton County, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board.

President Colón thanked Attorney Kozar and Mr. Miller for attending and explaining the request.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

B. Approve Resolution – Choice Neighborhoods 2023 HUD Grant

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-221 that authorized that Mayor J. William Reynolds shall jointly sign documents along with the Bethlehem Housing Authority Executive Director necessary to receive a grant award of \$500,000 from HUD for the 2023 Choice Neighborhoods Planning Grant.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

C. Approve Resolution – Contract – 2021 29 GC WWTP – Influent Pump Room Project

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-222 that authorized to execute an Agreement and related documents as deemed necessary by the Solicitor with Eastern Environmental Contractors, Inc. to provide additional upgrades to the West Influent Pump Room at the City's Waste Water Treatment Plant.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

D. Approve Resolution – Contract – 2023 58 Choice Neighborhoods Planning

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-223 that authorized to execute an Agreement and related documents as deemed necessary by the Solicitor with Collabo Planning and Design to produce a Choice Neighborhoods Transformation Plan.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

E. Approve Resolution – LSA Grant – Walnut St Parking Garage

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-224 that authorized that the City requests a \$1 million Statewide Local Share Assessment grant from the Commonwealth Financing Authority to be used for capital improvements at the Walnut Street Parking Garage and that Mayor J. William Reynolds and Controller George Yasso are empowered to execute all associated documents to obtain the grant.

Ms. Kwiatek wanted to confirm that, if received, the grant would support construction of a new garage rather than work to repair the existing garage.

Ms. Collins said that was correct.

Ms. Crampsie Smith asked for more specifics on use of this money. Would this be used toward the rebuild of the garage. She added that she does not have enough specifics about the rebuild. She would like these details before voting on committing \$1 million toward it.

Mayor Reynolds said the matter on the agenda is a grant application, which is due by the end of November. No actual money would be spent until plans are approved. The process will have to go through HARB and eventual Council review. If something does not happen in the approval process, then money will not be spent on something that does not get approval.

Ms. Crampsie Smith said there is information online, but asked if Council will be privy to rebuild plans and when.

The Mayor said this will be a public process. He based his answer on the process of large past projects. He believed the HARB review process would take several meetings over a few months.

Ms. Crampsie Smith suggested that a Council committee meeting be held to give Council a better idea of what is being proposed. “Just food for thought,” she said.

Ms. Leon said she understood tonight’s action to be just a grant application for whatever replaces the existing garage. She also assumed that BPA does not have its own Department of Community and Economic Development to apply for grants, so this is why this is going through City Council.

Ms. Collins said that there are a few eligible entities when applying for LSA grants. A municipal government is an eligible entity but a parking authority is not. This is a “pass-through” circumstance. The City in this case is supporting the project and applying on BPA’s behalf.

Ms. Leon said she assumed the City would not be required to pay a match percentage on these funds.

Ms. Collins agreed.

Mayor Reynold added that the value of this grant is that obtaining this money would allow BPA to spend money on other things. BPA has increased its support to the Chamber of Commerce, the South Side Arts District, and more.

Ms. Leon appreciated the explanations to help her understand permissibility of the funding strategy.

President Colón said he would be supporting this initiative. He asked for and received clarification that tonight’s action was to authorize the grant application. He said any time the City can get up to \$1 million without any match commitment to help offset an expensive project, he is in favor of it.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

F. Approve Resolution – Contract – 2023 59 Bethlehem Emergency Shelter Analysis

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-225 that authorized to execute an Agreement with Lenhardt Rodgers Architecture + Interiors to perform suitability analysis for potential shelter sites.

Ms. Crampsie Smith sought clarification as to whether the City has a specific site in mind to be analyzed. She also thought that this service was included when Council earmarked money toward hiring a consultant to review a shelter plan. She believed that an architectural analysis would be part of that consultant fee for the study.

Ms. Collins said during the comprehensive study to address homelessness Michael Baker did an architectural assessment of a site being considered at that time. That site is no longer available. As new sites are considered, the City will have to have architectural assessments done. Michael Baker is not on permanent retainer. Additional properties are being considered, but she said it would not be appropriate to talk publicly about specific addresses.

Ms. Crampsie Smith asked whether language in the Michael Baker contract required them to do studies on additional properties if they were found.

Ms. Collins said the study did a cost estimate for a variety types of construction projects. For example, if you do a new build generally, if you do a rehab of an existing community building or rehab of a hotel or motel. They did that analysis. They also went a step further and did a specific site study because that was an option at the time because there was a property that we were looking at at the time. I think that really satisfies what was contemplated in the contract.

Ms. Crampsie Smith summarized that there would be more costs to analyze sites every time a new site is found.

Ms. Collins said the City would not haphazardly authorize site analyses unless it believed a project were viable. "It would be fiscally extremely irresponsible for us to not do that kind of work for any kind of site that we would look at," she added.

Ms. Crampsie Smith said she would be supporting this because she believes a shelter is needed, but she sees so much money being spent on consultants. She believes the City did not get full value on the money spent for the Comprehensive Housing Study. Now we are spending more money on further consultants.

Ms. Collins said there are different types of work being done. There is planning work and then there is specific site work for architectural and engineering analysis.

Mayor Reynolds likened the situation to hiring a lawyer to do certain work. Michael Baker was paid to do certain work at the time. The work was done. But, as more work is needed, that is additional work that will cost more. The City does not have someone on staff with this expertise to do this work. He added that the Administration would not be bringing this to Council if there were not a good chance that goals can be accomplished and the opportunity will be worth it. The bottom line, however, is that if the shelter is to become a reality, analyses will have to be conducted for site suitability, cost, etc. in order to make a decision.

Ms. Crampsie Smith said she understood what the Mayor was saying, but she knows the City already has committed a lot of money toward a consultant for the homeless shelter. In retrospect, it would have been good if the consultant would have provided this feasibility study.

Ms. Collins said it is expensive to build a capital project. "That's just the reality of doing a project of this scope," she said. "There are costs associated with doing due diligence. There will continue to be costs associated. That's the nature of entering into this kind of work."

Ms. Crampsie Smith said she understands what is being said. She believes it is a shame to spend more than \$200,000 in consultants that could have been spent in a more efficient manner.

Mayor Reynolds said he understood her concern. The Administration has learned a lot in this process. He supported some of the expense by saying that the consultants have expertise that is not

present on the City staff. This is too specialized. Still, he is confident that the project is headed in the right direction and the expense was necessary.

Ms. Leon liked the idea of perhaps having an executive session. She believed there were some concepts that could be clarified that perhaps because of legal permissibility could not be publicly discussed. Once explained, she suspected that things would be clearer.

President Colón believed that he, Ms. Collins, and Council Solicitor Panella could have a separate discussion about what capacities City Council can have as a group in this matter. He agreed with Ms. Collins that when matters involve any negotiation of real estate, that they should not be publicly discussed. He suggested that this could be discussed outside of this meeting to determine what can be discussed publicly and what cannot.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

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

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

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

G. Certificate of Appropriateness – 412 East 4th Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-226 that granted a Certificate of Appropriateness to install a double-sided blade sign onto the existing metal scroll bracket and vinyl graphics onto the storefront window.

H. Certificate of Appropriateness – 30 East 4th Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-227 that granted a Certificate of Appropriateness to replace existing wall signage with a new non-illuminated wall sign.

I. Certificate of Appropriateness – 117 East 4th Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-228 that granted a Certificate of Appropriateness to revise the building façades for a project that previously received a Certificate of Appropriateness in November of 2021; and

J. Certificate of Appropriateness – 117 East 4th Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-229 that granted a Certificate of Appropriateness to finalize details and finishes for a project that previously received a Certificate of Appropriateness in November of 2021.

Ms. Leon asked about the two COAs involving 117 East 4th Street. Noting that both involved permissions given back in 2021 under a different owner, she asked what affect the different ownership would have and whether reconsideration would be required.

Solicitor Panella said that, generally speaking, the decisions travel with the property, not the owner. Grandfathering would be the general rule.

Dr. Van Wirt noted that her term will be ending in a few weeks. She implored the City to consider shade when it comes to public parks. She said there is a gem of a park property in South Bethlehem. The way the sun hits on this land is critical. HARB exists, but there is no park ordinance. HARB's role is to make sure that a building is appropriate historically, but it has nothing to do with shadows. She does not believe there is an area to address this in the review process. Properties in this area are vulnerable. While she supports the 117 East 4th Street project, she wanted to point out her concerns regarding shadows on the parks. She asked that this issue be taken into account as much as allowable and believes that Bethlehem should have a shadow ordinance.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

11. NEW BUSINESS

A. 2024 Budget Meeting Schedule

President Colón said he would accept a motion and a second to set the date for adoption of the 2024 Budget on Tuesday, December 19 at 7:00 PM in Town Hall. Ms. Leon made a motion, seconded by Ms. Wilhelm, to set the date for adoption of the 2024 Budget on Tuesday, December 19 at 7:00 PM in Town Hall.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. The Resolution passed.

President Colón next announced the 2024 Budget meeting dates and topics. He said this will begin on Tuesday morning with the Mayor's Budget Breakfast. The first Budget Hearing will be on Wednesday evening. He reminded of the importance of these hearings. President Colón said these are some of the least attended meetings, but he added that they are some of the most importance because this is where a lot of the funding is generated. "The budget drives the expenditures," he said.

Wednesday, November 15, 2023 – 6:00 PM

First Budget Meeting

1. Water Fund Revenue and Expenses
2. Water Capital Budget
3. Sewer Fund Revenue and Expenses
4. Sewer Capital Budget
5. Public Works Department
6. Liquid Fuels Fund
7. Storm Water Fund

8. Non-Utility Capital Fund

Tuesday, November 28, 2023 – 6:00 PM

Second Budget Meeting

1. Golf Course Enterprise Fund
2. Administration
3. Council, Mayor, Treasurer, Controller, Law Bureau
4. General Fund Revenue
5. General Expenses
6. Civic Expenses
7. Debt Service

Thursday, November 30, 2023 – 6:00 PM

Third Budget Meeting

1. Community and Economic Development Department
2. Community Development Block Grant Fund
3. Police Department
4. Fire Department

Tuesday, December 12, 2023 – 6:00 PM

Final Budget Meeting

(This meeting is scheduled for amendments and will only occur if necessary.)

Wednesday, December 13, 2023 – 6:00 PM

Backup Budget Meeting

(This meeting will only occur if rescheduling of a prior budget meeting is necessary.)

Mayor Reynolds agreed that these meetings are important. He added that everything is interconnected. The budget process is not just something that gets done over the course of a month or two. Fees that might not rise this year might be forecast to do so in the near future or discussions are had about concerns for limiting the spending of one-time revenues on recurring costs. Budget hearings are a time when details and concerns get discussed. The details are talked about not just about 2024 spending but projections for 2025, 2026 and beyond. What does future debt look like? What do our capital expenses look like? What are trends as far as medical benefit costs? The Mayor also said this process gives employees who work in these departments the chance to express their challenges and solutions.

Police Questions

Ms. Leon asked Chief Kott about education requirements for police officers. She asked whether loosening education requirements have led to more applicants.

Chief Kott said applications are now being accepted. It is a little early to determine an answer, but it does appear that more applications have been received.

Regarding crime mapping, Ms. Leon asked whether there are legal constraints that limit how much data can be shared with the public.

Chief Kott said this is a sensitive subject. There are some privacy issues. She also noted that the state website referenced earlier by Mr. Virgilio will only give an approximate location of an offense rather than a specific address in an effort to protect confidentiality. This gives generalities to alert the public rather than specifics. She said there are some other programs available, but these are rather expensive.

Ms. Leon also said that she supports relocating the police headquarters, but she wonders whether a close proximity to Main Street would be safe at times when police must provide quick emergency responses. Ms. Leon credited Chief Kott as “an amazing police chief” and said decisions as big as relocating the headquarters should lie in the hands of her and people who are in a position to decide. She noted that Easton, with a smaller department, spent \$11 million on a new headquarters. This is a large decision, but Bethlehem is up to the task.

12. ADJOURNMENT

The meeting was adjourned 9:11 PM.

ATTEST:

Tad J. Miller
City Clerk