

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, April 1, 2025 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

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

President Colón announced that Mr. Callahan was not feeling well this evening and would be participating via GoTo Meeting. Mayor Reynolds also was not feeling well and would not be participating.

PUBLIC HEARING

President Colón stated that prior to the consideration of the regular Agenda items, City Council will conduct a Public Hearing to receive comment concerning a request from Attorney Dennis Benner representing DB6, Inc. and DB3, LLC requesting an amendment to the City's Zoning Map by changing the zoning district containing two parcels at 8<sup>th</sup> Avenue and Martin Court from the Mixed Use Commercial District (CMU) to the Shopping Center District (CS). This privately proposed rezoning request is related to a proposal to build an upscale car wash and/or a restaurant.

6A. The Clerk read a March 17, 2025 memorandum from Assistant Planning and Zoning Director Craig Peiffer outlining the City Planning Commission's review of the zoning map amendment proposed for 8th Avenue and Martin Court. Mr. Peiffer reported that the Planning Commission voted 4-0 to recommend approval of this amendment.

6B. The Clerk also read a March 18, 2025 correspondence from Jill Seitz, Chief Community and Regional Planner with the Lehigh Valley Planning Commission. Ms. Seitz assessed that rezoning this property from the existing Mixed Use Commercial District to the adjacent Shopping Center Zoning District is a logical extension and aligns with the LVPC's FutureLV: The Regional Plan. However, the Lehigh Valley Planning Commission strongly recommends requiring a subdivision of the primary property and a lot line adjustment with the adjacent parcel to avoid split zoning. Determining property lines should occur prior to approving a zoning district change.

President Colón said he would recognize representatives from the Petitioner to outline the proposal.

Attorney Benner represented himself as the applicant. The property is in the CMU District. The CS District is across the street. He has identified some likely uses for the property including as an upscale car wash and a restaurant. The owner of the prospective car wash would

operate it responsibly both in terms of minimizing and recycling water and using safe chemicals. Attorney Benner also explained that restaurant owners who he has talked to want to include a drive-thru feature. The CMU does not permit a drive-thru; whereas, the CS District does. This is the primary reason for seeking the zoning change. He added that any kind of use would require review by the City Planning Commission and any other appropriate bodies.

Assistant Planning and Zoning Director Craig Peiffer said the City staff and Planning Commission recommend approval of the zoning amendment request. They believe this location is a logical extension of the CS District, which allows for more vehicle-intense uses than the CMU District.

### **Council Comment**

Ms. Kwiatek noted that the Lehigh Valley Planning Commission strongly recommended requiring a subdivision of the primary property and a lot line adjustment with the adjacent parcel to avoid split zoning. It said that this should occur before approving a zoning district changed. She asked whether this has been done.

Mr. Benner said he has not. He offered a substitution. The LVPC's recommendation did not contemplate condominium ownership, which is the case here. This action would destroy the condominium regime that exists. Instead, his engineer has created a plot plan and a metes and bounds description to present with this application to describe what is planned. There was an advantage to developing this in condominium form, as one lot. This reduced the number of side-yard setbacks.

Ms. Wilhelm asked for clarification that a restaurant with a drive-thru would not be permitted under the existing CMU District.

Mr. Peiffer said that was correct. Currently, only a restaurant without a drive-thru would be permitted on this property. Including a drive-thru would require the CS designation.

Ms. Wilhelm also asked Mr. Benner for more details concerning his statement that this type of car wash is known for its environmentally friendly practices.

Mr. Benner said the likely operator is a company known as Cloud 10. They reuse water and use safe chemicals. The process uses about 17 gallons of water per wash, which is about the equivalent of the volume a person uses for the average shower.

Ms. Leon asked whether the area can handle the added traffic from this project as well as the redevelopment of the nearby Martin Tower site.

Mr. Peiffer said traffic and pedestrian safety have been taken into account in the way the intersection has been planned.

Ms. Laird sought clarification concerning the walkability of the two zoning districts. The existing zoning was intended to provide businesses that would be walkable to the nearby residences.

Mr. Peiffer added that the businesses should be compatible with the adjacent residential development.

The new zoning would allow for a car wash and a drive-thru restaurant. It is specifically vehicularly focused, Ms. Laird observed. She was told by Attorney Benner that the property would exit onto Martin Court and travel to the traffic light onto 8<sup>th</sup> Avenue.

Ms. Laird said it appeared that the vehicular traffic would not impact the walking path from the nearby neighborhoods. She cited the path from Stanford Avenue to the Price Rite store and was told by Attorney Benner that pedestrians would not be impacted by the traffic that his development would bring.

Ms. Kwiatek also asked about the impact on pedestrian travel and safety and whether much has changed in the neighborhood in the past decade or so. She also wanted to know what the impacts would be from a zoning district that is geared toward vehicular traffic.

Mr. Peiffer said that the City staff and Planning Commission noted the nearby Route 378 interchange and found the CS District to be appropriate.

### **Public Comment**

Regina Padilla of Allentown supported the change as long as parking and traffic are appropriate.

Resident Brandon does not object to the planned zoning change. He noted that several Council members seem to be concerned about associated foot traffic. He does not believe that many people walk in the area of the former Martin Tower.

Resident Harry Faber disagreed with the assertion that there should not be concern about pedestrian travel in that area. The City should be planning for the many apartments that are planned for the Martin Tower site and adjacent development.

Resident Scott Slingerland said he walks and bikes in the area. There is a disconnect from the Lowe's shopping center to the nearby neighborhoods. It would be great to have a path connecting the two.

President Colón announced that a proposed Ordinance will be placed on the April 15 City Council agenda for First Reading. The Public Hearing was adjourned at 7:31 PM.

## **2. APPROVAL OF MINUTES**

March 18, 2025

Prior to offering Public Comment, President Colón noted that there was some contact from the public prior to the meeting expressing concerns about the homeless encampments. This will be discussed during New Business.

## **3. PUBLIC COMMENT**

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

*Need for Public Toilets*

Resident Scott Slingerland said public restrooms are a basic human need and are lacking in Bethlehem. He passed out the book “No Place to Go – How Public Toilets Fail Our Needs” by Leslie Lowe and suggested that Council read it.

*Clarification Sought*

Resident Valerie Noonan said Council is already aware of several tents belonging to the unhoused being tagged with notices from the Police Department and Health Bureau in the area of the Minsi Trail Bridge called Charlie’s Clearing. The notice asks occupants to remove their belongings and trash from City property in accordance with Article 941.02(a)(4) stating that tents are not permitted on City property. Any items not removed by April 3 will be disposed of. At least one tent was tagged with a vehicle tag, which said the vehicle is considered abandoned and will be removed if not repaired or moved. She thanked three Council members for quickly responding and looking into this matter. One response was from Ms. Laird, who said she learned that these tags were placed as a courtesy by police in case these tents were not abandoned. The belief was that these tents were abandoned. The notices included telephone numbers for the Police Department and Community Connections. She was told that no one has been asked to leave. Ms. Noonan said there are two inaccuracies. Only the number for the Health Bureau was provided. The bigger inaccuracy was the statement that no one was asked to leave. There was a handwritten note that accompanied one of the tags that said the tent occupant had to be removed. Ms. Noonan understood the intent of the order if these tents actually were abandoned. But she said that using “boiler-plate language” on tags affixed to several tents would be interpreted by most to be notice that a sweep of the encampment is being threatened. It scares people.

*Displacement is not the Answer*

Regina Padilla of Allentown understands that Article 941 was adopted to maintain order within the City, but homelessness is complex and has many challenges. Displacement is not the solution. It does not solve the root cause of the problem. There is also a moral responsibility to help the homeless.

*Helpful App*

Resident Mark Will-Weber said he posted on his website, The Drip, a video concerning South Lake Texas’ use of Eye on Water, an app that correlates with a water smart meter to let customers see their water usage. This would allow users to catch water leaks, running toilets, etc. that waste water and lead to higher bills. Mr. Will-Weber has had a smart meter for more than a year but has been told that similar technology is not now offered in Bethlehem and will not be until all smart meters are replaced. The purported benefits of the smart meters are not helping users.

*Encourage Small-Scale Development*

Resident Megan Lysowski encouraged zoning reform to allow for small-scale development. Larger projects are helpful but take a long time to build. More units are needed now. Some smaller changes could help sooner. Initiatives include allowing single-family home conversion to a duplex or triplex by right, permitting backyard cottages in all residential zones, legalizing starter homes in all residential zones, eliminating minimum lot sizes requirements in existing neighborhoods, repealing parking mandates for housing, and streamlining the approval process.

*Redirect Funds*

Resident Ceris Caprice suggested redirecting more funding to help the homeless. Council seemed to know more about what is happening at the encampments but those living there are confused as to what the City's intentions are. It is absurd that residents asked that bathrooms be made available for use by the homeless and others but this lasted about a month before they were closed for the winter. He read a 2023 news article that said the City intends to spend \$600,000 on a pickleball court. He also pointed to an intended \$365,000 expenditure to replace an armored police vehicle. He believes a more efficient use of this money would be delivering food, Narcan and other resources that would return stability to the homeless. He also suggested that Council appoint a liaison or create a commission to communicate with the homeless encampments.

*Help Offered*

Chase showed one of the notices that Ms. Noonan alluded to earlier that was left at the encampment. These were placed on all of the tents past the Minsi Trail Bridge. Chase also questioned several procedural matters related to police searching or seizing property including the need for a warrant and the period of notice for the property to be posted. He also offered to organize a cleanup of trash but said that could not happen before April 3. He asked that any action be taken after Earth Day, which is when he expects he could organize a cleanup crew. Chase additionally asked that area bathrooms be reopened. He is aware that the cleanliness of the bathrooms has been a City concern. His group is willing to contribute toward cleanup of these facilities as well.

*Reporting Concerns*

Resident Terry Kloiber was frustrated with the myBethlehem app and related procedures. She reported in late March trash blowing around the BAHX property that was the former Bennett Toyota lot. The Service Center receives the concerns sent to the myBethlehem app and advised her that the property at 2300 W. Broad Street is located in Allentown. Ms. Kloiber knows that three-quarters of the property is located in Bethlehem. She followed up twice with the Service Center, which advised that she should also notify Allentown of the concern. Ms. Kloiber additionally raised concerns that the property owner who does not keep a vacant lot clean wishes to build an apartment house on the property and wondered how that will be maintained.

*Interpretation Questioned*

Resident William Scheirer referred to a meeting held in Town Hall yesterday concerning a proposed development on the West Side in the area of Rauch and Hanover Streets. He did not attend the meeting between the City and neighbors to discuss the plan for townhouses that includes an alley that is 12 feet wide. He heard there is an interpretation that this development could be built by right and would not have to be reviewed by the Zoning Hearing Board. Because this development would be along an alley the usual dimensional variances do not apply. He raised concerns about this interpretation.

*Public Comment Format*

Resident Harry Faber disagreed with a resident's recommendation from a previous meeting that Council limit public comment. Mr. Faber would prefer more of a back-and-forth discussion between the public and Council rather than residents speaking to Council with immediate reaction. Mr. Faber also disagreed with Council comments during the last meeting in which it was stated that there is never a good time for the Council salary to be raised because there are always financial challenges, even in better times. Mr. Faber said Council salaries could be raised if Council decreases the cost of living and increases the quality of life.

*Parsifal Effect*

Resident Stephen Antalics referred to the Parsifal Effect and believes that some on Council have become caught up in what they believe to be the importance of the position. Members of the public are viewed by some on Council as audience members rather than participants in a process. Mr. Antalics suggested informing the electorate so they can rectify this on Election Day.

*Need for Bathrooms*

Resident Susan Jones said there is a need for public bathrooms in Bethlehem. She cited the many tourists who visit and believes it is off-putting to encourage tourism but not offer bathroom facilities. The need will only increase with the World Heritage designation. She also addressed the homeless situation and asked if the unhoused are being moved from under the bridge, where does anyone expect them to go?

*ICE Concerns*

A woman who declined to give her name said she has been talking with her family and asking what do we do when the U.S. Immigration and Customs Enforcement (ICE) agents come here. What will that look like in terms of planning and response? Even if we know our rights, it does not necessarily mean that ICE will respect those rights and play fair. She also discussed the incident with the homeless encampment. This is not the first time. She recommended that a liaison be named to foster communication between the police and the homeless. Unnecessary stress has been caused.

*Communication Lacking*

Joshua Hoffman said a lot of fear has been created in the homeless encampment because of incomplete communication. It is his understanding that only one tent has been abandoned. He also said there was a quick deadline for the removal of belongings and the notices were aggressive.

*Fostering Communication*

Resident Jennifer McDermott termed herself a “longstanding homeless advocate.” She said encampment residents are terrified of the notices that were placed by police and that they will lead to a sweep. She acknowledged some issues and said that some volunteers are willing to help collect the trash. She said some new information has come to light tonight clarifying the police actions. She will disseminate this to those in the encampment. Meanwhile, she encouraged future communication to avoid unnecessary fears.

*Support of Homeless*

Brian Anderson lives in Freemansburg and has been helping those in the encampments. He attempted to dispel myths about the homeless. Many do have jobs and are the victims of unfortunate circumstances. He asked the City to be compassionate. Homelessness could happen to anybody.

*Thanks for Advocacy*

Ron thanked Council for listening to concerns. One of the problems for the homeless is the relatively low minimum wage in Pennsylvania. He thanked those on Council who became concerned about the encampment issue.

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

*Spend Grant Money Differently*

Resident Harry Faber opposed the proposed spending of \$33,577 to be received from the Edward Byrne Memorial Justice Assistance Grant. It is the intention to fund the purchase and installation of cameras at two intersections. In a time when people are being taken into custody for their political beliefs, he does not believe adding surveillance cameras is a good idea. He has researched this grant and said there are other allowable uses of the money.

*Draw the Line*

Resident William Scheirer encouraged Council not to vote to change the zoning for 11 and 15 W. Garrison Street. To do so would sacrifice the two buildings on these lots. He does not want to see the charm that attracts people to this city lost. Even if the rezoning is only for two buildings, this is a good place to start in drawing the line and preserve the total character of this neighborhood.

4. OLD BUSINESS

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

5. NEW BUSINESS

*Ms. Kwiatek*

Ms. Kwiatek asked Water and Sewer Resources Director Edward Boscola about residents' ability to see their smart meter readings.

Mr. Boscola said an alert system is available but it notifies the City of unusually high water use, not customers directly. The system that Mr. Will-Weber discussed earlier gives customers direct access to their account information. Bethlehem has prioritized the replacement of meters. The City has replaced 20,000 out of 37,000 meters. This replacement has been prioritized over the cost of the feature to allow residents to access their account data. The ultimate goal will be to offer this feature. He added that customers could purchase the ability to do so. As matters stand now, the City would contact customers with abnormal usage. He estimated that they may get a dozen alerts per week. The reasons vary from explainable seasonal uses such as filling swimming pools to leaks to running toilets.

Ms. Kwiatek asked if a \$600,000 pickleball court is being built.

Public Works Director Michael Alkhal said he did not believe a project is planned for this amount.

Business Administrator Eric Evans confirmed there is not a project like that with that cost in the 2025 budget.

Ms. Kwiatek said she was among the Council members who were looking into concerns raised about the encampment situation. She knows there is concern that an overall solution be found. Although there is no immediate solution, there is a plan to acquire a property and provide emergency sheltering within a few years.

Laura Collins, Director of Community and Economic Development, said the City is working closely with the Bethlehem Emergency Shelter toward providing a permanent shelter. There is progress toward acquiring a location and operational details but there is a lot more to do in terms of securing all of the funding and final design.

Ms. Kwiatek also noted the suggestion for a community liaison to work between encampment residents and the City departments. She asked if this is the role of Community Connections.

Benay Berger, Director of Nursing in the Community Connections program, explained that her group is a collaboration between social workers in the Health Bureau and the Police Department. It works in the field with police if someone is having a mental health crisis. She was



pleased to hear the concern for the unhoused. There is weekly outreach to the encampments. They work with the social organizations to form a support network. Ms. Berger emphasized that they cannot force anyone to accept services including drug addition assistance and mental health services. Ms. Berger was emphatic that no sweeps are planned. Fear has run rampant from rumors. She would welcome a liaison and would like to find a way to address rumors as they arise.

Ms. Kwiatek asked Chief Michelle Kott about the notices that were posted. Having seen images of the notices, Ms. Kwiatek said she could see where there could have been concerns about sweeps. She said maybe there could be some rephrasing for these postings. She also asked why a vehicle notice was posted.

Chief Kott said she would look into the vehicle notice posting. She could not explain it.

Ms. Kwiatek also took Ms. Berger's point urging those who are concerned by actions to contact the police or Health Bureau and ask questions rather than simply spreading rumors.

Chief Kott agreed and said the Police Department will do a better job of communicating.

Ms. Kwiatek also decried the federal government's deportation practices. On a positive note, she appreciated those who attended the City's Transgender Day of Visibility yesterday.

*Ms. Laird*

Ms. Laird asked whether the notices to the homeless used required language or whether the wording could be changed.

Chief Kott said these notices are provided as a courtesy so that the owner could advise police that property has not been abandoned if the presumption is incorrect.

Ms. Laird said the language of the notice did not convey this message. She asked whether new wording could be drafted to make this clearer.

Chief Kott said it could be. She stated directly that the intent was to notify those in the encampment that the City received numerous complaints about the condition of Charlie's Clearing east of the Minsi Trail Bridge. Police will team with the Public Works Department to clean up the area of abandoned property.

Ms. Laird said there was public comment that City Council seemed well informed as to what the intentions were. She clarified this to say that she was informed because she received concern from the community and asked what was going on. Ms. Laird understands that the police cannot inform Council on all matters but asked that Council be notified on encampment postings, given the past sensitivity on this issue.

Chief Kott said yes.

Ms. Laird also asked about the smart meter app. She understood the priority of purchasing smart meters but she wondered at what point the City would provide an app for customers to monitor their usage.

Mr. Boscola said no benchmark has been set for implementation. The priority for meter purchasing was set.

Ms. Laird asked whether there is grant funding for utilities technology.

Mr. Boscola said he is not aware of any. This could be double checked, but he does not believe so. Most of the funding goes toward hardware such as pipes, meters, and valves.

Ms. Laird also asked about the BAHX property and the reporting experience shared by Ms. Kloiber. She asked whether similar confusion would occur if an emergency were reported.

Chief Kott said she will check with the Service Center and how this should have been handled. As for emergency responses, she said both Allentown and Bethlehem units respond to incidents at the City line and sort out the jurisdiction once on scene.

Mr. Alkhal said mapping and geographical information systems clearly distinguish Public Works concerns such as piping and other infrastructure.

Ms. Laird also updated that she continues work regarding privacy and policy conversations with the City administration regarding residents' data. This relates to current fears that people may have about personal data and what data Bethlehem requires and what is done with it.

*Ms. Crampsie Smith*

Ms. Crampsie Smith asked Ms. Collins for an update concerning the shelter and Gateway on 4<sup>th</sup>.

Ms. Collins said Phase I of the Gateway on 4<sup>th</sup> construction could begin in 2026. As for the shelter, the Bethlehem Emergency Shelter is expected to continue operations for the 2025-26 season. Construction for the new shelter could occur after that but the timetable is not known.

Ms. Crampsie Smith also asked if there are plans for public bathrooms in the downtown.

Ms. Collins said there are public bathrooms in the North Street Garage, which is often forgotten. They are not well used. Additionally, there have been recent conversations with the Downtown Bethlehem Association concerning a variety of infrastructural downtown needs including bathrooms. There is not yet a solution.

Ms. Crampsie Smith asked whether the North Street Garage bathrooms can be better publicized. Many do not even know that garage exists.

Mr. Alkhal said the bathrooms belong to the Lehigh and Northampton Transportation Authority (LANTA) for the bus station, although the public is permitted to use the facilities.

Ms. Crampsie Smith asked about the earlier mention of a meeting yesterday concerning a development project at Rauch and Hanover Streets. She asked for more details.

Ms. Collins said the developer has gone through several iterations of this project. The developer most recently asked for an interpretation on a particular zoning issue and what would be permitted. The project is in the early stages. She was present as were the Mayor and Solicitor. The planning process was discussed. This would still require meetings before the Planning Commission and Zoning Hearing Board. Only a sketch plan has been submitted.

*Mr. Callahan*

Mr. Callahan asked Ms. Collins if the City, the Parking Authority (BPA) or LANTA increase signage notifying the public of the bathrooms in the North Street Garage.

Ms. Collins said LANTA could be approached.

Mr. Alkhal explained that the bathrooms were built as part of the North Street Garage. The facility is owned by BPA and leased by LANTA. The bathrooms may not be intended for the general public but they are certainly available to all commuters. A conversation should be held with LANTA as to whether they want to promote availability.

Ms. Laird recently met with BPA and LANTA on another topic but this conversation led to public bathrooms. LANTA seemed interested in talking about this matter with the City. Ms. Laird said she encouraged this discussion at another time and with the proper authorities.

Mr. Alkhal said he would follow up.

*Ms. Wilhelm*

Ms. Wilhelm said the bathrooms at Sand Island also were mentioned. She asked for an update.

Mr. Alkhal said these bathrooms were winterized. All bathrooms that are not heated are shut down in late October or early November to avoid pipe freezing. They will be reopened within the next few weeks when warm temperatures are anticipated.

Ms. Wilhelm asked how many public restrooms are offered by the City.

Mr. Alkhal said many of the recreational facilities have bathrooms. He estimated more than 10. Hours of operation vary based on the season and the number of incidents at each. If vandalism has occurred, they are locked during off hours.

Ms. Wilhelm asked Mr. Alkhal whether the City should continue to work within options of existing facilities or whether low-cost options should be investigated to provide public bathrooms.

Mr. Alkhal believed that anything beyond existing facilities would take substantial investment. Concerns are both cost and ongoing maintenance.

*Mr. Colón*

President Colón clarified some points made during Public Comment. First, all Council members live in the City. Additionally, the make-up of Council is such that members live throughout the City rather than a heavy concentration in one area. Lastly, while the format for meetings does not allow for back-and-forth discussions between residents and Council, Council members' contact information is on the City's website, discussions are welcome after meetings, and department heads are available for discussion in the hallway outside of Council chambers. He believes that Council is welcoming and accessible.

President Colón also noted the Cherry Blossom Festival at City Hall is scheduled for Saturday as is the Pembroke Choice Festival at the Bethlehem Boys & Girls Club on Pembroke.

6. COMMUNICATIONS

C. *Director of Public Works – Contract – Fourth of July Fireworks – Garden State Fireworks, Inc.*

The Clerk read a March 19, 2025 memorandum with an attached Resolution from Public Works Director Michael Alkhal. Mr. Alkhal recommends a contract with Garden State Fireworks, Inc. of Millington, NJ for \$40,000 to provide the fireworks display for the Fourth of July with a rain date of July 5. There are no renewals.

President Colón stated Resolution 10B is on the agenda.

D. *Director of Public Works – Contract – 2025 10 Friendship Park Improvements – Grace Industries, Inc.*

The Clerk read a March 26, 2025 memorandum and proposed Resolution from Public Works Director Michael Alkhal. The memorandum seeks authorization to execute an agreement with Grace Industries, Inc. of Bath to provide improvements to Friendship Park including the installation of a new basketball court, splash pad, ADA compliant walkways, event plaza, upgraded playground, and shaded pavilion. The cost is \$965,952.73, and the work is to be completed by December 31, 2025. There are no renewals. This bid was the lowest of two received.

President Colón stated Resolution 10C is on the agenda.

E. *City Solicitor – BEDCO-SSAD – 2025 Live on the Greenway*

The Clerk read a March 26, 2025 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is the Bethlehem Economic Development Corporation, by and through its initiative, the Southside Arts District. Sub-permittees are Social Still, LLC, County Club Brewing, LLC, Five Maidens, LLC d/b/a Five Maidens Cider Co., and Sarat, LLC, d/b/a Adagio. The event is 2025 Live on the Greenway. Event times and dates will be 1-3 PM on May 18 and 25 and June 1 and 8. The duration will be noon to 4:30 on each of the four stated dates. The specified premises will be the Greenway between Webster and Taylor Streets, including the Harmony Pavilion.

President Colón stated Resolution 10D is on the agenda.

7. REPORTS

A. *President of Council*

Nothing additional.

B. *Mayor*

Mr. Evans said he had nothing to report for Mayor Reynolds.

8. ORDINANCES FOR FINAL PASSAGE

8A. *Bill No. 19-2025 – Ordinance to Repeal and Replace Article 141*

The Clerk read Bill No. 19-2025—Ordinance to Repeal and Replace Article 141, 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  
ARTICLE 141 OF THE CODIFIED ORDINANCES  
ENTITLED SISTER CITY COMMISSION,  
BY REPEALING THE EXISTING ORDINANCE AND  
REPLACING IT IN ITS ENTIRETY.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. Bill No. 19-2025, now known as Ordinance No. 2025-17, passed on Final Reading.

9. NEW ORDINANCES

9A. *Bill No. 20-2025 Amending the City Zoning Map*

The Clerk read Bill No. 20-2025—Amending the City Zoning Map, sponsored by Mr. Colón and Ms. Kwiatek and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE CITY ZONING MAP

Ms. Laird noted that postponement of a vote on First Reading took place at the meeting of March 4 to allow the developers to meet with neighbors. A meeting facilitated by Community Action committee took place on March 27. She believed this achieved the goal.

Ms. Crampsie Smith said the neighbors still have some concerns that she shares including limited parking, the narrowness of Garrison Street, a question of “spot zoning” or even the spirit of what is meant by that, and a concern for tearing down inhabitable homes and whether this

contradicts the City's Climate Action Plan. She also does not believe this will address affordable housing. And, with only partial occupancy of recently constructed apartments in the downtown, she questioned the need for more apartments at any price.

Ms. Kwiatek believes that zoning amendments have a "higher bar." She reasoned that zoning districts are set for a reason. Developers tend to state dire consequences that they face if a request is not granted. However, in the case of Council denying a zoning change for 119 Technology Drive a year ago to allow apartments instead of the intended industrial use, a new buyer has come forward with a plan for the intended use that is more favorable to the City. Ms. Kwiatek recognized that the West Garrison Street developers can build an apartment building by right and have "sweetened the pot" by offering nicer facades and more onsite parking if they receive the zoning amendment but she believes that parking is available for the apartment residents in the North Street Garage.

Mr. Callahan supported the amendment. Without it, the building height would be six stories instead of five. He also predicted that the apartment residents will be competing with existing neighbors for parking spots on Garrison and surrounding streets rather than parking two blocks away in the North Street Garage. He said the developers have said that the two buildings at 11 and 15 W. Garrison Street will be razed with or without this zoning amendment, so there is no point in voting a certain way in hope of saving them.

Ms. Leon asked whether any LERTA tax incentives with restrictions exist.

Ms. Collins said the LERTA program on the North Side has expired. She added that the City cannot direct housing types beyond what zoning allows. There is no ability to deny tearing down the two existing buildings because they do not fall within an historic district.

Ms. Leon attended the community meeting. She will support the requested amendment and believes, based on the comments and questions heard from a majority of neighbors, that area residents prefer the proposed project that would result from the amendment.

Ms. Laird summarized that this is not a choice of apartments versus no apartments. Apartments can be built by right if the amendment does not pass. She referred to a comment made by a resident at a prior meeting that if the City wants to see certain limitations on zoning, it needs to review and make those changes. Once zoning is set and an application is made, Council cannot simply say it does not like a project. Her primary concern for this project is traffic flow onto Garrison Street. She urged careful planning to best ensure safety and flow.

President Colón asked Council Solicitor Stephanie Steward for her opinion as to whether this plan would constitute "spot zoning."

Solicitor Steward said that "spot zoning" occurs when an area is treated differently from similarly surrounding land to the economic detriment or benefit of the landowner. This usually occurs where an "island" is created involving this parcel. In this case, she does not believe "spot zoning" exists because the parcel would be rezoned to the same zoning type as exists in immediately adjacent land. She added that a landowner can do whatever they want within the bounds of the Zoning Ordinance. Specifically, the landowner can raze the two existing buildings if desired.

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Calahan, and Mr. Colón, 5; NAY: Ms. Kwiatek and Ms. Crampsie Smith, 2. Bill No. 20-2025 passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Police Department – 2024 Edward Byrne Memorial Justice Assistance Grant (JAG)*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-050 that authorized to execute the grant award documents for funds to be received under the 2024 Edward Byrne Memorial Justice Assistance Grant in the amount of up to \$33,577 and will be used to expand and update the City's intersection camera network.

President Colón referred to a comment from the public that this money could be used for other projects instead of public surveillance. President Colón acknowledged there could be some inappropriate uses of the footage but there have been times when camera footage has helped crime victims for investigative purposes. The Police Department has a Community Service Division intended to engage with the community and provide community policing.

Ms. Leon asked who could access police footage.

Chief Kott said, besides police, Service Center employees and some from Public Works have access. It is internal only.

Ms. Kwiatek asked whether these video files could be subject to subpoena.

Chief Kott said they could be but would have to fall within the retention period.

Solicitor Steward added that the City could attempt to guard against release by, for example, seeking a Motion for a Protective Order if the subpoena is too broad.

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

B. *Approve Resolution – Fourth of July Fireworks – Garden State Fireworks, Inc.*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-051 that authorized to execute an Agreement with Garden State Fireworks, Inc. to provide the Fourth of July fireworks display for 2025.

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

C. *Approve Resolution – 2025 10 Friendship Park Improvements – Grace Industries, Inc.*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-052 that authorized to execute an Agreement with Grace Industries, Inc. to provide improvements at Friendship Park.

Ms. Crampsie Smith asked how the project is being funded.

Ms. Collins said several grants are involved including money from the National Park Service. This will be fully funded by grants. She does not believe that any of the grant money will be pulled back.

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

*D. Approve Use Permit Agreement – BEDCO-SSAD – 2025 Live on the Greenway*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-053 that authorized to execute a Use Permit Agreement with BEDCO for the 2025 Live on the Greenway.

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

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

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

*E. Certificate of Appropriateness – HCC – 232 West Third Street*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-054 that authorized to conduct various renovations to the front and side façades.

*F. Certificate of Appropriateness – HCC – 230 West Third Street*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-055 that authorized to conduct various renovations to the front façade.

*G. Certificate of Appropriateness – HCC – 14-36 West Third Street*

Mr. Colón and Ms. Kwiatek sponsored Resolution No. 2025-056 that authorized various details associated with the proposed hotel structure.

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

11. ADJOURNMENT

The meeting was adjourned 10:30 PM.



ATTEST:

Tad J. Miller  
City Clerk