

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, July 16, 2024 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Bryan G. Callahan, Grace Crampsie Smith, Hillary G. Kwiatek, Colleen Laird (via GoTo Meeting), Rachel Leon, and Kiera Wilhelm (via GoTo Meeting), and Michael G. Colón 7.

2. APPROVAL OF MINUTES

July 2, 2024

3. PUBLIC COMMENT

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

Safety Concerns

Resident Lisa Sparrow raised concerns about traffic safety at two intersections in the Indian Hill section. She believes a traffic study was recently conducted for a stop light to be erected at the intersection of Cherokee and West 3rd Streets. She requested that a study also be conducted to place a stop light at the three-way intersection of Seneca, West 3rd and West 4th Streets. She supports that some measure be taken at these locations, such as a traffic light, crosswalk, speed humps, or flashing lights. Ms. Sparrow presented a petition with signatures of neighbors who support proposed safety measures at this intersection. Ms. Sparrow said that another resident, Angela Mitchell from Cherokee Street, also has a petition with more signatures. She could not attend tonight and will present her petition at another meeting.

Enforcement Appreciated/Drinking Fountains

Resident Mary Jo Makoul thanked police Chief Michelle Kott for the added patrol effort to curtail illegal fireworks around July 4th. Although there still were incidents in her neighborhood, things were better than in the past. Additionally, Ms. Makoul commented on recent calls for the City to fix public drinking fountains. She said if estimates to repair fountains are excessive, the money should not be spent to fix them. Last year's tax increase and other recent utility rate increases have made it hard enough on those with fixed incomes without adding this expense, especially since it was reported that repeat instances of vandalism have led to some of the need for water fountain repairs.

Clarification Offered

Resident Arthur Curatola said that more than a year ago he was considered anti-Semitic based on comments he made at a Council meeting. Mr. Curatola stated that Jesus Christ was born in Bethlehem and that our City was named after him. The nickname “The Christmas City” reinforces this. This statement demonstrates history. It is not meant to be anti-Semitic. He further stated that he did not say that we should follow the teachings of Jesus Christ but that we should follow the example set by him.

City Workers Commended

Resident Dennis Douvanis reminded that he spoke of safety concerns along the Main Street Extension during the July 2 meeting. He commended the efforts of police Sergeant Jason Gerstner and Deputy Director of Public Works Basel Yandem in efforts to assist neighbors.

Minority is Ruling

Resident Harry Faber spoke against the United States’ capitalistic system in which the elite, a minority, is allowed to dominate the working people, who are actually the majority. This is not democratic.

Don’t Support Criminalizing Poverty

Resident Olympia Ransom said she read the City’s plan to address homelessness. She realizes this plan will not address the issue in full. She assessed that the City is more concerned with affordable housing than it is in providing emergency shelters for the homeless. She mentioned the recent U.S. Supreme Court ruling that essentially leaves the decision up to the states as to whether to criminalize poverty by allowing arrests and fines of homeless people. She encouraged Bethlehem not to support this action.

Board Appointments

Resident Bud Hackett supported recent concerns over appointments to the City’s authorities, boards, and commissions (ABC’s). There seems to be a preponderance of political and government people being appointed to these ABC’s. He believes there are enough interested residents to fill these seats. Mr. Hackett asked Council to look at increased outreach to the community to fill these roles and serve as watchdogs to ensure that these appointments will serve the intended purpose rather than a political purpose.

Drinking Fountain Repair

Resident Valerie Noonan again urged the repair of public drinking fountains. She raised global warming concerns and the need for water availability for the homeless, outdoor workers, visitors, and those enjoying recreation.

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

Find Land for Affordable Housing

Resident Harry Faber referred to the Opening Doors initiative and the need for land for the City to build affordable housing. He noted on tonight's agenda the intended sale of property in Allen Township by the City. He recognized that this land is outside of City boundaries but suggested there must be other City-owned land within its borders for use as affordable housing.

Supports BHA Appointment

Anna Smith, Director of Community Action Development Bethlehem, supported Rachel Leon's proposed appointment to the Bethlehem Housing Authority board. She called Ms. Leon an ideal candidate given her experience with board governance, deep understanding of the City's affordable housing landscape, and existing connections with the residents of the BHA community as well as the institutions that work in conjunction with them.

Fire Academy Funding

Lou Jimenez, President of Service Employees International Union Local 735, supported tonight's proposed budget adjustment to pay for cadets to attend an upcoming fire academy. This would accelerate the hiring of up to nine firefighters to increase staffing levels. To do so would lessen reliance on excessive overtime.

4. OLD BUSINESS

A. Members of Council

Ms. Crampsie Smith

Ms. Crampsie Smith relayed questions she has received as to why the area of the Walnut Street Garage that is closest to the Verizon building is yet to be demolished.

City Solicitor Spirk said there is some equipment in that section that is to be relocated to an adjacent lot. It has been worked around until relocation can occur. This equipment is critical infrastructure to the surrounding neighborhood.

Ms. Crampsie Smith also asked if there is an update on the portion of the project that has been designated for residential development.

Laura Collins, Director of Community and Economic Development, said that she sent an email a few weeks ago with an update. The Bethlehem Parking Authority voted at its last meeting to enter into a Memorandum of Understanding with a firm to complete the western most portion of the garage.

Ms. Crampsie Smith asked if this developer will have to appear before the Historic Architectural Review Board.

Ms. Collins said yes. The developer must put together land development plans that will first require approval by the City and BPA. This will include the formal development process that

any developer must complete, including Planning Commission and HARB review. Eventually, the process would require approval of a Certificate of Approval from City Council.

Mr. Callahan

Mr. Callahan asked if the demolition delay discussed by Ms. Crampsie Smith will set back the re-opening of the garage.

Ms. Collins said no. The new garage is still expected to open in time for the Christmas season of 2025.

Mr. Callahan asked which applicant has been selected to build the residential portion of the building.

Ms. Collins identified the firm as Ironside. She described what was received as “concepts or ideas.” She believes these call for a little over 100 units. Drawings will have to be reviewed by City engineers and HARB. There are many steps along the way where the estimate of 100 units could change.

- B. Tabled Items
- C. Unfinished Business

5. NEW BUSINESS

5A. Reschedule Time for August 6 Meeting

President Colón stated he would accept a motion and a second to reschedule the time of the City Council meeting on Tuesday, August 6, 2024 to 5:30 PM, instead of 7:00 PM, since the meeting occurs during the week of Musikfest.

Ms. Kwiatek made a motion, seconded by Mr. Callahan, to reschedule the starting time of Council’s August 6 regular meeting to 5:30 PM.

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

President Colón acknowledged the recent assassination attempt on former President Trump. President Colón noted some comments at recent City Council meetings which he did not find to be constructive yet they were permitted to proceed in an effort to balance First Amendment free speech rights with Council Rules and Robert’s Rules. He said he will always “try to be an advocate for civility and decorum” as it relates to what Council can control in City Council chambers. He encouraged those locally to continue to be a model for and example for civility and decorum.

Ms. Leon

Ms. Leon noted the extreme heat of this summer and wondered if planning for next year could include potentially opening some City pools at low or no cost or holding a day to open fire hydrants to let residents cool off.

Mayor Reynolds said this topic has been raised before. The challenge is the high utilization of City pools now. Part of a larger conversation is how much City Council is willing to subsidize the pool system. If you increase the hours the pools are open, you might run into staffing issues. He added that Water and Sewer Resources Director Edward Boscola could address some concerns associated with opening hydrants if a meeting were to be held.

Ms. Leon suggested this could be a topic for a future Parks and Recreation Committee meeting. She also credited Ms. Sparrow and the several Indian Hill neighbors in attendance tonight for raising safety concerns. She asked what triggers conducting a traffic study and if there are certain limitations.

Public Works Director Michael Alkhal said a traffic study can come about in several ways. If there are a number of accidents, a traffic count could be conducted to see if warrants are met to erect a traffic signal.

Ms. Leon said that accident statistics in this case might not be accurate. Many of these might be of the non-reportable nature, so all would not be recorded.

Mr. Alkhal acknowledged that but said that accidents are only a part of the data. Speeding surveys and other factors get considered. He said he is open to reviewing the situation.

Mr. Callahan

On the same subject, Mr. Callahan said that traffic studies can take a long time. He suggested a quick fix could be a "slow" sign along Delaware Avenue.

Mr. Alkhal said it is hoped that motorists would comply with signage, but that might not be an effective solution. He repeated that they would review the situation.

Ms. Kwiatek

Ms. Kwiatek added her concern for what the City can do during this time of brutal heat. She said the pools may be a part of that solution but she also is concerned for the homeless and those in need of a place to cool off and hydrate. Ms. Kwiatek said she posed this question today by email and learned that some nonprofit centers, such as New Bethany Ministries, have some centers where people can get relief. The Bethlehem Area Public Library is another. She agreed this should be a topic to be discussed in time for budget season if funding becomes necessary.

Ms. Crampsie Smith

Ms. Crampsie Smith also supported discussions for strategies to deal with summer heat.

Ms. Laird

Ms. Laird commended City crews for storm clean-up a few weeks ago. Some debris still remains. She believes this may be caused by uncertainty by some residents as to who is responsible for clean-up depending on the location.

Mr. Alkhal said that anything from the curb toward a resident's property is the responsibility of the resident for removal. Anything located in the cartway must be removed by the City. Residents are to arrange removal of trees and debris that falls on their property. The City has sent letters urging clean-up in instances it is aware of where debris remains.

Mr. Callahan

Mr. Callahan asked whose responsibility it is to clear weeds on land between the Greenway to Farrington Square.

Mr. Alkhal said this would be the property owner's responsibility. He said he would follow up.

6. COMMUNICATIONS

A. *Director of Bethlehem Authority – Sale of Allen Township Property – Bethlehem Authority to Eisenreich*

The Clerk read a June 27, 2024 memorandum from Stephen Repasch, Executive Director of the Bethlehem Authority, with an attached Resolution. Mr. Repasch reports that the Authority Board unanimously approved the sale of 1.04 acres in Allen Township to Michael and Pamela Eisenreich for \$81,000. The Authority is seeking City Council's approval for this sale, as required by Section 7.06 of the Bond Trust Indenture. This property was part of the East Allen Township (well) Water System, which was purchased in 2013. The property no longer serves any purpose to the Authority or the City of Bethlehem Water System because the area is now served with water from the City's main water system.

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

B. *Director of Water and Sewer Resources – Memo – Records Destruction*

The Clerk read a July 3, 2024 memorandum with a proposed Resolution from Edward Boscola, Director of Water and Sewer Resources, requesting the Destruction of Records from his department. Mr. Boscola has reviewed the Municipal Records Retention Act, and the records listed on the exhibit accompanying the memo fall within the categories where destruction is permitted.

President Colón stated that a Resolution will be placed on the August 6 agenda.

C. *Chief of Police – Handgun Purchase for Retiring Sergeant Bradford Jones*

The Clerk read a July 7, 2024 memorandum from Police Chief Michelle Kott with an attached Resolution and Agreement for the purchase of a duty weapon by a retired Officer of the Bethlehem

Police Department. Pursuant to the Third Class City Code, retired officers may purchase their duty firearms at fair market value.

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

D. Director of water and Sewer Resources – 2024 35 Risk and Resilience Assessment Update – Spotts, Stevens, and McCoy

The Clerk read a July 9, 2024 memorandum from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends a contract with Spotts, Stevens, and McCoy of Reading to perform a Risk and Resilience Assessment of the City's water system. This assessment is required every five years and is due in March. The cost is \$23,000. The contract shall run from the Notice to Proceed until March 31, 2025. There are no renewals. The contractor was selected based on price and knowledge of the City's system. Spotts, Stevens, and McCoy conducted the previous assessment five years ago.

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

E. Chief of Police – Police Recruitment – Viamedia

The Clerk read a July 9, 2024 memorandum with a proposed Resolution from Police Chief Michelle Kott. Chief Kott recommends an agreement with Viamedia of Bethlehem to provide advertising services to create and display recruitment advertisements through web-based media for the Police Department. The cost is \$20,000 for production and delivery. The contract will run from September through December of 2024. There are no renewals.

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

F. City Solicitor – Use Permit Agreement – ArtsQuest – 2024 PizzaFest

The Clerk read a July 9, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is ArtsQuest, and the event is the 2024 PizzaFest. The event time is noon to 7 PM on September 29. The duration of the permit is from 8 AM to 9 PM on September 29. The specified premises is 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st and 2nd Streets.

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

G City Solicitor – Use Permit Agreement – Bradbury Sullivan – 2024 Lehigh Valley Pride

The Clerk read a July 9, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is the Bradbury Sullivan LGBT Community Center and the Sub-permittee is ArtsQuest. The event is 2024 Lehigh Valley Pride. The event time is 2-7 PM on August 18. The duration of the permit is from 9 AM to 10 PM on August 18. The specified premises is 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st and 2nd Streets.

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

H. *City Solicitor – Use Permit Agreement – ArtsQuest – 2024 SteelStacks Summer Concert Series – Amendment 1*

The Clerk read a July 10, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached an amended Use Permit Agreement and a Resolution. The Permittee is ArtsQuest. The amendment would add and additional date to the 2024 SteelStacks Gated Summer Concert Series. The additional event time is 6-10 PM on September 8. The duration is noon to midnight on September 8. The specified premises is 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st and 2nd Streets.

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

I. *City Solicitor – Use Permit Agreement – Lease Amendment 2 – Allenbeth Associates*

The Clerk read a July 10, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached amended Lease Agreement and a Resolution. The agreement is between the City and Allenbeth Associates Limited Partnership and others to renew terms and conditions to lease land behind the Stefko Shopping Center to provide additional parking spaces for the general public.

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

J. *Director of Community and Economic Development – Memo – Northside Alive Sidewalks – PA DCED Multimodal 2024*

The Clerk read a July 19, 2024 memorandum and proposed Resolution from Laura Collins, Director of Community and Economic Development. The memorandum seeks permission to apply for a grant of up to \$1 million from the state Department of Community and Economic Development requesting funds for the construction of sidewalks located in the Northside Alive Neighborhood and South Side Business District.

President Colón state that Resolution 10 J is on the agenda.

K. *Director of Community and Economic Development – Memo – West Broad Street – PA DCED Multimodal 2024*

The Clerk read a July 10, 2024 memorandum and proposed Resolution from Laura Collins, Director of Community and Economic Development. The memorandum seeks permission to apply for a \$1.85 million grant from the state DCED requesting funds for the construction of West Broad Street renovations.

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

L. *Chief of Police – Memo – Records Destruction*

The Clerk read a July 5, 2024 memorandum with a proposed Resolution from Police Chief Michelle Kott, requesting the Destruction of Records from her department. Chief Kott has reviewed the Municipal Records Retention Act, and the records listed on the exhibit accompanying the memo fall within the categories where destruction is permitted.

President Colón stated that a Resolution will be placed on the August 6 agenda.

7. REPORTS

A. *President of Council*

7A1. *Curative Amendment Hearing – BAHX, LLC (July 31)*

President Colón stated that the Curative Amendment Hearing requested by BAHX, LLC that was held on April 30 will continue at 6 PM on Wednesday, July 31 in Town Hall. The Curative Amendment Petition proposes removing any building length limitation from the CL District.

B. *Mayor*

Mayor Reynolds reported that he attended an ArtsQuest event earlier this evening that included a short film, "Love Letter to Bethlehem." This featured many of the City's small businesses and why their owners love the City. He announced that Bernie Fritz Night is next Wednesday at 6 PM at Bernie Fritz Park. Also last week came the announcement that the Parking Authority and the Lehigh and Northampton Transportation Authority will provide free shuttles during Musikfest. The Parking Authority will be paying for the majority of this service. The Mayor said this will reduce the number of vehicles on City streets and should make pedestrian travel safer.

The Mayor also mentioned that a testament to the Community Connections program is the relationships the City and nonprofits have with unhoused people. This communication builds trust and serves as the front line for understanding their needs, including during the recent intense heat.

7B1. *Administrative Order – Rachel Leon – Bethlehem Housing Authority*

Mayor Reynolds also proposed the appointment of Rachel Leon to the Bethlehem Housing Authority effective through March of 2029.

Ms. Leon said she is afforded the opportunity as a disabled veteran to manage her time as she chooses. She chooses to spend a lot of time in the community and has worked with people involved with the BHA a lot. She can bring a community-minded approach to the board. She brings skills of gathering information, processing the information and making the best decisions possible. She said she will recuse herself from the vote because she is the proposed appointee.

Ms. Wilhelm offered her strong support for Ms. Leon to this position. She said she is "uniquely qualified" to contribute positively.

Ms. Crampsie Smith raised concerns about a potential conflict of interest and bad public policy to appoint any Council member to the BHA board. This has nothing to do with Ms. Leon personally. Council members already are liaisons to all authorities, so Council already has input into these matters. Ms. Crampsie Smith believed that Council members have been liaisons but

never board members of ABC's. She believes it is "counterintuitive" to have Council members act as board members and potentially vote on the same matter at the Council level. She was first concerned as to whether there are legal issues in which this could jeopardize funding. The Hatch Act restricts certain political activities to those who work for federally funded programs. She wanted assurance that this would not apply. Ms. Crampsie Smith additionally cited Title 24 of the Code of Federal Regulations regarding conflict of interest and public officials. An additional conflict may exist when Council members must vote on HUD funding. She wanted to meet both the language and spirit of the law. Even if this appointment is legal, she believes it sets a bad precedent. Residents are appointed to ABC's to encourage diverse participation and ideas. This would narrow the options.

Ms. Kwiatek asked to hear from the Administration on the raised concerns.

City Solicitor Spirk said he does not consider spirits of the law and does not see that this appointment would violate the law.

President Colón asked whether he has consulted with the Public Housing Authority Solicitor.

Mr. Spirk said he reached his conclusion based on his own research.

President Colón asked whether Mr. Spirk would have a problem with any of the other factors cited by Ms. Crampsie Smith.

Mr. Spirk said he does not.

Mayor Reynolds added that he has recently stated that certain ABC's require more expertise based on their nature. This is one of those. The BHA requires time to be engaged in the process, programs, and trends. The Choice Neighborhoods initiative, in particular, is time and labor intensive. There are not a lot of people volunteering to take on associated tasks. People within the community have recommended that he choose Ms. Leon for this volunteer board position because of the work that she has done in the community and with public housing.

Ms. Kwiatek identified herself as Council's liaison to the BHA. She believes that Ms. Leon would be a good fit and bring progressive ideas and hard work to the position. She also asked the Administration about a potential conflict but believes that conflict is mostly about monetary benefit. She he does not believe there is a situation involving Ms. Leon where that could occur.

Mr. Callahan also said his comments were not meant to be personal against Ms. Leon. However, he could not recall in his time on Council a member serving on any ABC's.

Searching his memory, Mayor Reynolds could not recall examples either, but he said he agreed with Mr. Spirk and does not see a conflict. He also recalled the ethics training session held for Council and the Administration earlier this year. Key concepts associated with conflict of interest were monetary gain and benefitting the individual or close family members. That is not the case with this proposed appointment.

Mr. Callahan confirmed with Mr. Spirk that he has not checked with the Public Housing Authority Solicitor.

Mr. Spirk supported his ability to provide reliable independent research based on his 46 years as a lawyer.

Mr. Callahan believed that Ms. Crampsie Smith was referring to the ethics section of the Public Housing Authority.

Mr. Spirk said he would be happy to meet with another attorney that perhaps Ms. Crampsie Smith or Mr. Callahan have consulted, but he believes his opinion, considering all laws, to be correct. He is, for example, aware of a law that states that no council member in a First Class City may be on the housing authority, but Bethlehem is a Third Class City.

Mr. Callahan said the Public Housing Authority information that he read from does not mention a First Class City, just a public official.

Mr. Spirk said he was confident that his research was thorough.

Mr. Callahan said he was additionally concerned that it sets a dangerous precedent to appoint a Council member to this authority. Traditionally, these have been boards made up of volunteer residents. Council has lamented having a select group to pick from at times. Council has the ability to influence policy and should not covet that power for themselves. Council should be discouraged from doing this type of thing.

Mr. Callahan suggested it would be better for Ms. Leon to, at least for now, withdraw her name from consideration until legal questions can be answered. He next asked Council Solicitor Steward for her opinion and offered for her review the wording on the Public Housing Authority website, which was later identified as coming from HUD.

Ms. Crampsie Smith summarized her position to say this is a slippery slope to name a Council member to this position. She also wondered why the person whose BHA board seat is in question is not being reappointed. This person is very involved with the Parkridge housing community and is very involved in housing. Ms. Crampsie Smith suggested voting and not waiting for another legal opinion. One has been offered by Mr. Spirk.

Ms. Steward commented on a section concerning procurement and housing choice voucher administration. Those mentioned included public officials and their families, but it appeared to require gaining an unfair advantage.

Mr. Callahan suggested tabling this matter until a determination can be received from the solicitor for the federal Housing Authority.

President Colón asked that all Council members who wish to comment on this matter be given the chance to do so before a formal motion to table is made.

Mr. Callahan repeated that he wished to make the motion to table at this time.

President Colón reminded that there is no set date to continue discussion if the motion to table passes and that discussion on this subject for tonight would cease.

Ms. Steward clarified that, if the motion to table passes, the matter must be listed on the next Council agenda. If a second were received, there would be no discussion tonight on the motion to table.

President Colón repeated Mr. Callahan's motion to table and asked if there were a second to that motion. None was received and the motion died.

President Colón continued the discussion noting that he has served on the Human Relations Commission prior to and during his tenure on Council. This has included two reappointments by Council. He has recused himself at times and believes others would as well when appropriate. The BHA also has a solicitor which he believes would guide appropriately if conflicts arise. Further, Council has a Conflict of Interest Ordinance in place, and he believes the motives of Ms. Leon to be sincere.

Ms. Laird said Ms. Leon would be a benefit to the BHA board. She is also certain that no one tonight would want to jeopardize BHA funding, so getting clear direction is wise. She would like to hear an opinion from Ms. Steward and perhaps the federal Housing Authority Solicitor before voting on the appointment.

Ms. Leon reminded that she was on Council when the Conflict of Ordinance was passed and she is mindful of its meaning. She referred to the definition of "conflict of interest" and said she would not financially benefit from the Section 8 housing voucher program, she is not a developer nor would she procure a property that is part of the voucher program. Meanwhile, she asked Ms. Steward to consider the appropriateness of her appointment to the Library Board, because she serves on that as well.

Ms. Steward appreciated additional time to provide a more thorough response. She returned to the concept of conflict of interest. She believes the motivations for questions have been in good faith assuring that Council does not make missteps that might jeopardize funding. But the core concept of conflict of interest is self-dealing. She has since been able to read and digest the federal citation referred to by Mr. Callahan and Ms. Crampsie Smith. She said this really looks to make sure that someone is not self-dealing. At least preliminarily, this is her view.

Mr. Callahan said that if the appointment is legal and the federal government agrees, he will be happy to vote for Ms. Leon's appointment. He asked what the rush is about.

After receiving assurance from Ms. Steward that she could further research and write a full opinion before Council's next meeting, President Colón made a motion, seconded by Mr. Callahan, to postpone a vote on this matter until further consideration on August 6.

Under discussion, Ms. Laird asked Ms. Steward to also research the permissibility of Council members serving on ABC's.

Mr. Callahan also asked for a letter of opinion from the Solicitor of the federal Housing Authority.

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

Mayor Reynolds encouraged conversations to occur with solicitors prior to meetings if concerns similar to this one can be anticipated. This would allow more time for legal research. He said a three-week delay in making this decision will not pose a problem. The Mayor also stated that this proposed appointment would not have gotten this far if he, Mr. Spirk, Director of Community and Economic Development Laura Collins or Deputy Director of Community Development Sara Satullo would have thought that a conflict existed and funding might be jeopardized.

Ms. Steward said that she independently researched this issue when she saw this matter on the agenda. She reached the same conclusion that Mr. Spirk stated tonight. However, tonight's discussion raised some specific additional questions which she is happy to further research.

Mr. Callahan returned to the Mayor's last comment and asked if Ms. Collins or Ms. Satullo consulted the federal Housing Authority to see if this appointment would be legal. He said if the answer was yes, the vote could take place now.

President Colón said he did not want to backtrack on action just taken by Council. He said it would be misleading to say that Council could vote right now on the appointment when a vote was just taken to postpone.

Mr. Callahan said he simply wanted to establish whether the federal Housing Authority had been contacted. It appeared it had not, based on the fact that he was not being answered.

Ms. Kwiatek raised a point of order, believing that matters had been concluded and that the meeting should move forward. She asked for a ruling from Ms. Steward.

Ms. Steward said it was a matter of whether Mr. Callahan had been recognized by the Chair.

President Colón said that Mr. Callahan had promised to be brief before exchanges occurred.

Mayor Reynolds asked to be recognized and said there is a pattern of Mr. Callahan interrupting responses that he has requested. Going forward, he asked President Colón what he believes would be the best strategy for the Administration to provide uninterrupted responses. He concluded by saying that the Administration stands by what has been said that the research that was done does not indicate a conflict of interest, a violation of law, or anything that would put funding in jeopardy.

Mr. Callahan said he still has not received an answer to whether federal housing officials were contacted.

President Colón said that Mayor Reynolds has answered as he has chosen to and, historically, there are not Council comments during the Mayor's Report. He believed treatment was sufficiently flexible, but it was time to move on.

C. *Finance Committee*

Chairwoman Crampsie Smith reported that a Finance Committee meeting was held earlier this evening. Eight budget adjustments were reviewed and forwarded for Council's consideration tonight.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 19-2024 – Bill No. 19-2024 Budget Adjustments – Non-Utility Capital Fund*

The Clerk read Bill No. 19-2024 Budget Adjustments – Non-Utility Capital Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 19-2024 passed on First Reading.

B. *Bill No. 20-2024 – Bill No. 20-2024 Budget Adjustments – Community Development Block Grant Budget*

The Clerk read Bill No. 20-2024 Budget Adjustments – Community Development Block Grant Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Crampsie Smith, as Chairwoman of the Finance Committee, reported that agenda items 9B and 9C were discussed earlier at the Committee meeting and are simply year-end budget adjustments.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 20-2024 passed on First Reading.

C. *Bill No. 21-2024 – Bill No. 21-2024 Budget Adjustments – Community Development Block Grant Budget*

The Clerk read Bill No. 21-2024 Budget Adjustments – Community Development Block Grant Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 21-2024 passed on First Reading.

D. Bill No. 22-2024 – Bill No. 22-2024 Budget Adjustments – Community Development Block Grant Budget

The Clerk read Bill No. 22-2024 Budget Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Crampsie Smith clarified that this adjustment represents a \$15,000 donation from Lehigh Valley Partnership to be used for a celebration if Bethlehem is selected as a World Heritage site.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 22-2024 passed on First Reading.

E. Bill No. 23-2024 – Bill No. 23-2024 Budget Adjustments – General Fund Budget

The Clerk read Bill No. 23-2024 Budget Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Crampsie Smith explained that this has to do with mercantile tax management. Because Tri-State is paid on a percentage basis for the amount of mercantile tax revenue it collects and because the amount of tax revenue is higher than project, Tri-State is due a larger amount of money for its services.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 23-2024 passed on First Reading.

F. Bill No. 24-2024 – Bill No. 24-2024 Budget Adjustments – General Fund Budget

The Clerk read Bill No. 24-2024 Budget Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Crampsie Smith explained that this is a \$20,000 grant from Pennsylvania DCED for façade improvements on the North Side.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 24-2024 passed on First Reading.

G. *Bill No. 25-2024 – Bill No. 25-2024 Budget Adjustments – General Fund Budget*

The Clerk read Bill No. 25-2024 Budget Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Crampsie Smith said that proceeds from higher-than-expected investment income will be used to send nine firefighter cadets to an academy in Harrisburg. This will help to restore the firefighting ranks to a full complement.

Mayor Reynolds thanked Chief Michael Reich, Capt. Matthew Griffin, Deputy Chief Craig Baer, and Human Resources Director Michelle Cichocki for efforts to find another academy to train cadets to be certified and ready for duty six months sooner.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 25-2024 passed on First Reading.

H. *Bill No. 26-2024 – Bill No. 26-2024 Budget Adjustments – General Fund Budget*

The Clerk read Bill No. 26-2024 Budget Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Crampsie Smith said that this budget adjustment is to pay for hiring two additional housing inspectors. The cost will be balanced by more revenues anticipated through more inspections that will be able to be done. Inspections are now three months behind. This slows home-buying.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, and President Colón, 7. Bill No. 26-2024 passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Sale of Bethlehem Authority Property in Allen Township to Eisenreich*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-157 that authorized the sale of approximately one acre of land, known as tax Parcel ID L4 55 0501E in the Township of Allen, Northampton County, by the Bethlehem Authority to Michael S. and Pamela Eisenreich is approved and that the appropriate officials are hereby authorized to execute any and all necessary documents.

Ms. Kwiatek said a point was made during Public Comment about repurposing land no longer of strategic use to the City for use as affordable housing.

Mr. Boscola said this land is in Allen Township, not the City. This is land that was purchased when the City took over the assets of the East Allen Township Water Authority. It is a vacant lot and no longer of use to Bethlehem.

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

B. *Approve Resolution – Records Destruction – Department of Financial Services*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-158 that authorized the disposal of public records in the Department of Financial Services, as set forth in Exhibit A.

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

C. *Approve Resolution – Sergeant Jones 2024 Disposition of Police Handgun*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-159 that authorized to execute an Agreement to effectuate the transfer of the City-issued handgun assigned to Sergeant Bradford Jones, a retired City police officer.

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

D. *Approve Resolution – 2024 35 Risk and Resilience Assessment Update – Spotts, Stevens, and McCoy*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-160 that authorized to execute all documents and agreements with Spotts, Stevens, and McCoy to perform a required Risk and Resilience Assessment of the City's water system.

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

E. Approve Resolution – Police Recruitment – Viamedia

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-161 that authorized execute agreements and documents as deemed necessary by the City Solicitor with Viamedia to provide police recruitment Internet advertising.

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

F. Approve Use Permit Agreement – ArtsQuest – 2024 PizzaFest

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-162 that authorized to execute a Use Permit Agreement with ArtsQuest for the 2024 PizzaFest.

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

G Approve Use Permit Agreement – Bradbury Sullivan – 2024 Lehigh Valley Pride

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-163 that authorized to execute a Use Permit Agreement with the Bradbury Sullivan LGBT Community Center for 2024 Lehigh Valley Pride.

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

H. Approve Use Permit Agreement – ArtsQuest – 2024 SteelStacks Summer Concert Series – Amendment 1

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-164 that authorized to execute an amended Use Permit Agreement with the ArtsQuest to add another date to its 2024 SteelStacks Summer Concert Series.

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

I. Approve Resolution – Lease Amendment 2 – Allenbeth Associates

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-165 that authorized to execute Amendment No. 2 to Lease Agreement between the City of Bethlehem and Allenbeth Associates Limited Partnership and such other agreements and documents as are deemed necessary by the Solicitor according to the terms and conditions indicated for the purpose of renewing the lease term and setting forth the rent due to the City during the renewal term.

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

J. Approve Resolution – Northside Alive Sidewalks – PA DCED Multimodal 2024

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-166 that authorized and directed to execute all application forms necessary to apply for a state Department of Community and Economic Development grant for construction of sidewalks located in the Northside Alive neighborhood and the South Side Business District and that the Mayor and Controller are authorized to execute necessary agreements and documents.

President Colón asked the status of this grant application.

Ms. Satullo said a Council Resolution is required as part of the application process. The application deadline is July 31. She could not estimate an award date.

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

K. Approve Resolution – West Broad Street – PA DCED Multimodal 2024

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-167 that authorized and directed to execute all application forms necessary to apply for a state Department of Community and Economic Development grant for West Broad Street renovations and that the Mayor and Controller are authorized to execute necessary agreements and documents.

Ms. Kwiatek asked if this is different from federal funds that have been promised.

Mayor Reynolds said this is a match for some of the grant money that has been received.

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

11. ADJOURNMENT

The meeting was adjourned 9:32 PM.

ATTEST:

Tad J. Miller
City Clerk