

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Wednesday, November 4, 2020 - 7:00 PM

INVOCATION

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Grace Crampsie Smith, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 6. Olga Negrón was absent, 1.

2. APPROVAL OF MINUTES

September 15, 2020.

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

*Parked Car*

Lisa Rosa, 1110 Mechanic Street, informed she had reported to the Bethlehem Police about a car that had been parked with a rag in a gas tank. They had called because it was on Housing property to Housing and this was months ago and nothing has been done. She called and spoke to someone who was on the Housing Board and the car was still parked there. She spoke to someone from the Mayor's office and that car still sat there. Ms. Rosa pointed out she spoke to someone on City Council about it and she was told that they trusted in the police and they would do what they were supposed to. Eight months later the car got tagged two weeks ago and it was red tagged a few days ago and this was after she put this on social media. Her question is why do we have to wait until things are so far past to do something about it. Do we have to wait until a catastrophe happens before something is done about things instead of doing something when things are first reported? She pointed out that eight months is a long time to wait and if some kid were to light the rag in that gas tank, where the elderly people live if that car would have blown up there could have been a huge problem there. She kept reporting it and she does not understand why it took this long to finally get something done. Ms. Rosa stated she is doing her best as a citizen who lives here who has worked in the past with the block watch for eight years. She reported something that she thought was a safety hazard and it took this long to get something done. Is she the only one who sees that this could have been a catastrophe? She would appreciate an answer and if this is all she gets that is fine but she is just concerned because things should not be left like this.

*Ordinance-First Floor Retail/Walnut Street Garage*

Bruce Haines, 63 W. Church Street, commented he would like to thank Darlene Heller for bringing back the ordinance that is going to close the loophole regarding first floor retail in the

central business district. Council will be reading this into the record but not voting on it but he just wanted to thank her for fixing this. It was one that was out there and is very important for our downtowns to truly have first floor retail for the shopping and dining experience for tourists and not have offices or residential on our first floor Main Street or Broad Street retail space. He just wanted to thank Ms. Heller for bringing that forward and encourage all of Council to support that ordinance. If Council has any questions about it they can call him because we in the Downtown Business Association highly support this ordinance revision. Mr. Haines remarked at the last meeting the Parking Authority Executive Director talked about the Walnut Street Garage. He added that Councilwoman Van Wirt really pursued a great line of questioning. The Walnut Street Garage was built in 1975 but it was built like a brick house. It was over designed for the times and it is way over built relative to beam demands for load versus today's specifications. So this garage was built to last forever. He believes the garage should not be torn down. He believes it is not in the kind of bad shape requiring a teardown. Mr. Haines believes Desman is very conflicted to be doing the design work or to look to establish the repair costs. You really seriously need a second opinion because their interest is to overstate the cost of the repairs to that building because their main objective is to build new garages. You need somebody that deals with garage repairs to assess the report. In 2018 Desman just two years ago said that the cost to repair this garage for over the next 20 years would be \$9.5 to \$11 million dollars and now they are saying as he recalls it is \$12.5 million just for the first five years and then perhaps another \$8 or \$9 million for the 20 years. So they virtually discredited their own report from two years ago by dramatically increasing the estimate of the cost of repairs. Mr. Haines suggest you consider D'Huy Engineering; they are the ones that manage his garage which is 10 years older than the hotel, built in the same over spec designs relative to today's steel beam requirements. They also do repairs for a garage in New Jersey. They are a local engineering company and he is only recommending them, he does not say it has to be them but he truly feels it would be irresponsible to not have a second opinion about the cost of repairs to the Walnut Street Garage.

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. *Deputy Fire Chief/Fire Marshall – Amend Article 1501 – Fire Safety and Code Enforcement Inspection Fees*

The Clerk read a memorandum dated October 22, 2020 from Deputy Fire Chief Craig Baer with an attached proposed ordinance amending Article 1501 titled Fire Safety and Code Enforcement Inspection Fees.

*Scheduling Public Hearing*

Mr. Colón and Dr. Van Wirt moved to schedule a Public Hearing on this proposed ordinance for Tuesday, January 19, 2021 at 7:00 PM in Town Hall.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Motion passed.

President Waldron stated a Public Hearing has been scheduled on this proposed ordinance for Tuesday, January 19, 2021 at 7:00 PM in Town Hall. The meeting will be live streamed on YouTube on the City of Bethlehem Council YouTube channel and instructions for making public comment by phone will be posted on the City Council Meeting webpage.

*B. Recreation Director – Request for Resolution – 2020 Multimodal Transportation Fund Grant*

The Clerk read a memorandum dated October 29, 2020 from Jodi Evans, Recreation Director with a request for Council approval of a Multimodal Transportation Fund Grant application. A proposed approval resolution is attached.

President Waldron stated Resolution 10 B is on the agenda.

*C. Housing & Community Development Administrator – CDBG/HOME Citizen Participation Program Amendments*

The Clerk read a memorandum dated October 23, 2020 from Tina Roseberry, Housing and Community Development Administrator detailing proposed amendments to the city's CDBG/HOME Citizen Participation Program. A proposed approval resolution is attached.

President Waldron stated Resolution 10 C is on the agenda.

*D. City Solicitor – Amendment to Tower Lease Agreement – Allentown SMSA Limited Partnership d/b/a Verizon Wireless – Rodgers and Lewis Street Tower Site*

The Clerk read a memorandum dated October 28, 2020 from William P. Leeson, City Solicitor with a proposed approval resolution for an amendment to Tower Lease Agreement between the city and Allentown SMSA Limited Partnership d/b/a Verizon Wireless.

President Waldron stated a Resolution will be placed on the November 17, 2020 Council agenda.

*E. Public Works Director – Recommendation of Award – Traffic Planning and Design, Inc. – South Bethlehem Corridor Connections – Construction Inspection Services*

The Clerk read a memorandum dated October 28, 2020 from Michael Alkhal, Public Works Director recommending a contract with Traffic Planning and Design, Inc. for construction inspection services related to the South Bethlehem Corridor Connections project. The cost is \$55,122.96 and there are no current renewals.

President Waldron stated Resolution 10 D is on the agenda.

*F. Director of Planning and Zoning – Zoning Text Amendment – Commercial uses on the first floor in CB and CL Zoning Districts*

The Clerk read a memorandum dated October 28, 2020 from Darlene Heller, Director of Planning and Zoning with an attached proposed Zoning Ordinance text amendment to revise the first floor commercial storefront requirement in the CB and CL Zoning Districts. The amendment clarifies that the requirement applies to buildings in the CB and CL zoning districts irrespective of upper floor uses. The amendment also loosens the first floor requirements in CL zoning districts to allow a broader range of commercial uses, including professional offices.

Dr. Van Wirt and Mr. Colón moved to schedule a Public Hearing on this proposed ordinance for Tuesday, January 5, 2021 at 7:00 PM in Town Hall.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Motion passed.

President Waldron stated a Public Hearing has been scheduled on this proposed ordinance for Tuesday, January 5, 2021 at 7:00 PM in Town Hall. The meeting will be live streamed on YouTube on the City of Bethlehem Council YouTube channel and instructions for making public comment by phone will be posted on the City Council Meeting webpage.

*G. Assistant Solicitor – Proposed Small Cell Wireless Lease with Cellco Partnership d/b/a Verizon Wireless*

The Clerk read a memorandum dated October 28, 2020 from Matthew Deschler, Assistant City Solicitor with a proposed resolution authorizing the city to execute a lease with Cellco Partnership d/b/s Verizon Wireless. The proposed lease governs the installation and operation of small cell wireless installations in the city.

President Waldron stated Resolution 10 E is on the agenda.

*H. Councilman Reynolds – Unspent Pennsylvania COVID Relief Funds – Resolution*

The Clerk read a memorandum dated October 30, 2020 from Councilman J. William Reynolds proposing a resolution urging the Pennsylvania General Assembly or Lehigh and Northampton Counties to allocate the \$1.3 billion dollars in unspent Coronavirus relief funds to support small businesses and those within our vulnerable communities significantly impacted by the Coronavirus pandemic, such as economically disadvantaged communities and students, restaurants, and minority-owned small businesses.

President Waldron stated Resolution 10 A is on the agenda.

**7. REPORTS**

*A. President of Council*

*1. Councilmanic Appointment – Loren L. Speziale – Human Relations Commission*

President Waldron reappointed Loren L. Speziale to membership on the Human Relations Commission. This appointment is effective until March, 2023. Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-186 to confirm the reappointment.

Mr. Colón related he has been a member of the Human Relations Commission for 6 years and Ms. Speziale has been on the Human Relations Commission and her involvement predates his involvement on the Human Relations Commission. She served as the Chair of the Human Relations Commission for a number of years before this calendar year and he thinks she brings a great deal of what the goal of the Human Relations Commission is and in her professional life she is one of the few or maybe only attorney's that has a legal perspective on the Human Relations Commission as it relates to some of the matters that we discuss. Mr. Colón is glad to see Ms. Speziale's reappointment and will be supporting this tonight.

Mr. Callahan informed he had asked Mr. Vidoni and Mr. Colón to reach out to Ms. Speziale to see if she would be available for tonight's meeting. He queried if she is available.

Mr. Vidoni stated he believes not based on his communications with her.

Mr. Callahan remarked Ms. Speziale has done a fine job in the past and he is sure that she will be getting overwhelming support tonight from everybody. But he will not be supporting her due to the fact that when he tried to send the Wage Equality Ordinance for equal pay for equal work that would protect minority women Ms. Speziale was one of the driving forces that did not want to deal with it. She did not want the issue to come to her Commission and because of that he will not be supporting her tonight.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Colón, and Mr. Waldron, 6. Voting NAY: Mr. Callahan, 1. The Resolution passed.

B. *Mayor*

President Waldron asked how the Christmas tree selection is coming along.

Business Administrator Eric Evans noted it is not in the stand yet. He will try to check with Michael Alkhal, Director of Public Works during this meeting and report back. We did talk at length with Greg Cryder, City Electrician about the search for a tree and future of doing that. It has become more difficult and he was struggling but he will reach out to Mr. Alkhal to get an answer for the progress on that. The base is set up in Payrow Plaza in preparation for delivery of a tree but he is not sure of the status.

C. *Community Development Committee Meeting*

Chairwoman Van Wirt stated the Community Development Committee met on Thursday, October 22, 2020, at 6:00 PM, in Town Hall. The Committee held the annual Financial Accountability Incentive Reporting Hearing required by Article 349 and reviewed economic development incentive reports submitted by the Administration. The meeting was for informational purposes only; no action was taken by the Committee. The reports will be posted on the City website in the near future. The Committee also reviewed a proposed draft Zoning Ordinance text and map amendment related to the proposed creation of a Student Overlay District

and including other provisions to address student housing, dimensional requirements, and accessory structure regulations. This item was for informational purposes only and there was no action taken.

*D. Committee of the Whole Meeting*

President Waldron stated the Committee of the Whole met on Thursday, October 29, 2020 to discuss Administration presentations on the Interaction of the Police Department, the Health Bureau, Recreation, and the Department of Community and Economic Development. This meeting was for informational purposes only and no actions were taken.

*E. Finance Committee Meeting*

Chairman Reynolds stated the Finance Committee met on Tuesday, October 27, 2020. The Committee agenda included the following two (2) agenda items: Amending the General Fund and Non-Utility Capital Fund - Adjustments related to COVID Funding and Amending the Community Development Block Grant/HOME Budget - Adjustments related to CARES Act Funding. The Committee passed motions on each agenda item recommending approval of the proposed budget adjustments and to place appropriate legislation on a future City Council agenda. The budget ordinance ordinances are on tonight's council agenda.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

*A. Bill No. 24 - 2020 - Amending 2020 General Fund - Adjustments - COVID Funding*

The Clerk read Bill No. 24 - 2020 - Amending 2020 General Fund - Adjustments - COVID Funding, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2020 GENERAL FUND BUDGET

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. Bill No. 24 - 2020 was passed on First Reading.

*B. Bill No. 25 - 2020 - Amending 2020 Non-Utility Capital Improvement Fund - Adjustments - COVID Funding*

The Clerk read Bill No. 25 - 2020 - Amending 2020 Non-Utility Improvement Fund - Adjustments - COVID Funding, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,

COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2020 CAPITAL BUDGET FOR NON-UTILITIES

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. Bill No. 25 - 2020 was passed on First Reading.

C. *Bill No. 26 - 2020 - Amending 2020 Community Development Block Grant/HOME Budget - Adjustments - CARES Act Funding*

The Clerk read Bill No. 26 - 2020 - Amending 2020 Community Development Block Grant/HOME Budget - Adjustments - CARES Act Funding, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT  
BUDGET

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. Bill No. 26 - 2020 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution - Unspent Pennsylvania COVID Relief Funds*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2020-187 that urges the Pennsylvania General Assembly, Lehigh County Board of Commissioners and Northampton County Council to allocate the \$1.3 billion dollars in unspent Coronavirus relief funds to support those within our vulnerable communities and businesses impacted by the Coronavirus pandemic, such as economically disadvantaged communities and students, restaurants, and small businesses, including minority-owned small businesses.

Mr. Reynolds thanked Mr. Vidoni for helping him put this together. We have all seen the upcoming situation where there is this \$1.3 billion dollars that is sitting in Harrisburg that was dedicated by the Federal Government for COVID relief. As we have seen the situation is if the legislature does not come up with something to do with this money by the end of the month that it will be allocated then to the Counties. He is not sure when the legislature is going back into session. They could not count the ballots early so he doubts they can find a way to do \$1.3 billion dollars. The Counties are probably going to get this money and as we saw with the money we received there are certain requirements for how to spend this money. If the money that is included here, the \$1.3 billion that is twice the amount of allocations that the Counties received in the first round when Northampton County had \$27 million dollars to give away, so we are not dealing with a small amount of money. Mr. Reynolds believes if there is awareness and we are on top of this as a community we will be able to allocate and use these dollars as effectively as possible. At the committee meeting he applauded the Administration and he will again for their ability to apply for the first round to get the city some needed resources and to get that money out too our small businesses and to help with things we have talked about before. He knows we are

all busy but this is something we need to keep an eye on. If we see that this money is going to the Counties we need to email and contact the County Administration, our County Councilmembers because the quick turnaround on the money where it has to be spent by the end of the year is going to preclude any type of new application process. It will not be a situation where they will get money and say they have an application process to award it. He thinks the only practical way they will get the money out the door is by doing a second round of what they did earlier. The two areas that he thinks are the best use for this would obviously be the small business community and also our vulnerable populations. We are not in a position to exactly tell the county what to do as far as how much to put in different directions but he knows they are very busy. He added that Northampton County did a fantastic job with the Administration with the election. But this is a lot of money and anything we can do to act as a conduit with the small businesses that we hear from and the vulnerable populations that we are aware have suffered through COVID it is in their best interest. Mr. Reynolds wanted to bring this up more than anything else as an education initiative. He will be contacting County Executives and County Council Members but he does think it is something important for us to keep an eye on because it is rare that you ever see this type of money come along to fit the need. We are talking about a couple of dominos falling here but it has to be a priority for us. That was his thought process behind this and that is why he has brought this forward.

President Waldron remarked we all appreciate the proactive nature of doing this and advocating on behalf of our city. He is sure there will be 100% support for this.

Ms. Crampsie Smith thanked Councilman Reynolds; she agrees that it is imperative that we get this money out as soon as possible to help those that are adversely affected by the pandemic. She was surprised to see that the state may be waiting until December 1, 2020 and then the money has to be used within 30 days and that really will be a barrier to efficiently use that money. She thanked Councilman Reynolds for this resolution.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*B. Approve 2020 Multimodal Transportation Fund Grant Resolution*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-188 that authorized the necessary assurances and certifications to the PA Department of Transportation for the Multimodal Transportation Fund Grant to improve and expand the Monocacy Way Trail.

President Waldron remarked he is happy to see this come through. The Monocacy Way Trail that leads from Union Boulevard to the Burnside Plantation and beyond to Illick's Mill is one of the hidden gems in the city. This area continually gets washed out under big storms. The city tries its best to upkeep it but bringing some real resources is something that will help and attract more attention and more support in the future.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*C. Approve CDBG/HOME Citizen Participation Program Amendments Resolution*



Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-189 that authorized the amendments to the CDBG/HOME Citizen Participation Program for the City of Bethlehem and that a copy of the Citizen Participation Plan be filed with this Resolution as amended, on the City's website.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*D. Approve Contract – Traffic, Planning, and Design, Inc. – South Bethlehem Corridor Connections*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-190 that authorized to execute a contract or amendment with Traffic, Planning, and Design, Inc. for construction work related to the South Bethlehem Corridor Connections Project.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*E. Approve Proposed Small Cell Wireless Lease with Cellco Partnership d/b/a Verizon Wireless*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-191 that authorized to execute a lease agreement with Cellco Partnership d/b/a Verizon Wireless, for the installation of small cell wireless facilities on city-owned and operated poles.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*F. Certificate of Appropriateness – 4 West Fourth Street*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-192 that granted a Certificate of Appropriateness to strike the condition of Resolution 2020-168 that the box signs cannot be internally illuminated at 4 West Fourth Street (La Lupita).

Ms. Karner stated she wanted to give a little bit of a background to Council on this. She sent an email to Council earlier today. She thought it would be best to talk about this during the meeting. This is a project that first went to the Historic Conservation Commission in September, 2020. There was a Certificate of Appropriateness recommended but it required them to not illuminate the back lit sign. So this is one of those older box signs on the side of La Lupita. The reason they were requesting the change to the design of the sign is because the sign that is there is currently peeling with the letters peeling off of the plastic. They had forwarded a design that we thought was a good design and decided to support it with a sign grant through our sign grant program but the Historic Conservation Commission recommended the box remain unlit. With moving into this time of year when it is dark more than it is light, the owner, Fred Rooney went back to the Historic Conservation Commission to appeal the decision or recommendation to not illuminate that sign. We supported him at that meeting but the members of the Historic Conservation Commission continue to insist that the back light sign was important enough to place a restriction of one year on the recommendation to City Council. The limitation to one year which would either require them to completely review the entire sign package or turn the light off after that one year was something we thought was worth asking Council to not include in the Certificate of Appropriateness to allow them to turn the light on once the sign is replaced. In this

time of COVID when we know that businesses are struggling and the attention that a new sign would give them they felt was significant enough that they wanted to appeal this to Council. Ms. Karner noted that Mr. Rooney would be here himself but he had a conflict because this is a Wednesday night meeting as opposed to a Tuesday night meeting. Ms. Karner assured Mr. Rooney that she would communicate the support of the city and the desires of Mr. Rooney on behalf of La Lupita to change the sign out, to make improvements to the sign but to appeal to Council to remove the restriction of one year in which the sign has to be replaced again.

President Waldron asked for the reasoning that the Historic Conservation Commission did not like the backlit. More specifically is there guidance somewhere in writing that says not to approve that or try to have something that is lit with a gooseneck.

Ms. Karner does not have that in front of her, it is not a yes or no scenario, and it is to encourage the removal of black backlit signs. It does not specifically prohibit backlit signs but certainly at the time or change of tenant or improvements to a business they try to remove all those backlit signs. Again, she cannot quote the language. They certainly would not approve a new one, it is all about removing the existing backlit signs on the south side for the Historic Conservation Commission but the language is vague enough that it does not say there is no way they could approve that. If you look at the resolution, the documentation provided by the Historic Officer, they are trying not to set a precedent. We are in the middle of a pandemic and this should not be looked at something they will allow business or property owners to rely on, these are unusual circumstances, we are in an unusual time. They are trying to cover themselves to ensure that this is not going to be the normal request for new businesses moving forward.

President Waldron remarked it is the Administration's thought to remove paragraph 2 d (in the Historic Conservation Commission document attached to the resolution). He asked if that is correct.

Ms. Karner stated yes, the one year time period. The thought of having to replace the sign in a year if they are not able to illuminate it honestly feels like a bit of a waste of our dollars and a waste of the money put in by the property owner.

Mr. Callahan remarked the restrictions in that historic district, it is discouraging it and not written that they cannot do it.

Ms. Karner stated yes, it is encouraging property owners to replace antiquated backlit or box signs as we commonly refer to them. It is a frame in a box and there is an insert that goes in the frame and it is illuminated from behind.

Mr. Callahan related that area of the historic district is a lot less restrictive than the Market Street historic district, he wondered if that is true.

Ms. Karner noted yes, it is, it is a conservation district and not a historic district. While arguably over the years the members, particularly because there some members on both the north and south side boards have struggled to differentiate between those two differences between a historic district and a conservation district. Some of the decisions look similar but Mr. Callahan is right, there is a difference between a conservation district and a historic district.

Mr. Callahan asked if she could forward that to Council, he has the one for the historic district but he is asking for the other one that covers the south side.

Ms. Karner stated yes, she believes it is Article 1349 or something along those lines, one of the codified ordinances of the city that talks about it being a conservation district.

Mr. Callahan remarked as far as what the conservation district guidelines are, whenever she gets a chance just send that to Council. He would like to read it over to see what the differences are. He knows as far as the historic district on Market Street it is very restrictive, which is a good thing. It tells you exactly what types of paint colors you are allowed to use or not use. He did not see or get a chance to read the guidelines for the other two historic districts.

Dr. Van Wirt just wanted to make sure she understands this. They currently have a dilapidated box sign that is illuminated and that needs to be replaced and the city is going to help replace it with a sign grant.

Ms. Karner explained it is not the entire box that needs to be replaced; it is only the plastic insert in the front of the box. So there is a new plastic sign in and that was the design that was part of their package. The whole structure is not being replaced which is why the cost is more reasonable for them to put in the new plastic insert than to replace the entire box. Yes, the city is willing as a result of what our businesses are going through to support the replacement of that frontage sign because the existing sign is peeling and the letters are coming off of it.

Dr. Van Wirt informed for the city to replace it with a sign that would be illuminated that would be historically appropriate for the conservation commission, that is cost prohibitive and that is her understanding.

Ms. Karner stated that is correct.

Dr. Van Wirt remarked we are settling for pretty good, basically.

Ms. Karner informed the challenge for removing the existing box sign is that there is additional façade improvements that would need to occur to the two sides of the building because of the way the sign has been mounted. Then that would add up. The property owner has been open publicly about how he is going to contribute the difference between the sign grant and the remaining amount, the cost associated with it because the business owner is not in a position to do it right now during the pandemic. We are settling for pretty good.

Ms. Crampsie Smith noted she just wanted to clarify this for herself. If we delete Number 2 d it could still be the box sign and it would still be illuminated and it would not be a one year deadline.

Ms. Karner noted that is correct.

Ms. Crampsie Smith remarked the Historic Conservation Commission really wants to get away from the box sign and away from the illuminated signs, is that correct?

Ms. Karner informed with the box signs it is really about being lit from behind. They do

allow some back lit signs and she informed there are some that are recent like Southside 313. But it is these older boxy 1950's style that does not have some kind of elements that meet the Historic Conservation Commission district guidelines.

Ms. Crampsie Smith remarked this would be economically feasible in light of the pandemic for the owner of the business.

Ms. Karner stated absolutely.

President Waldron remarked he would have to think there is more than just one box back lit sign on the south side in that conservation district. It is not as if this is the last and only hold out so he would think this is something we can compromise on.

Mr. Colón agrees with President Waldron, we are not adding anything new, they are not installing a new box sign they are just fixing what is falling apart currently. Given the circumstances and the cost and such as to Dr. Van Wirt's point, we are settling for pretty good instead of having to rip up the wall and do façade improvements. This is pretty much beautifying what is coming apart after who knows how many years and put in a new version of the same. He would be in support of that and he is willing to make the motion to delete section 2 d from the Certificate of Appropriateness in front of us.

Dr. Van Wirt seconded the motion.

President Waldron added typically in his understanding of working in the north side Historic Architectural Review Board district that when things are replaced in kind they typically do not need approval. Any time he is painting a home in that area and we are painting the same colors we do not seek approval. If this is replacing a sign with essentially the same sign that is newer he would not think it would even need to go to the Historic Conservation Commission for permission because they are essentially grandfathered in. He does see the note in 2 a, the grandfathering inappropriate signage is not typically taken in to consideration when assessing Certificate of Appropriateness applications. However if it is already there it is difficult to say that you cannot have it moving forward. President Waldron supports the motion by Mr. Colón to eliminate 2 d.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Motion passed.

Voting AYE on the Resolution as amended: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

G. *Certificate of Appropriateness – 13 West Morton Street*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-193 that granted a Certificate of Appropriateness to construct a new, four-story, brick residential building at 13 West Morton Street.

President Waldron remarked here we are approving a new four-story building and passing with two full pages of recommendations by the Historic Conservation Commission with

essentially no discussion but yet we are micromanaging a small sign. This feels like our priorities might not be where they need to be sometimes.

Ms. Crampsie Smith asked if this will be a residential building or will it be for students. Do we have any idea the purpose of the building or who the clients are that will be residing there? It is close to Lehigh University so she assumes it is probably for students.

Ms. Karner stated this project has been around for a long time and it was originally proposed for students because of the location. She will be frank; she did not attend this portion of the Historic Conservation Commission Meeting that was held last month to hear if there were any changes. It is her assumption that this remains a student's project. You can tell by the name, Lehigh Properties what the audience is.

President Waldron does remember this building has shrunk a bit over its years and it is now down to four stories.

Ms. Karner noted it has been on the agenda for more than once for review in front of the Historic Conservation Commission.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

#### 11. NEW BUSINESS

##### A. *Setting Date for Adoption of the 2021 Budget*

President Waldron stated he will accept a motion to set the date for adoption of the 2021 Budget on Tuesday, December 15, 2020 at 7:00 pm in Town Hall.

Dr. Van Wirt and Ms. Crampsie Smith made the motion.

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Motion passed.

##### *2021 Budget Hearing Schedule*

President Waldron announced the 2021 Budget Hearing Schedule, as follows:

#### **2021 BUDGET HEARING SCHEDULE**

**Friday, November 6, 2020** - Release of Mayor's proposed 2021 budget

**Monday, November 9, 2020 - 6:00 PM**

##### First Budget Meeting

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

**Tuesday, November 17, 2020 - 7:00 PM**

City Council Meeting

First Reading of 2021 Budget Ordinances

**Thursday, November 19, 2020 - 6:00 PM**

Second Budget Meeting

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

**Tuesday, November 24, 2020 - 6:00 PM**

Third 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, December 3, 2020 - 6:00 PM**

Final Budget Meeting

**Tuesday, December 8, 2020 - 6:00 PM**

Backup Budget Meeting

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

**Tuesday, December 15, 2020 - 7:00 PM**

City Council Meeting

Final Reading of 2021 Budget Ordinances

PUBLIC COMMENT TELEPHONE INSTRUCTIONS. Due to COVID-19, public access to Town Hall is currently closed. Public comment during these meetings will be allowed only by telephone. If you would like to sign up to make public comments by phone, please email the City Clerk's Office ([cityclerk@bethlehem-pa.gov](mailto:cityclerk@bethlehem-pa.gov)) no later than 2:00 PM on the applicable date or call (610) 997-7963 when the Council President announces he will take public comment calls. A five minute time limit will apply to any public comments. Calls will only be accepted during the public comment period of each meeting. Members of the public may watch the meeting live-streamed on YouTube at "City of Bethlehem Council" YouTube channel at the following website address: <https://www.youtube.com/channel/UCRLFG5Y9Ui0jADKaRE1W3xw>.

*Mayor's Budget Address/Christmas Tree*

Mr. Evans remarked on the topic of budget season the Mayor will deliver his budget at the annual Chamber event which is tomorrow morning, November 5, 2020. It will be in a virtual format with small attendance. It will be recorded and live streamed as advertised both on the City Hall Facebook and the Chamber Facebook page if people want to watch live and it will also be recorded and posted to our city website. The Mayor will then deliver his budget address directly to the Council at the next Council Meeting on November 17, 2020. Mr. Evans added he was in communication with Michael Alkhal, Director of Public Works and he has rest assured that the Christmas tree has been secured. They do not have a delivery date but it is secured.

*Human Resources and Environment Committee Meeting*

Chairman Callahan announced a Human Resources and Environment Committee Meeting on Thursday, November 5, 2020 at 6:00 PM in Town Hall. The committee will discuss the long awaited proposed ordinance establishing a new Article for the Codified Ordinances entitled Wage Equality. Due to COVID-19 Town Hall is closed and public comment will be taken over the phone. Comment instructions will be posted on the City Council Meeting webpage. Mr. Callahan noted he is looking forward to that and he is also looking forward to any amendments. He will be proposing a few amendments which he will talk about tomorrow. He is glad that we all finally got to this point where we can have a meeting and a discussion about it. He thanks the Committee Members.

*Fire Department Budget/Pedestrian Bridge*

Mr. Callahan then asked if Mr. Evans could let Council know how much 4 positions for firefighter's costs the city.

Mr. Evans stated we will be taking about the Fire Department at the First Budget Meeting on Monday, November 9, 2020 so we will discuss it then.

Mr. Callahan had several phone calls from Union members, not only the Fire Department but other Unions about the possibility of the Mayor cutting 4 firefighter positions from next year's budget. In a time of COVID our first responders and public safety are probably dealing with more than anyone else is dealing with right now. He knows the budget is tight but it is something we need to seriously look at and have a discussion about if that is what the Mayor is proposing, to cut public safety. He would also ask if Mr. Evans can find out on the fund, something came through today on the Pedestrian Bike Bridge. He had proposed at last year's budget \$40,000 dollars and he thinks he was seconded on that by Dr. Van Wirt. He was the one who originally came up with the idea of proposing that \$40,000 and if you check the record you will see that. He wants to know if the other money that is appropriated, the other grants, whether we could use that money for something else. Mr. Callahan has some video of the three bridges that cross the Lehigh River and there is walking space and biking space on all those three bridges and it is hardly used at all. He just thinks spending \$140,000 to \$150,000 dollars on a study which will only lead to a \$3 million dollar bridge and that is only if we get the air rights over the railroad tracks which is probably never going to happen. Mr. Callahan thinks that with public safety and everything the first responders are going through it would be a waste of money to put that money into a specific pedestrian bike bridge when there are three bridges already spanning the Lehigh that are not being used on a regular basis. We have to put our priorities in order. He did like Councilwoman Paige Van Wirt's idea; maybe that money could also be used towards getting

WiFi and Broadband throughout the City of Bethlehem instead of wasting it on a Pedestrian Bike Bridge over the Lehigh River. He would appreciate information on those grants and whether it can be used for other items.

*Public Safety Committee Meeting/Legalization of Recreational Marijuana*

Mr. Colón mentioned at last week's Committee of the Whole Meeting it had come up about having a Public Safety Committee Meeting to review some policies and procedures specific to the Police Department. He had voiced at that time he would be in favor of that. We are going to be looking at having a Public Safety Committee Meeting after the new year, after discussing it with the Administration and as we get in to budget seasons because of the constraints of Town Hall coupled with our new Police Chief Michelle Kott getting prepared for her first budget season. We will be having a Public Safety Committee Meeting but it will not be taking place until sometime after the new year. The agenda for that meeting as of right now he is not sure if it will grow as Chief Kott looks at any kind of realignment or changes. His goal would be to review the police response policies and procedures as it relates to dispatch and response to various calls as well as police hiring and promotion policies and touching on what the Civil Service Board's involvement is as it relates to hiring in the Police Department. That is something that will be announced as we move forward in the weeks to come but it will not be occurring until after January 1, 2021. Mr. Colón remarked in the past few years the City Council passed our ordinance decriminalizing Marijuana and he will not go over the issues we face between the two Counties and the two District Attorneys but as he thinks most people are aware there was an election yesterday. He pointed out that 15 miles to our east our neighbor New Jersey voted to legalize recreational Marijuana so sometime in the near future not only in another state will it be completely legal of people of a certain age to use recreational Marijuana but 15 miles from here people will be able to do it while in the State of Pennsylvania it will remain an ungraded misdemeanor. It is only a matter of time in our lifetime before Pennsylvania gets on board. We have already discussed some of the challenges we face as a municipality trying to decriminalize it but he hopes that Pennsylvania gets on board as more and more states especially those surrounding us give people the right to do something that as he has said before people are already doing.

*Fireworks*

Ms. Crampsie Smith informed she wanted to bring up something that was brought up several months ago. She wondered if we could add to the agenda of Public Safety the issue of fireworks. It is relevant to noise. She had spoken to a young gentleman Mark Kelly who is a sixth grader who came to Council and spoke to us a few months ago about the issue of fireworks and how it adversely affects those especially with PTSD. Ms. Crampsie Smith spoke to him and his mother yesterday and he is really is interested in us pursuing it as he said that fireworks are still an issue as recently as last week. This young man had a lot of great comments. We really need to look at the fireworks issue; it got a little out of hand significantly in the city last year. There are many people who are adversely affected people with PTSD, children with processing disorders, children on the autism spectrum and we also cannot forget about our animals and pets. There are people continuously shooting off fireworks especially in the late evening. She hopes we can address this and she can speak further to Mr. Colón about how we can handle that issue.

12. ADJOURNMENT



The meeting was adjourned at 8:05 pm.

ATTEST:

Robert G. Vidoni, Esq.  
City Clerk