

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, September 17, 2024 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Bryan G. Callahan (arrived at 7:21 PM), Grace Crampsie Smith, Hillary G. Kwiatek, Colleen Laird, Rachel Leon, and Kiera Wilhelm, and Michael G. Colón 7.

2. APPROVAL OF MINUTES

September 3, 2024

3. PUBLIC COMMENT

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

Safety Concerns

Resident Mary Jo Makoul raised concerns about workers hired by UGI who were smoking while working in the excavation area involving natural gas piping near her home. She contacted police after the workers continued to smoke despite her suggesting they stop for safety reasons. Police told her to contact UGI. Ms. Makoul said she wanted to raise the issue with the proper City department.

President Colón reminded that department heads were present tonight to discuss concerns raised by Ms. Makoul or anyone else.

Support Change

Resident Jordan Bold applauded those who spoke at the last Council meeting and who are trying to make difference for all. He encouraged residents to band together to bring change on matters such as helping the homeless.

Appeal for Help

Resident Christina Resetar followed up on her comments from last meeting about her poor living conditions and frustration with her landlord. She lives in unhealthy conditions with mold from a leaky roof. In addition to reporting health issues incurred by her and her son, Ms. Resetar said she must choose days to stay home from work if rain occurs or is likely to in order to place buckets to catch dripping water. She has contacted New Bethany Ministries, attorneys, the media, as well as City inspectors. The landlord was cited in February, and the owner paid a fine

in June but did not fix anything. He was cited again, but no court date has been set. She was clearly frustrated that the landlord has not made improvements.

Urges to Divest

Resident Harry Faber said American citizen Aysenur Eygi was assassinated on September 6 in the West Bank. She was protesting the conquering of settlements of the Palestinians. She was a member of the International Solidarity Movement. This is another example of the atrocities in Gaza. He understands that Council does not have the power to sanction, but he urged the City to divest its pension investments. He does not have specifics but believes that a number of the companies the City invests in are complicit if not funding the genocide in the Middle East. He wants to know who to ask to determine these companies and urge the City to divest itself from them.

Homeless Follow-up

Resident Valerie Noonan followed up on her comments from the last meeting involving homeless encampment under the Fahy Bridge. She said she took issue with accounts being referred to by City officials as rumors. Instead, she referred to events as miscommunication and all of those involved were acting on the best available information. Some things have since been clarified but she has additional questions including whether it was investigated as to what information was given to police to the homeless? What was actually said to the homeless? Were the Mounted Police accompanied by any liaison or staff? Has any information been obtained from PPL as to the scope of the project and when the homeless may return after displacement? How will matters like this be handled in the future?

Peace Program

Resident Arthur Curatola announced that "Wake Up, Rise Up, Live for Peace" will be held on September 21. He will be a host and performer for this international, virtual peace concert that is linked with the United Nations' International Day of Peace and will be live streamed.

Facility Questioned

Resident Elaine Yandrasits said that a mental health facility has moved into her Brown Street residential neighborhood. She asked why neighbors were not notified. She has observed a lot of police cars and ambulances at the property since it opened. She feels unsafe. She recalled that the City sent her and her neighbors notification when another neighbor wanted to enclose a patio. She believed similar notification should have occurred for the mental health facility, but it did not. Ms. Yandrasits asked what can be done about the situation.

Lisa Yandrasits identified herself as the daughter of Elaine Yandrasits. The two live together. She wondered why a commercial business may operate in a residential neighborhood. She said the name of the facility is Beacon Specialized Living. They handle conditions from dementia to substance abuse to schizophrenia. Her mother grew up in a time when people with these conditions were segregated from the public, so her mother is fearful of this facility in her neighborhood. She wondered if this is permitted and is concerned that, if it is, other neighboring

homes could be converted for similar purposes. Lisa Yandrasits said she contacted the Zoning Office. She was directed to Council.

Gaza/Meeting Agenda

Resident William Scheirer repeated his belief that the United States should suspend military aid to Israel. The problem is with the existing government of Israel. He also commented on the order of the agenda. Approval of Minutes comes before Public Comment. The public never gets the chance to dispute accounts that may have been inadvertently mischaracterized. Under Old Business, Tabled Items are Old Business. Unfinished Business is redundant because it is Old Business. Council also some months ago moved New Business up on the agenda to follow Old Business. He believes this has helped the public because Council often comments on points raised by the public or asks department heads for answers sooner in the meeting. The downside is that Council members are more energetic earlier in the meeting. With New Business being discussed earlier in the meeting rather than near the end, discussions seem to take longer and are more repetitious. Mr. Scheirer applauded the regular release of police blotter items but said it should be easier to find.

More Business Concerns

Resident Joyce Zettlemoyer lives next to the mental health facility on Brown Street. She was disturbed that she was not notified of the building's new use. She does not have a driveway and relies on on-street parking. She is concerned about parking given the added vehicles associated with the business.

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

What About Lehigh County?

Resident Mary Jo Makoul is pleased that an Ordinance dealing with the illegal use of dirt bikes and all-terrain vehicles has been proposed and may be approved later in the meeting. She noted that Northampton County District Attorney Stephen Barratta supports adopting this Ordinance but wondered whether the Lehigh County District Attorney was consulted on this or similar matters.

Parking Concerns

Resident Silagh White urged Council to approve the Use Permit Agreement with Touchstone Theatre to present Festival Unbound. She was concerned about street parking associated with this and other events, especially on the South Side. She is concerned about poor communication and inflexibility with the Bethlehem Parking Authority's new policies. She believes there should be more details added to signage and the BPA app to explain the rules of its new parking zones. She also is concerned about the parking time limits that have been set as it relates to certain services, such as customers of hair salons, which may not be completed within the time limit. The Rapid Park Zone, for example, limits time to two hours.

Sign Size Concern

Resident William Scheirer had a concern about a proposed replacement sign being requested under a Certificate of Appropriateness for the Goundie House. He believed the sign of nearly 3 ½ feet by 3 ½ feet to be too large.

4. OLD BUSINESS

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

5. NEW BUSINESS

Mr. Callahan

Mr. Callahan said he will be out of the country for about one month and will miss the next two regular Council meetings.

Ms. Laird

Ms. Laird asked Director of Community and Economic Development Laura Collins about the facility on Brown Street. She asked if the activities of this facility are a permitted use in the residential zone where it is located.

Ms. Collins said she wanted to research the matter and provide an accurate response by memo. She does not know about this property or the services being provided. There are provisions for group homes but she does not know under what standards this facility was evaluated. She would like the opportunity to evaluate and respond.

Ms. Leon

Ms. Leon asked Chief Michelle Kott if she has learned which officer spoke with those at the homeless encampment about PPL's intention to do pole work there. She also asked whether the City could require PPL to go through the Police Department if it needs to communicate with the homeless in the future.

Chief Kott could not answer the second question but offered that Community Connections staff accompanied Sgt. Reiman. This accompaniment is the policy unless police are called for a medical reason or criminal complaint, basically an emergency. The sergeant is not a member of the Mounted Patrol. Body camera footage was reviewed to be sure that the message was conveyed respectfully. She is not happy with the timeline update for this project, but she said police will work closely with them to let PPL get the job done and provide those being temporarily displaced with proper shelter and resources.

Ms. Leon also asked whether PPL is required to contact the police or health department when a matter involves the homeless encampment.

City Solicitor John F. Spirk, Jr. was certain that PPL has an easement to access their poles on Norfolk Southern land. If PPL has a notification obligation, it would be to Norfolk Southern.

Ms. Leon also asked about Ms. Resetar's appeal for help with her landlord. She asked about next steps and whether a resident would be protected if the home they were living in were to be condemned.

Ms. Collins confirmed that the City is waiting on a court date from the magistrate to hear this matter. Inspectors could be sent again. If the situation changes to where condemnation would be necessary, the City would do what it could to work with the Health Bureau and offer service provider connections for at least temporary housing. The hope would be to provide enough notice.

Ms. Leon asked what can be done when there are serious and/or frequent complaints against landlords to make these facts known.

Ms. Collins said a Right-to-Know request could be submitted to learn the owner's name.

Ms. Leon also offered an answer to one of Ms. Noonan's questions as to how the homeless community receives communications and how they survive their summers and winters. Pastor Bob Rapp is willing to speak with those in the community who are concerned for the homeless and would like to know how this communication works.

Ms. Crampsie Smith

Ms. Crampsie Smith said that, assuming that the Brown Street facility is a group home of some sort, it is possible for a group home to exist in a residential neighborhood but information must be submitted to the Zoning Officer. She asked if this has happened.

Ms. Collins said she did not know the details.

Ms. Laird

Ms. Laird thanked the Police Department for its recent addition of publishing a daily blotter. She knows that this is on social media and there has been good feedback as to content. Ms. Laird asked if this also could be on the City's website.

Chief Kott said it already is under the police dropdown. There is a listing for "public blotter."

Mr. Colón

President Colón asked the Brown Street residents to provide their contact information after the meeting so that Ms. Collins can provide a response.

6. COMMUNICATIONS

A. *City Solicitor – Use Permit Agreement – Greater L.V. Chamber of Commerce – 2024 Harvest Fest*

The Clerk read a September 11, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association. Sub-permittees are McCarthy’s Irish Pub, Inc. and Social Still, LLC. The event is 2024 Harvest Fest. Event times will be noon to 5 PM on October 12. The duration will be 8 AM to 7 PM on October 12. The specified premises is Main Street from Broad Street to the Hotel Bethlehem parking lot entrance.

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

B. *City Solicitor – Use Permit Agreement – Touchstone Theatre – 2024 Festival Unbound*

The Clerk read a September 11, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is Touchstone Theatre. The event is 2024 Festival Unbound. Event times and durations vary and are specified in the agreement for September 30th through October 6th. The specified premises are the Bethlehem Rose Garden, Sand Island including the Boat Launch, the Ice House, and the Greenway from New Street to the Bethlehem Skate Park.

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

C. *Director of Purchasing – 2024 Memo – Equipment Auction*

The Clerk read a September 9, 2024 memorandum with an attached exhibit listing equipment for sale from Sandra Steidel, Director of Purchasing. Listed items will be offered for sale in an online auction within 60 days in accordance with provisions of Resolution 2009-95.

President Colón asked whether any Council member wanted to remove any items from the list and discuss them at the next Council meeting. Hearing none, he directed that it would be directed to the Purchasing Director that Council had no objections to auctioning the listed property.

7. REPORTS

A. *President of Council*

B. *Mayor*

Business Administrator Eric Evans filled in for the absent Mayor Reynolds. It was announced earlier that Mayor Reynolds was tonight welcoming guests from Patillas, Puerto Rico. A Sister City relationship has been established and will be celebrated with a flag-raising and ceremony at 1 PM on Friday, September 20 on Payrow Plaza.

C. *Finance Committee Chair – Ms. Crampsie Smith*

Ms. Crampsie Smith announced that the Finance Committee will meet at 6 PM on October 1 to discuss several budget adjustments.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 29-2024 – Bill No. 29-2024 Community Development Block Grant (CDBG) – Budget Adjustment*

The Clerk read Bill No. 29-2024 Community Development Block Grant (CDBG) – Budget Adjustment, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND
FOR 2024.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and President Colón, 7. Bill No. 29-2024, now known as Ordinance 2024-30, passed on Final Reading.

B. *Bill No. 30-2024 – Bill No. 30-2024 Community Development Block Grant-HOME – Budget Adjustment*

The Clerk read Bill No. 30-2024 Community Development Block Grant-HOME – Budget Adjustments, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND
FOR 2024.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and President Colón, 7. Bill No. 30-2024, now known as Ordinance 2024-31, passed on Final Reading.

C. *Bill No. 31-2024 – Bill No. 31-2024 UGI Paving Reimbursement – Non-Utilities Capital Fund – Budget Adjustment*

The Clerk read Bill No. 31-2024 UGI Paving Reimbursement – Non-Utilities Capital Fund – Budget Adjustment, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

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

Ms. Leon, and President Colón, 7. Bill No. 31-2024, now known as Ordinance 2024-32, passed on Final Reading.

D. *Bill No. 32-2024 – Bill No. 32-2024 All-Terrain Vehicles and Dirt Bikes Ordinance*

The Clerk read Bill No. 32-2024 All-Terrain Vehicles and Dirt Bikes Ordinance, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING
ARTICLE 525 OF THE CODIFIED ORDINANCES OF THE CITY
CITY OF BETHLEHEM TITLED “ALL-TERRAIN VEHICLES AND
DIRT BIKES” AND ESTABLISHING PROHIBITED OFFENSES
INVOLVING THE OPERATION WITHIN CITY LIMITS.

Mr. Callahan asked what the implementation plan would be if this Bill were to pass tonight.

Chief Kott said the education of owners and gas station would be the next step. A grace period would follow and then enforcement. Officers would still have discretion as to citations and forfeiture.

Mr. Callahan asked whether roving patrols will continue in the central business districts affected by loud noise.

The Chief said they have been done before and are anticipated in the future.

Ms. Laird noted that the amendments discussed during the September 3 Public Safety Committee and Council meetings are reflected in the final version of the Ordinance.

President Colón asked whether Lehigh County District Attorney Gavin Holihan was consulted on this matter or would Chief Kott foresee any enforcement issues in Lehigh County versus Northampton County.

The Chief said the Ordinance would apply to the City as a whole. She has spoken with the Lehigh County District Attorney’s Office, which has been aggressive in pursuing the dirt bike problem. Enforcement should not be a problem.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and President Colón, 7. Bill No. 32-2024, now known as Ordinance 2024-33, passed on Final Reading.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

A. *Approve Use Permit Agreement – Greater L.V. Chamber of Commerce – 2024 Harvest Fest*

Ms. Laird and Ms. Leon sponsored Resolution No. 2024-212 that authorized to execute a Use Permit Agreement with the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association, for 2024 Harvest Fest.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

B. *Approve Use Permit Agreement – Touchstone Theatre – 2024 Festival Unbound*

Ms. Laird and Ms. Leon sponsored Resolution No. 2024-213 that authorized to execute a Use Permit Agreement with Touchstone Theatre for the 2024 Festival Unbound.

Ms. Wilhelm noted that she does ongoing consultancy work with Touchstone and would be recusing herself from this vote. (A signed Conflict of Interest Form has been attached to these minutes.)

Ms. Laird also asked Ms. Wilhelm, as Council's liaison to the BPA, whether Ms. Wilhelm could raise concerns heard earlier in this meeting about the new parking regulations. Ms. Wilhelm said she would relay those concerns and report results to Council.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6; ABSTENTION: Ms. Wilhelm, 1. The Resolution passed.

President Colón said he would accept a motion to consider Resolutions 10 C through 10 G as a group. Mr. Callahan made a motion, seconded by Ms. Wilhelm, to consider Resolutions 10 C through 10 G as a group.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Motion passed.

C. *Certificate of Appropriateness – HARB – 30-32 West Market Street*

Ms. Laird and Ms. Leon sponsored Resolution No. 2024-214 that authorized to replace a total of 36 windows, including 32 double hung units, 1 picture unit, and 3 casement units, with Marvin Elevate windows. The Applicant also proposes to remove, restore/repaint the existing shutters, repaint the wood sills and lintels for the windows being replaced, and install new 6-inch half round gutters.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

D. *Certificate of Appropriateness – HARB – 227 East Church Street*

Ms. Laird and Ms. Leon sponsored Resolution No. 2024-215 that authorized to install a Bosch Climate 5000 Ductless Mini-Split Heat Pump which will replace the current oil heat and window/wall air conditioners.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

E. *Certificate of Appropriateness – HARB – 238 East Wall Street*

Ms. Laird and Ms. Leon sponsored Resolution No. 2024-216 that authorized to replace the existing shingled roof with GAF Slateline architectural shingles in the Antique Slate color, install new EPDM membrane in the box gutters of the front porch, replace the existing downspouts related to the repaired box gutters on the front porch, reside the walls of the existing roof dormers, and replace the rubber roof system on the rear dormer.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

F. *Certificate of Appropriateness – HARB – 127 East Wall Street*

Ms. Laird and Ms. Leon sponsored Resolution No. 2024-217 that authorized to replace the leaking slate line shingled roof with GAF Slateline architectural shingles. If chimney flashing is beyond repair, fabricated in-kind aluminum step and counter flashing will replace the damaged flashing. The Applicant also proposes to repair and replace the roof eave and rake trim board which will be painted to match the existing.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

G. *Certificate of Appropriateness – HARB – 501 Main Street*

- Ms. Laird and Ms. Leon sponsored Resolution No. 2024-218 that authorized to replace a sign at the Goundie House in the same style with “Goundie House Welcome Center”. Overall size of the sign will be 42” x 42” x 2”. The lettering and graphics will be hand painted or premium vinyl graphics.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 7. The Resolution passed.

11. ADJOURNMENT

The meeting was adjourned 8:14 PM.

ATTEST:

Tad J. Miller
City Clerk