

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, December 19, 2023 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

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

2. APPROVAL OF MINUTES

December 5, 2023

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

Parking Complaints

Resident Kim Schaffer supported her neighbor Alex Hirsch and his ongoing objection to the Parking Authority's Residential Parking Permit program. She said it is nearly impossible to have friends visit and not have difficulty with parking because of the two-hour parking limitation. Friends must park three blocks away. This is particularly burdensome for those with mobility problems. This program is not necessary in their neighborhood.

Encouragement to Oversee Water Department

Resident Mark Will-Weber said the Facebook page that he and his wife, Sally, have started is gaining momentum. The Drip is informative and raises issues about water complaints in the City. He said he hoped that The Drip would show a need for oversight of the Water and Sewer Department and that Council would provide a sub-committee or some similar remedy to mediate disputes. He suggested this for significant disputes rather than perhaps a water bill indicating minimal increase.

Sub-committee Urged

Resident Sally Will-Weber addressed questions asked at the December 5 Council meeting by Ms. Crampsie Smith. She said that some of the answers provided by Edward Boscola, Director of Water and Sewer Resources, were "less than forthcoming." She first disagreed that the Will-Webers' case had been addressed. She said they were told to pay their bill or they would be fined. Even when their bill was in dispute, they received a delinquent notice. It took several phone calls to get that rectified. The Will-Webers offered to compromise, but she said she was told the City does not do that. Ms. Will-Weber also took issue with Mr. Boscola's assurances that the meters are highly reliable. Their Facebook page has articles stating that the meters being used across the country have resulted in some problems that have been costly to correct. Finally, she said that Mr.

Boscola said there were one or two odd cases in which large amounts of water are in dispute. She said she is aware of eight just in the short time that she has been associated with this issue. In that four-month period if there are eight, there must be many more out there. She returned to Ms. Crampsie Smith's comments that ended by her asking whether Council should get involved. Ms. Will-Weber implored Council to form a sub-committee to review similar cases.

Opposes Tax and Sewer Rate Increases

Resident Mary Jo Makoul again complained about the proposed 2.6 percent real estate tax increase and the 8 percent water rate increase. She asked whether the casino host fee and the recently announced \$10 million grant to assist in the redevelopment of the West Broad Street corridor had been factored into the budget and could reduce the proposed tax increase. She also questioned the value of the Sister City Program and wondered its value when considering that a tax increase is being requested. Ms. Makoul also recommended holding weekly Town Hall meetings to promote more resident input.

Eroding Checks and Balances

Resident Jim Follweiler stated the belief that the system of checks and balances is being manipulated in Bethlehem to get what the Administration wants. He added that planning and zoning regulations mean nothing if those are waived for apartments or other development including alley houses. It appears that we are headed toward mandatory increased density, and he asked whether we want to be an overrun city like Hoboken or Jersey City. He also fears that open spaces, such as the golf course and larger church properties, will be repurposed to construct high-density affordable housing. Mr. Follweiler urged the new Council about to be seated to provide checks and balances for these trends.

Parking Request Reminder

Resident Alex Hirsch said it is now 522 days since he started attending Council meetings to try to change the Parking Authority's RPP program. He said he took a few weeks off from attending because he came to realize that he was wasting his time. However, he is returning in hope there will be a change and, as a part-time resident, he will again be able to park near his home.

Follow-ups to Complaints

Resident Angela Mitchell asked what the plan is to solve the traffic issue at Delaware Avenue and 3rd Street and Cherokee Street. She believes that a traffic light was to be erected in the area but would like to know the facts. She also asked whether her suggestions to place speed bumps in the 400 block of Cherokee and stop signs at 4th and Cherokee Streets and Cherokee and Dakotah Streets are planned for 2024. She asked for other updates on her previous questions including the permissibility of running Airbnb's in the City. Ms. Mitchell also raised concern for parking meters or kiosks and their requirements as they relate to the handicapped. Trash also continues to be a concern. She said sofas have been on the curb for three weeks. Finally, she again complained about fallen leaves and street cleaning. She said the City has made an effort to sweep but cannot get all areas because of parked cars.

President Colón said he could not speak for the Parking Authority, but he said street signs and speed bumps would be a matter to discuss with the Public Works Department, and trash enforcement and Airbnb issues could be discussed with Laura Collins, Director of Community and Economic Development.

Ms. Mitchell said she has spoken with both on these topics and has not made progress. That is why she has returned.

Environmental Advisory Council's Annual Report

Resident Ben Felzer identified himself as the Vice Chairman of the Bethlehem Environmental Advisory Council. He reported on the year-end EAC report. He said the primary task is to support the City's Climate Action Plan. In January, the EAC re-engaged the Green Transportation Waste Reduction and Birdtown PA committees. The Birdtown PA Committee submitted its first report. Bethlehem received the Silver Level. There are four levels. Silver is second-highest. The Green Committee and the Bethlehem Backyards for Wildlife Committee planted native vegetation along the perimeter of Madison Park. It hopes to initiate other plantings in 2024. The Transportation Committee has been working with the City to promote electric vehicle charges available for those without access to a private garage. The EAC Waste Reduction Committee answered questions on a proposal to ban single-use plastic bags. In 2024 it hopes to encourage food waste composting. The EAC also reviewed 18 proposed projects for development and offered environmental-related comments.

Backyards for Wildlife Committee Activities Outlined

Jane Cook reported on the Bethlehem Backyards for Wildlife Committee of the EAC. They provide maintenance to several native plant gardens throughout the City. She thanked several City departments for their support throughout the year.

Best Use of Grant Money?/Parking Enforcement/Landlords/ADUs

Resident Connie Daniels discussed the \$10 million grant that was announced to help fund changes to West Broad Street Active Transportation project. She called this a "huge win for the City" but she believes this money could be put to better use. This project will include medians between Guetter and North New Street as well as Center to High Streets. She asked what is the purpose and the benefit of these medians. She said curb bump outs also are planned along with crosswalks, bike lanes, and pedestrian refuge islands. She wanted to know more about who decides on these plans and whether there was a study and community involvement. She agreed there could be some benefit to these changes, but the money could be put to better use, specifically improving accident-prone intersections, such as Fiot Street and Broadway. Ms. Daniels also spoke with the BPA and learned it does not monitor parking where there is not 2-hour parking. This means only the business districts receive attention. People are parking too close to the corners causing sight problems. She recommended placing bollards to regulate parking and provided a photographic example. Ms. Daniels also offered photos of an apartment in disrepair at 71 East Broad Street. She said the tenant has complained for two years. A City inspector was there about two years ago, but nothing was done. A ceiling partially collapsed with this week's heavy rain. Ms. Daniels also said that she is "initially not a fan" of the proposed ADUs (Accessory Dwelling Unit). She wants to learn more, but does not want to lose the "small

city charm” by cramming in more housing. She said this will only add to existing parking, traffic, and landlord issues. She understands that there is an affordable housing shortage, but she encouraged the City look for another solution.

Equal Pay

Resident Arthur Curatola said that elected officials should not be paid more than those in the military service. He reasoned that both are serving their country. He encouraged this Council to set an example for the United States and accept just a little bit less than they are being paid now.

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

Opposed to Tax Increase

Resident Jim Follweiler suggested that budget deliberations should consider circumstances several years in the future, particularly what will happen when the “covid funding runs out.” He said the Mayor will want to continue funding every climate, affordable housing, and homeless shelter program while providing more money for more studies and programs. He said the 2024 budget is atypical because there are so many millions of dollars in federal funds embedded in it. He asked what will be cut in the years to come when this money has been spent or will there be significant tax increases to make up this shortfall. Mr. Follweiler said that, at least publicly, there do not appear to be serious spending cuts. And he said the City does not appear to decrease spending allotments the following year after money is not fully spent by some departments. He called on Council to toughen the process of shifting money from one program to another when one department has unspent money and another has a want for more. Instead, he encouraged saving unspent budget money for the next year in an effort to avoid future budget increases. He asked if the City’s finances are in the best shape they have been in a long time, why is there a proposed 2.6 percent tax increase for 2024? He recommended that Council vote no on agenda item 8K on the real estate property tax rate.

Supports Change to Animal Ordinance

Sheryl Petrillo said the proposed amendment to the City’s animal ordinance would prohibit pet stores from selling commercially raised dogs, cats, and rabbits, but allow them to partner with shelters and rescues to host adoption events and to sell products and services. She said many municipalities nationally have taken this step, including Allentown, Easton, and Fork Township closer to home. She encouraged Council’s support. Most importantly, she said banning such sales would block the puppy mill pipeline.

Spending Not Balanced

Resident Bud Hackett observed that the 2024 Budget represents a large increase in City expenditures, an additional \$26 million or 31 percent increase over the 2022 Budget. He agreed that there are many fixed expenses in the budget, but said a large percentage of the budget is at the Mayor’s discretion and does reflect his priorities. Mr. Hackett said it does not appear that these priorities are well balanced as to where the money is being spent. He added that with a \$34

million infusion from federal money, it should be easy to balance this budget without a tax increase. He favors the debt reduction, support for public safety, and the increase in street repaving. But he said the budget document is not easy to understand and should consider a format that is more transparent. For example, he was looking for a clear report of how much consultants are costing the City. He could not find that. Mr. Hackett also considers the discretionary spending to be unbalance that includes spending on special interest issues and not supporting “most residents in neighborhoods.” Everyone was impacted by covid and lockdowns, but only a small share of groups or neighborhoods are benefitting from the \$34 million” federal funding. He concluded by saying that there is no good reason to raise taxes this year and urged the Mayor and Council not to do so.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director of Community and Economic Development – Contract – HARB Joseph Phillips – Price Increase*

The Clerk read a November 30, 2023 memorandum and attached Resolution from Laura Collins, Director of Community and Economic Development. Ms. Collins recommends a contract with Joseph Phillips of Bethlehem to serve as the Historic Officer for the Historic Architectural Review Board for \$24,000. The term would run from January 1 through December 31 of 2024 with options to renew in 2025 and 2026.

President Colón stated Resolution 10 A is on the agenda.

B. *Director of Community and Economic Development – Contract – HCC Jeffrey Long – Price Increase*

The Clerk read a November 30, 2023 memorandum and attached Resolution from Laura Collins, Director of Community and Economic Development. Ms. Collins recommends a contract with Jeffrey Long of Bethlehem to serve as the Historic Officer for the Historic Conservation Commission for \$24,000. The term would run from January 1 through December 31 of 2024 with options to renew in 2025 and 2026.

President Colón stated Resolution 10 B is on the agenda.

C. *Director of Community and Economic Development – Contract – 2023 35 Scantek – Price Increase*

The Clerk read a December 7, 2023 memorandum with an attached Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends a contract with Scantek Infomanagement Solutions of Willow Grove to perform Phases 3 through 5 of digitizing records

in the Department of Community and Economic Development. The amount of the contract is \$266,718.50. There are no renewals.

President Colón stated Resolution 10 C is on the agenda.

D. Council Solicitor – Memo – Letter of Resignation December, 2023

The Clerk read a December 15, 2023 memorandum from Council Solicitor Brian Panella announcing his resignation from his City position as of December 31, 2023 unless Council were to fill the post sooner. In that event, Solicitor Panella's resignation would be effective immediately. Attorney Panella cites his election as a Northampton County Court judge as the reason for his resignation and says it was a highlight of his legal career to represent Bethlehem City Council.

President Colón stated no action was necessary.

E. Chief of Police – memo – Retirement of Rico – Police K9

The Clerk read a December 14, 2023 memorandum with an attached Resolution from Police Chief Michelle Kott seeking to retire K9 "Rico" from active duty for medical reasons explained in a letter from Emmaus Animal Hospital. Rico was purchased in 2016 through donated funds. The Chief seeks permission to retire Rico and transfer him to his handler, Matthew Steidel, in accordance with the Third Class City Code.

President Colón stated Resolution 10 D is on the agenda.

F. Director of Community and Economic Development – Contract – 2022 07 Community Development Services

The Clerk read a December 14, 2023 memorandum with an attached Resolution from Robert Vidoni, Housing and Community Development Administrator recommending a contract with Michael Baker International, Inc. of Long Beach, CA. The contractor would provide support in connection with HUD compliance, monitoring and audits. The City is currently under a one-year contract with Michael Baker International. This would represent the renewal of the first of two one-year renewal options. The cost of the contract is \$190,832. Of this figure, \$96,832 is related to potential costs associated with Community Project Funding HUD environmental reviews. A one-year City renewal option remains.

President Colón stated Resolution 10 E is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

Bittersweet Goodbyes

Director of Equity and Inclusion Janine Santoro called tonight a bittersweet night. She knows that the new year will bring forth new Council Members, but she recognized the services provided by Dr. Van Wirt and Dr. Enix. She noted that there were originally 11 candidates who sought to fill an unexpired term. Several of these candidates stepped aside when they learned of Dr. Enix's interest for the position. She said that alone shows that Dr. Enix "brought an energy and intellect, lived experience, a history of servanthood and advocacy." Ms. Santoro said that, as the first Black City Council Member, Dr. Enix's leadership on Council is a dream come true for the people who live and work in the City now and also for those who hoped that the day would come to see themselves represented in Bethlehem city government. She said the Administration believes that Dr. Enix has in the best way "challenged and critiqued City processes in ways that are rooted in significant and meaningful historical context while also making recommendations that will deeply impact our future."

Mayor Reynolds commented on Dr. Van Wirt's service to the City and expressed admiration to her commitment and foresight into creating urban policy that will guide this City decades into the future. He said she appreciated this City's history, but was willing to consider that change in some areas is necessary. He added that she was not afraid to challenge people or beliefs and was open to discussion to bring about the best results. Mayor Reynolds added that Dr. Van Wirt left Bethlehem a better city for her efforts.

Mayor Reynolds also thanked Council Solicitor Panella as he moves on to become a Northampton County Court judge. He thanked him for his two years of service to the City.

Transformation of Broad Street

Mayor Reynolds also recounted last week's announcement that the City has received a \$10 million grant to help transform West Broad Street into a corridor that is more friendly to pedestrians and those riding bicycles. Mayor Reynolds said he received a phone call from Senator Fetterman's office asking what the keys were to Bethlehem's success in receiving this money. The Mayor said he told them what he has been saying all along. Success in receiving grants often comes down to planning, documentation, and being "shovel ready". He added that this transformation will not just be a first block but from First Avenue to Pennsylvania Avenue - a mile and one-half. This will be combined with the East Broad Street money that was obtained from the state. This project will go from Center Street to Elm Street. That will be a corridor that will run almost the wide of the City. This will serve seven schools in the City that have students that cross Broad Street to walk to school. It will make the area safer and transform the corridor. "This will make it a street for people rather than cars," he said.

Menorah Lighting/Parade of Shamrocks/Police Academy Graduates

Mayor Reynolds reported on the Menorah Lighting on Payrow Plaza on December 11. The City also announced yesterday the joint effort between the Celtic Cultural Alliance and the City to put on the St. Patrick's Day Parade of Shamrocks on March 16. This is a big event for the heritage and the downtown economic vitality. Lastly, five police officers graduated from the academy on Friday. Four more recruits will enter the next class on January 2.

C. *Public Safety Committee Meeting – Ms. Leon*

Ms. Leon reported Committee review of one item: the proposed amending of Article 1159 – Animal Ordinance, specifically prohibiting the sale by pet shops of dogs, cats, and rabbits coming from puppy mills. The Committee voted unanimously to send this Ordinance to full Council. The Ordinance has been placed on tonight’s Council agenda.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 41-2023 – Adopting the 2024 General Fund Budget*

The Clerk read Bill No. 41-2023 – Adopting the 2024 General Fund Budget sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 41-2023, now known as Ordinance No. 2023-39, was passed on Final Reading.

B. *Bill No. 42-2023 – Adopting the 2024 Water Fund Budget*

The Clerk read Bill No. 42-2023 – Adopting the 2024 Water Fund Budget sponsored by Ms. Wilhelm and Ms. Leon titled:

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

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 42-2023, now known as Ordinance No. 2023-40, was passed on Final Reading.

C. *Bill No. 43-2023 – Adopting the 2024 Sewer Fund Budget*

The Clerk read Bill No. 43-2023 – Adopting the 2024 Sewer Fund Budget sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 43-2023, now known as Ordinance No. 2023-41, was passed on Final Reading.

D. Bill No. 44-2023 – Adopting the 2024 Golf Course Enterprise Fund Budget

The Clerk read Bill No. 44-2023 – Adopting the 2024 Golf Course Enterprise Fund Budget sponsored by Ms. Wilhelm and Ms. Leon titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE GOLF COURSE ENTERPRISE FUND BUDGET FOR 2024

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 44-2023, now known as Ordinance No. 2023-42, was passed on Final Reading.

E. Bill No. 45-2023 – Adopting the 2024 Liquid Fuels Fund Budget

The Clerk read Bill No. 45-2023 – Adopting the 2024 Liquid Fuels Fund Budget sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE LIQUID FUELS FUND BUDGET FOR 2024

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 45-2023, now known as Ordinance No. 2023-43, was passed on Final Reading.

F. Bill No. 46-2023 – Adopting the 2024 Capital Budget for Non-Utilities

The Clerk read Bill No. 46-2023 – Adopting the 2024 Capital Budget for Non-Utilities sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 46-2023, now known as Ordinance No. 2023-44, was passed on Final Reading.

G. Bill No. 47-2023 – Adopting the 2024 Capital Budget for Water Utilities

The Clerk read Bill No. 47-2023 – Adopting the 2024 Capital Budget for Water Utilities sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE CAPITAL BUDGET FOR WATER UTILITIES FOR 2024

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 47-2023, now known as Ordinance No. 2023-45, was passed on Final Reading.

H. Bill No. 48-2023 – Adopting the 2024 Capital Budget for Sewer Utilities

The Clerk read Bill No. 48-2023 – Adopting the 2024 Capital Budget for Sewer Utilities sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,
ADOPTING THE CAPITAL BUDGET FOR SEWER UTILITIES FOR 2024

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 48-2023, now known as Ordinance No. 2023-46, was passed on Final Reading.

I. Bill No. 49-2023 – Adopting the 2024 CDBG Budget

The Clerk read Bill No. 49-2023 – Adopting the 2024 CDBG Budget sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,
ADOPTING THE CDBG BUDGET FOR 2024

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 49-2023, now known as Ordinance No. 2023-47, was passed on Final Reading.

J. Bill No. 50-2023 – Adopting the 2024 Storm Water Fund Budget

The Clerk read Bill No. 50-2023 – Adopting the 2024 Storm Water Fund Budget sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,
ADOPTING THE STORM WATER FUND BUDGET FOR 2024

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 50-2023, now known as Ordinance No. 2023-48, was passed on Final Reading.

K. Bill No. 51-2023 – Adopting the 2024 Tax Rate for All City Purposes

The Clerk read Bill No. 51-2023 – Adopting the 2024 Tax Rate for All City Purposes sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,
ADOPTING THE TAX RATE FOR ALL CITY PURPOSES FOR 2024

Ms. Leon asked Mr. Evans about the timing of the budgeting process. She asked if the timing is required or if discussion could begin sooner to allow for more consideration. She noted the coordination with the library and other municipalities and the need for discussion with them. She felt the City got off to a late start this year, although she appreciated the release of the budget book to Council for study.

Mr. Evans said the release of the budget has traditionally been the Friday after the General Election. The budget is really a year-round process as they continue to track and monitor accounts monthly. By August and September, they begin discussions with the departments for preliminary numbers and ideas. The later organizers wait into the year, the more likely accuracy will be relating to numbers from the current year. In August, there are still four or five months left in the current year, so they want to take "the longest look that we can" at numbers for the current year.

Mayor Reynolds added that Solicitor Spirk just reminded him that the Third Class City Code requires that the budget needs to be presented at the last meeting in November. It then requires advertisement of a meeting for final approval at least 20 days after that First Reading. The Mayor added that there are "a couple of touch points throughout the year." For example, labor costs will be known at a certain point as well as the City's Minimum Municipal Obligation involving pension contributions. He said that both he and Mr. Evans try to update Council as soon as possible when something out of the ordinary becomes known, such as an anticipated higher MMO obligation. He agreed with Mr. Evans that it would be less accurate to begin budget deliberations too early. He cited the example of the Earned Income Tax total that continues to increase throughout the year. He also offered to provide more periodic "check-ins" as the year goes by if Council would prefer.

Ms. Leon said she was unaware of the Third Class City Code requirement on timing. She also said she does not understand all the details of property taxes and Earned Income Tax and wonders why some municipalities highlight that they have not raised taxes in a number of years.

Mayor Reynolds said that Easton, for example, has not raised property taxes in about 16 years, but they are at a rate of 24.9 mills with a ceiling of 25 mills set by law. They basically are not allowed to raise this number and must find revenue elsewhere. At 19.6, Bethlehem's millage rate is much lower. A big difference, however, is a municipality's ability to raise its EIT. Bethlehem cannot do this. If your pension fund is underfunded or underperforming, the state gives municipalities the ability to try to make up this money by charging a higher EIT. Bethlehem's pension fund is sound, so its EIT is set at 1 percent. This raises \$10.7 million in EIT and more than \$30 million in property taxes. That is about 3:1. In Allentown and Easton, the ratio is almost even at 1:1 when comparing property tax to EIT. He believes the Easton EIT is 1.95 percent. That is nearly twice as much as Bethlehem. "We don't have the tools that some other cities have because we are in a better financial position," he said.

Solicitor Panella next offered the section of the Third Class City Code in support of Solicitor Spirk's earlier comment. Solicitor Panella cited § 112A05(10) provides for preparing and

submitting the annual City budget for review and approval by Council. It shall be submitted not later than the last meeting in November of each year.

Mayor Reynolds returned to his point about revenue generated by EIT. He said that even if Bethlehem were permitted to raise the EIT to 1.1 percent on the \$10.7 million already being generated, the .1 percent would raise an additional \$1 million. He said if Bethlehem had the ability to raise the EIT, there would not be a need to increase property taxes.

Ms. Kwiatek pointed out that when there were savings or unspent money from last year, those funds were moved into specific accounts. Other “windfalls” of sorts, such as higher than expected investment income, have been designated. She added that a vast amount of money in the budget is salaries and negotiated wage increases including 3 and 4 percent raises for police and firefighters, respectively. She reminded that many have addressed Council and said that there is nothing more important than having police and fire protection. These salaries and increases are part of providing those protections. Pension expenses also come with this, and the Administration already has said that the market did not perform well last year and this will impact the MMO in the next round. Additionally, four more paramedics are being added. Council has seen the need for that, but that will cost money as will the replacement of police body cameras and dash cams and the mandated upgrade of the emergency radio system with Northampton County. “These are things that have to responsibly be paid for on an ongoing basis with sustainable revenues,” she said. “I think we’re doing the responsible thing here.” She emphasized that the increase is not a short-sighted whim, but is based on forecasting by the Administration to project conditions and what costs will be.

Mayor Reynolds also addressed earlier comments concerning the transparency and readability of the budget. He added that plans for spending the American Rescue Plan funds probably have been his primary topics of conversation over the past two years. There has been much talk about how this money will be spent and how they are being directed. He next broke down the spending of the \$34 million ARPA funding. \$18 million will go toward capital expenditures. The way to pay off the City’ debt aggressively is by spending \$9 million in capital expenditures in 2022 and 2023, which avoided a capital borrowing. He has previously said that the City would have had to pay \$25 million had it borrowed the \$18 million because of interest. Because of high interest rates, this number would be even higher than \$25 million. The ability to have capital expenditures and avoid borrowing for years is what will allow Bethlehem to pay off its overall debt at a rate that no other city can and put us on the road to financial stability. These capital expenditures have included the purchases of police cars, fire engines, roads - things that benefit all in Bethlehem. Another \$8 million was used for lost revenue over a four-year period. Additionally, he said there has been transparency in the need to invest over then next 4-6 years in meeting the challenge of the housing crisis being able to invest in the Community Recovery Fund and being able to invest in homelessness. The spirit of the American Rescue Plan is both investing in your community now and over the long term. He thanked Council for its commitment to meet with the Administration to understand the budget. Mayor Reynolds also repeated that it is important to understand the difference between reoccurring and one-time or sustainable and one-time expenses and income. “You don’t want to spend one-time income on sustainable expenses,” he said. “It is the path to financial ruin for a city. We are avoiding it.”

President Colón agreed, calling the approach the “foundational fundamentals of money management.” He added that it would be irresponsible, for example, to take money gifted in a

birthday card and use it to make a mortgage payment knowing that the mortgage payment will come due again in a month but with no foreseeable way to make that payment. It is the same concept. He also emphasized the City's financial health of paying down debt and the interest savings by not having to borrow for capital expenditures every other year, as was cited in the Mayor's previous comments.

Dr. Enix observed that Bethlehem has not raised taxes in some years. We should be proud that over \$100 million has been paid in debt service to put the City in better financial shape. The addition of the four paramedics also is a step forward.

Ms. Crampsie Smith asked when was the last time the City had a tax increase.

Mr. Evans said it was for budget year 2021. It was a 5 percent increase.

Voting AYE: Ms. Wilhelm, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 6; NAY: Ms. Crampsie Smith, 1. Bill No. 51-2023, now known as Ordinance No. 2023-49, was passed on Final Reading.

L. Bill No. 52-2023 – Ordinance Amending Article 927 – Sewer Rental Increase

The Clerk read Bill No. 52-2023 – Ordinance to Amend Article 927 – Sewer Rental Increase sponsored by Ms. Kwiatek and Ms. Wilhelm and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF
LEHIGH AND NORTHAMPTON, COMMONWEALTH OF
PENNSYLVANIA, AMENDING ARTICLE 927 OF THE CITY OF
BETHLEHEM CODIFIED ORDINANCES TITLED "SEWER RENTAL"

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 52-2023, now known as Ordinance No. 2023-50, was passed on Final Reading.

9. NEW ORDINANCES

A. Bill No. 53-2023 – Ordinance Amending Article 1159 – Animal Ordinance

The Clerk read Bill No. 53-2023 – Ordinance Amending Article 1159 – Animal Ordinance sponsored by Dr. Enix and Ms. Leon and titled:

OF THE COUNCIL OF THE CITY OF BETHLEHEM,
LEHIGH AND NORTHAMPTON COUNTIES, PENNSYLVANIA,
AN ORDINANCE PROHIBITING THE SALE OF DOGS AND AMENDING
ARTICLE 1159 OF THE BETHLEHEM CODIFIED ORDINANCES

Ms. Leon thanked Ms. Crampsie Smith for initiating this legislation. She said this is a good thing to see.

Ms. Crampsie Smith highlighted her reasoning for bringing the Ordinance to the table. She acknowledged that there are no pet stores in the City at this time, but this will be an important prohibition if any open. Ms. Crampsie Smith added that the prohibition of the sale of pets from puppy mills would not greatly diminish income for such stores. She cited a Morgan Stanley report that said there is plenty being spent on pet food, products, and services alone. She added that this Ordinance has the support of Police Chief Kott.

Ms. Wilhelm added her support. She said the stories of puppy mills are heart-breaking. There are plenty of adoptable pets without this sort of breeding.

Voting AYE: Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, and Mr. Colón, 7. Bill No. 53-2023 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Contract – HARB Joseph Phillips – Price Increase*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-252 that authorized to execute all documents and agreements with Joseph Phillips of Phillips & Donovan Architects, LLC.

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

B. *Approve Resolution – Contract – HCC Jeffrey Long – Price Increase*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-253 that authorized to execute all documents and agreements with Jeffrey Long.

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

C. *Approve Resolution – Contract – 2023 35 Scantek – Price Increase*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-254 that authorized to execute all documents and agreements with Scantek Infomanagement Solutions.

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

D. *Approve Resolution – Retirement of Rico – Police K9*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-255 that authorized to execute all documents and agreements to transfer ownership of K9 “Rico” from the Bethlehem Police Department to his handler, Matthew Steidel.

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

E. Approve Resolution – Contract – 2022 07 Community Development Services

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-256 that authorized to execute all documents and agreements with Michael Baker International, Inc. to provide support in connection with HUD compliance, monitoring, and audits.

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

President Colón said he would accept a motion to group consideration of three Certificates of Appropriateness, 10 F through 10 H. Dr. Van Wirt made a motion, seconded by Dr. Enix, to consider the COAs as a group.

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

F. Certificate of Appropriateness – HARB – 459 Old York Road

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-257 that granted a Certificate of Appropriateness for 459 Old York Road to construct a new ADA-accessible connector between the Luckenbach Mill and the Miller’s House.

G. Certificate of Appropriateness – 29 East Market Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-258 that granted a Certificate of Appropriateness for 29 East Market Street to replace one double hung, true divided lite 6-over-6 wood window with a custom sized double hung simulated divided lite 6-over-6 wood window, as well as make spot repairs to the existing stucco system.

H. Certificate of Appropriateness – 61 West Lehigh Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-259 that granted a Certificate of Appropriateness for 61 West Lehigh Street to repair, replace, and paint all trim, fascia, and corbel braces, and replace the existing Yankee gutter system with existing EPDM system. Applicant also proposes to replace/repair metal roofing system with EPDM system.

Ms. Wilhelm commented on the connector between the Luckenbach Mill and the Miller’s House. She appreciates the efforts to make these historic spaces accessible to all.

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

11. NEW BUSINESS

Reorganizational Meeting

President Colón said the next City Council meeting will be on Tuesday, January 2nd, at 7:00 PM. State law requires that we hold Council reorganization meetings on first Mondays in

January unless that date is a holiday. Consequently, this year's meeting will be held on Tuesday, January 2nd. On that night, we'll actually have two meetings. The first will be the final meeting of the current Council and the second meeting, that same night, will be the swearing in of the new Council members and the election of new council officers. The second January council meeting will be held on Tuesday, January 16th.

Appreciation for Service

President Colón thanked all for another productive year. He said it has been a privilege to serve as President. He also thanked Ms. Crampsie Smith for occasions when the Vice President has run meetings in his absence. He also addressed those departing. To Solicitor Panella, he thanked him for the work he has done for Council Members, himself, and City staff. To Dr. Enix, he recalled meeting her when neither was on Council and now as fellow Council Members. He agreed with Ms. Santoro's earlier comments about the significance of her service. To Dr. Van Wirt, President Colón thanked her for her sincerity and perspective.

Christmas Planning Suggested

Ms. Leon also offered her appreciation for working with the three departing colleagues. She also added concerns for the Christmas season on Main Street. She said street was beautiful, but she also witnessed a car hitting a horse and carriage. Main Street was a bit chaotic at times leading up to Christmas. She suggested some preseason discussion to perhaps improve order during this period. She referred to many calls for police service from Main Street business owners. This dampened the mood on Main Street a bit, and she believes some discussions could lead to improvement.

Thanks to Those Departing

Ms. Wilhelm thanked Mr. Felzer, Ms. Cook and EAC Chairwoman Lynn Rothman for their dedication. Ms. Wilhelm said she has been proud to serve as Council's liaison to the EAC. She also thanked Mr. Panella for his expertise and insights in navigating complex issues. She said it has been an incredible privilege to serve with Dr. Enix. She said she service with heart, curiosity, boldness, confidence, and competence and set an incredible example for those on Council and in the community. Ms. Wilhelm said she admired Dr. Van Wirt from a far before joining Council. She said that Dr. Van Wirt set an incredibly high standard for those on Council in terms of her knowledge, intellect, boldness, and willingness to ask the tough questions and take a stand. She appreciated her willingness to answer her questions as a new Council Member.

Hear, Hear

Ms. Crampsie Smith said those words were well put. She thanked Solicitor Panella for his guidance and added that Bethlehem has been enriched because of the time spent and talents of Drs. Enix and Van Wirt.

More Thanks to Colleagues/Broad Street Transformation/Helping the Homeless

Ms. Kwiatek agreed with what has been said. She thanked Solicitor Panella for his research and guidance. She thanked Dr. Enix for her wisdom and insights. Ms. Kwiatek also thanked Dr. Van Wirt for offering guidance and helping her to find her voice as a Council Member. On another topic, Ms. Kwiatek said she is excited about the West Broad Street grant and predicted that it will transform Bethlehem in a great way. Making Broad Street safer has been a goal of her. She also believes it will greatly help small businesses on Broad Street. She also wanted to thank two people who helped to homeless people who took up shelter under the 2nd Avenue ramp. She said each situation is different, and we really need a “wrap-around” effort to assist. She thanked police, the Health Bureau, New Bethany, the Bethany Emergency Shelter, and some neighbors who were willing to get involved.

Parting Words

Dr. Van Wirt thanked all Council Members. She has learned courage from each member. It has been an honor to serve with them. Her parting advice was to “not let the loudest voices in the room win.” She said cohesion is power. Not everyone has to agree on all points, but working together allows forward progress. She believes this was a great cohesive Council. She believes that municipal politics is where it is at and loved serving.

Thanks to Those She Served

Dr. Enix thanked Bethlehem residents for allowing her to serve.

Career Highlight

Solicitor Panella believes that a Solicitor who does not talk a lot during a meeting has prepared Council Members well. He believes that was the case. He reiterated that it was a highlight of his career to service City Council. He noted the qualities of each Council Member who he worked with. He also addressed the people of Bethlehem, saying that they cannot imagine the number of conversations that he has had with Council Members and the Administration who are curious and looking for ways to make things better.

Best Wishes

President Colón wished all on behalf of Council a joyful holiday season and a peaceful 2024.

12. ADJOURNMENT

The meeting was adjourned 9:28 PM.

ATTEST:

Tad J. Miller
City Clerk