

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, September 3, 2024 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

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

CITATIONS:

One retiree was recognized for his service to the City. Firefighter Kirk Decker was not present but will be mailed his Citation recognizing his 25 years to the Fire Department.

2. APPROVAL OF MINUTES

August 20, 2024

3. PUBLIC COMMENT

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

Limit Utility Work

Resident Mary Jo Makoul asked Council to enact an Ordinance setting time limits for utility companies to complete work once started. This stems from UGI replacing gas lines, laterals, and meters near her home. Neighbors were notified eight weeks ago that work would be done. The City posted no-parking signs, materials including stone were dumped for use, and other resident inconveniences have occurred. Work was interrupted several times, lengthening completion of the job and inconvenience to residents.

Appeal to Get Along

Resident Jordan Bold said Council infighting at meetings is not good for the City. He summarized an historic letter from John Adams to his wife describing a visit to Bethlehem. The letter marveled at many of Bethlehem's attributes, and Mr. Bold asked Council to provide an atmosphere that would return to those times. Additionally, he challenged the public to bring Council their concerns but to offer solutions when doing so.

Trash Removal Complaint

Resident Helen Ruch said refuse collectors in her neighborhood are not abiding by the City Ordinance that limits hours of collecting garbage and recyclables. Collection is not to start

before 6 AM; however, she reported pick-up at 5:45 and 5:30 twice weekly. The truck shakes the Dumpster in the air to empty it completely making considerable noise. She said she has complained to the workers who have laughed at her. Her complaints to the City have not rectified the situation. She appealed to Council for help.

President Colón encouraged Ms. Ruch to discuss the matter with Police Chief Michelle Kott.

Concern for the Homeless

Resident Valerie Noonan said she has learned that this weekend mounted police told people at the encampment for the homeless under the Fahy Bridge that they will be “kicked out” if they do not move within the next two weeks. The homeless were told the reason is because utility work is to be done on the opposite side of the Lehigh River from where the encampment is located. Ms. Noonan said it is cruel for the City to plan this action yet talk about providing emergency shelters and affordable housing. She asked who authorized this and why. She said if these people had a better place to go than under a bridge, they would. She asked Council to put a stop to this and allow the encampment to stay where it is.

President Colón said it was likely that Council will discuss this matter later in the meeting.

For the Record

Resident Arthur Curatola repeated that he is not anti-Semetic. He said that all that he has said appears in the Bible or history books.

Compassion

Resident Harry Faber said that Bethlehem has many great attributes, one of which is its compassion toward mankind. He asked that this compassion be extended to those in the Middle East and to those living in the encampment under the Fahy Bridge.

Various Concerns

Resident Olympia Ransom said she reported to the Environmental Advisory Council the spraying of what she believed to be a mosquito repellent during Musikfest. She wanted to be sure that what was done was safe. Ms. Ransom also asked that more trash containers be placed along the D&L Trail and that they frequently be emptied. She also believes that there are enough rental properties in the City for Lehigh students. Ms. Ransom also encouraged further study of a Norfolk Southern train derailment to ensure that proper clean-up of chemicals occurred.

Support of Homeless

Dylan McFarlan spoke of allowing the homeless encampment to remain under the Fahy Bridge. He believes the City has an obligation to use the moral framework of judging itself based on “how it treats its last, its littlest and police in how it acts.” He theorized that this clearing of the encampment could be a guise of a public works project. If it is learned that this is so, it would shake the public trust.

Prioritize Affordable Housing and Shelters

Milo Obsitt identified himself as a Lehigh Valley resident who is attending because he heard of the intentions to clear the encampment under the Fahy Bridge. His father worked with the homeless in New York City. Prioritizing building facilities for affordable housing and shelters for the homeless should be more important than sweeping the encampment. All people should be treated with dignity and respect.

Stop Personal Attacks

Resident Eddie Rodriguez urged Council to stop personal attacks on one another and on the Mayor. He encouraged decorum and a return to a focus on working for the City.

Good Interactions

Drew Gotiner said he is one of the homeless people living under the Fahy Bridge. He has had a good relationship with the police and fire personnel whom he has come in contact with while living there.

Immigration/Affordable Housing

Resident William Scheirer spoke on immigration and claims made leading up to the Presidential election. Despite claims, research indicates that illegal immigrants are less likely to commit murder than native-born Americans in Texas. He theorizes that illegal immigrants would not want to attract attention and be deported. Mr. Scheirer also offered that a church in Newburyport, Massachusetts, began converting vacant properties thanks to donations and selling them to people as affordable housing. The occupants gain equity as their monthly payment amounts to a mortgage payment rather than rent. Once the mortgage is paid off, the money is re-invested into additional properties for affordable housing. He said this program might be something the City should look into.

Do Not Clear the Encampment

A speaker identifying themselves as Quincy supported not clearing the homeless encampment. Homelessness is terrifying all of the time. The day is spent dealing with the reality of being homeless. These people need help.

Looking for Answers

Someone identifying herself only as Naomi has assisted the encampment with clearing trash. These people lack bathroom facilities and the resources to get rid of the trash they generate. She wondered who authorized the removal of the encampment inhabitants and where they will go. She also wondered if these people will be permitted to return to the encampment after the utility pole project and whether their belongings will still be there.

Asking for a Helping Hand

Bernie Shull identified himself as homeless. He appealed for help to be able to own a home. He asked for more to be done to help the homeless get out of their predicament so they can again contribute to society.

Housing is a Right, Not a Privilege

A woman named Willow read a passage urging society to help those in need who become homeless.

Supporting Neighbors

Resident Gray Simpson spoke in support of the homeless.

Homeless Numbers Growing

Steven said he has lived in Bethlehem for about two years. He observed that bus shelters have many signs advertising available jobs yet something is amiss. The homeless encampment has grown exponentially in the two years he lives here. This needs more of a social network to assist the growing homeless population. Sometimes just a boost could help someone get back on their feet and once again be a strong contributing member of society.

Help Those Who Are Less Fortunate

Alex encouraged all to help others. The community must unite to help those less fortunate.

In Need

Amanda Waite is homeless and pregnant. She said she eats once a day. She wished Council would do more to help with the homeless situation.

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

None.

4. OLD BUSINESS

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

5. NEW BUSINESS

Ms. Leon

Ms. Leon asked about the City's Community Health Outreach Program. She asked if there are resources for the Health Bureau to assist the homeless with disabilities or who are pregnant to help get them assistance.

Mayor Reynolds suggested that Director of Community and Economic Development Laura Collins and Chief Kott provide context to concerns raised about the encampment. He said there is misinformation about this matter which involves PPL doing some utility pole work. The Mayor said these two officials could provide an account of the facts and advise what services are available to the homeless.

Ms. Leon said her over-arching question is what are the facts of this situation and are the homeless being uprooted.

President Colón said he was unaware of this situation prior to the meeting and asked Ms. Collins to address the matter.

Ms. Collins said the encampments will not be swept. She said PPL contacted the City to say that one pole will need to be worked on at some point over the next six months. Community Connections regularly visits the encampments. She believed that someone from Community Connections mentioned to those closest to the specified pole that work there was going to be necessary within the next six months. They would provide further information when details were known. This was not meant to be alarming. She is not sure how that misinformation was spread.

Chief Kott said there will absolutely not be a sweeping of the encampments. A relatively recent U.S. Supreme Court ruling said that a municipality can remove homeless people. She added that even though a municipality may do so, it does not mean that it should. The Chief said that PPL has told the City that work must be done to this pole. The utility attempted work before and faced some resistance, so PPL contacted the City and Community Connections to try to move the people temporarily so the work can be done.

Mayor Reynolds said that City staff – whether from Community Connections or those from DCED – are in the encampments several times a week. One of the challenges is sharing accurate information.

Ms. Collins said Community Connections and the other City staff are trying to connect with the homeless so that they can ask questions regarding provided services, including those for pregnant women. As to the broader and systemic solutions, the City is currently looking at a multi-site solution. Council at its last meeting approved a Resolution to seek a grant for additional Housing and Urban Development funding to help support non-congregational units at the property on Packer Avenue. A total of \$1.4 million is already in hand for this project. The latest grant request is for an additional \$1.5 million. The City also continues to work with the Bethlehem Emergency Shelter and how it might turn this temporary and partial-year shelter into a year-round resource. Ms. Collins also pointed to two Resolutions on tonight's agenda seeking \$2 million each in Local Share funding to support the Gateway on 4th project, which will provide 120 affordable housing units in South Bethlehem.

Mayor Reynolds said those mentioned, the Choice Neighborhoods program in Marvine-Pembroke and the ability to be able to build more affordable housing projects is the ability to

build \$30 million to \$60 million. Unfortunately, building on this scale does not happen quickly. What can be done quickly is to react with compassion, care, accountability, and access. He assured that this is a multi-site and multi-organizational approach to help the unsheltered population. This homeless and affordable housing crisis will have to be dealt with on a systemic basis. But, in the short term, these matters are being dealt with in the ways discussed. There are people working on this on a daily basis. He encouraged anyone who hearing something that does not sound right, to contact someone associated with these services to get the facts. He added that staff will remain after this meeting if those present need contact information.

Ms. Leon asked the details of the work that needs to be done to the utility pole, trying to learn whether there is a danger or this is an imminent need.

Chief Kott did not know those details. She knows that it is pressing.

Ms. Leon also asked the Chief for more details on a school bus accident near Cherokee Street.

The Chief said she may be confusing the circumstances with another bus accident on East 4th Street near Edwards. The Chief said she would get Ms. Leon details and email them to her.

Ms. Crampsie Smith

Ms. Crampsie Smith appreciated the update on planning for the shelter. She asked whether PPL could be asked to hold off on this project until the BES shelter opens for the season so that those affected would have a place to go at least at night.

Chief Kott said she would look into it, but PPL has said the work is pressing. Still, she said she could ask.

Ms. Crampsie Smith complimented Community Connections but she said she was hoping that leaders there are aware of services at the county level that likely would supplement what is available.

Ms. Laird

Ms. Laird asked whether Norfolk Southern might allow for the City to post information for the homeless to contact appropriate resources when needed or that important updates could be posted so there is less chance for miscommunication.

Mayor Reynolds believe this has been done in the past and perhaps could be done again. He suggested talking with those who visit the encampments. He said probably the most effective method has been the use of "trusted messengers" to spread news to the homeless.

Ms. Laird also noted that there were some specifics to the rumors including the name of an officer who was the alleged source involved in the misinformation. She asked if the Chief would follow up to be sure that all have correct information regarding this matter.

Ms. Wilhelm

Ms. Wilhelm thanked all who came out this evening for their advocacy.

Ms. Kwiatek

Ms. Kwiatek said that all are welcome before Council and also thanked those who shared experiences and concerns. She noted the detail that the message was perhaps delivered by a member of the Mounted Patrol and wondered whether that could be verified.

Chief Kott said she would look into it. She said the Mounted Patrol has at times in the past gone to the encampments with Community Connections members. She said she would also check out whether Mounted Patrol has a member named Ryan.

Ms. Kwiatek said there might be a concern among the homeless upon seeing a member of the Mounted Patrol. Some cities that sweep encampments use mounted patrols. This might be a concern. Ms. Kwiatek also said that when the Supreme Court decision came down allowing municipalities to fine and otherwise punish people for being unhoused, it was important to her to know that this is not what we stand for in Bethlehem. She noted the work the past 2 ½ years toward affordable housing and helping the homeless and does not want mixed signals. She hoped those who attended tonight for the first time are now aware of the City's efforts in this regard.

Mr. Colón

President Colón said he hoped that everyone who came out tonight felt welcome. He recognized that there is a certain vulnerability for the homeless who might see someone approaching them with a badge and uniform or someone approaching them to tell them that something different will be happening. The City is looking for an effective way to communicate important messages as they arise. President Colón summarized the situation to note that Norfolk Southern owns the land and permits the homeless to stay there. PPL has the right to service its equipment based on easements. He asked how much notice PPL gave the City of its intentions to make these repairs. Chief Kott said not much. She also said she would have to find out the exact location of the specific pole. It is either on Norfolk Southern or City property. President Colón said he was most interested in sufficient notification time in the future to give the City a chance to use an effective message system, such as Community Connections, to communicate with the homeless to avoid misinformation.

President Colón also addressed Mr. Evans' memo, which is the subject of agenda Item 6C, involving the City's Minimum Municipal Obligation (MMO). Actuaries calculate the amount the City will have to pay toward the three pension plans based several factors including the performance of investments in 2022, which was a bad year. The minimum municipal contribution for budget year 2025 will be \$7,055,637 for police, \$2,989,039 for fire, and \$2,951,877 for employees covered under the Pennsylvania Municipal Retirement System. Mr. Evans said these numbers are significantly higher than the amount needed for the 2024 budget. This is the impact from the drop in the Stock Market in 2022. There is a delay in the Stock Market impact that will affect 2025 and 2026. Since the City must pay more, it will make the budget process more challenging.

Mr. Callahan asked how much money is left from the American Rescue Fund.

Mr. Evans said the Capital Account shows about \$5 million.

Mr. Callahan said he believed these funds were intended to make up for lost revenue resulting from the pandemic. He believed the \$2 million increase that the City must make up to pay into pension funds could come from this relief money.

Mr. Evans was certain that the American Rescue Funds could not be spent to make up pension shortfalls. This was a stated program restriction.

Mayor Reynolds added that American Rescue money remains in City accounts, but it already has been allocated for affordable housing. Other “lost revenue” money from lower Earned Income Tax, for example, was factored in for four years. 2025 will be the final year of infusion of about \$2 million into the budget.

6. COMMUNICATIONS

A. *City Solicitor – Use Permit Agreement – Christmas City Spirits, LLC – Night Market*

The Clerk read an August 28, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is Christmas City Spirits, LLC with a sub-permittee of the Redevelopment Authority of the City of Bethlehem. The event is Night Market. Event dates are 3-8 PM on both October 5th and 19th. The duration will be 1-9 PM on both dates. The approved premises will be the Nevin Place right-of-way and West Walnut Street as well as a Redevelopment Authority-owned parcel located in the Sun Inn Courtyard. Both locations are shown on an exhibit attached to the Agreement.

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

B. *Director of Community and Economic Development – Memo – LSA Grant Gateway on 4th (Monroe) and LSA Grant Gateway on 4th (Lehigh/Northampton)*

The Clerk read an August 28, 2024 memorandum and attached proposed Resolutions from Laura Collins, Director of Community and Economic Development. Ms. Collins seeks permission to apply for two Local Share Account grants administered by the Pennsylvania Commonwealth Financing Authority. One grant seeks \$2 million under Monroe County funding, and the other grant seeks \$2 million in additional funding under Lehigh and Northampton County funding. The grants are being sought on behalf of developer Pennrose, LLC for the first phase of construction for the mixed-income housing development at the Gateway on 4th in South Bethlehem.

President Colón stated that Resolutions 10 B and 10 C are on the agenda.

C. *Business Administrator – Memo – 2025 Pension Minimum Municipal Obligations (MMO)*

The Clerk read an August 27, 2024 memorandum from Business Administrator Eric Evans regarding the 2025 Budget for the Pension Minimum Municipal Obligations. Act 205, the pension reform law, requires the Chief Administrative Officer to submit for 2025 purposes, the financial requirements of the Plans and the minimum municipal contribution to the plans of the governing body of the City. Based on the most recent actuarial valuations and payroll data, the minimum

municipal contributions that will need to be budgeted for 2025 are as follows: Police \$7,055,637, Fire \$2,989,039, and PMRS \$2,951,877.

President Colón stated that this was for informational purposes only.

D. DCED Business Manager – Memo – Community Development Block Grant (CDBG) Amendment

The Clerk read an August 26, 2024 memorandum and proposed amended Ordinance from DCED Business Manager Tiffany Wismer. Ms. Wismer explains the need to amend Ordinance 2024-21 to fulfill the original intent to increase funding for ADA curbs and ramps by \$153,054.

President Colón stated that Ordinance 9 A is on the agenda.

E. DCED Business Manager – Memo – HOME – Budget Adjustment

The Clerk read an August 26, 2024 memorandum and proposed amended Ordinance from DCED Business Manager Tiffany Wismer. Ms. Wismer explains that, if Ordinance 2024-21 is amended, then Section 1 of Ordinance 2024-22 (HOME-Budget Adjustment) should also be amended to accurately reflect new total figures.

President Colón stated that Ordinance 9 B is on the agenda.

F. Director of Public Works – Memo – UGI Pavement Budget Adjustments

The Clerk read an August 23, 2024 memorandum and proposed Ordinance from Public Works Director Michael Alkhal. Mr. Alkhal explains that it is necessary to revise the amount of money received from UGI to cover paving reimbursement associated with utility work. The revision will decrease money in the Non-Utility Capital Fund Budget.

President Colón stated that Ordinance 9 C is on the agenda.

7. REPORTS

A. President of Council

B. Mayor

7 B1. Administrative Order No. 2024-29 Ian van Halem – Bethlehem Authority

Mayor Reynolds appointed Ian van Halem to the Bethlehem Authority. The appointment is effective through January of 2029. Ms. Leon and Ms. Crampsie Smith sponsor Resolution No. 2024-204 to confirm the appointment.

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

Mayor Reynolds added that Mr. van Halem replaces Thomas Donchez, who recently passed away. Mr. Donchez was dedicated to his community, family, and City. He brought business expertise and personality to the position. He will be missed.

Updates

Mayor Reynolds also offered to meet with any Council members who seek background as budget hearings approach. He also reported that the special events permitting software program has been very successful.

The next Opening Doors meeting will be at 6:30 PM on October 26 in the Fowler Center. This will include updates on the Gateway on 4th project.

The Mayor also expanded on Ms. Crampsie Smith's earlier comment about county interaction involving homeless services. He believes there is even more progress that could be made. He encouraged advocacy for more regional services and initiatives.

A contract is being finalized involving the use of public property. He added that a tree planting will take place at 4:30 PM on Saturday associated with a documentary that focuses on the arts scene from the 1970s. Also on Saturday, City Arts and Moravian will celebrate the peace mural at Bernie Fritz Park. The Mayor also reported that many hundreds, if not thousands, of car trips were eliminated during Musikfest thanks to the successful shuttle service that served about 2,500 people. Also, next Saturday will be the Chilean flag-raising ceremony on Payrow Plaza. Finally, at 1 PM on Sept. 20, the City will hold its first Sister City ceremony celebrating the relationship with Patillas, Puerto Rico.

C. *Public Safety Committee – Ms. Leon*

Ms. Leon announced that the Public Safety Committee met earlier this evening. The sole matter on the agenda was a proposed Ordinance to curtail the use of illegal dirt bikes and ATVs on City streets. The Committee voted unanimously to place the matter on Council's agenda this evening for First Reading.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 27-2024 – Bill No. 27-2024 Budget Adjustments – General Fund Budget (Baby Cribs)*

The Clerk read Bill No. 27-2024 Budget Adjustments – General Fund Budget (Baby Cribs), sponsored by Ms. Kwiatek and Ms. Leon and titled:

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

Voting AYE: Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and President Colón, 7. Bill No. 27-2024, now known as Ordinance No. 2024-28, passed on Final Reading.

B. *Bill No. 28-2024 – Bill No. 28-2024 Budget Adjustments – NON-UTILITIES CAPITAL FUND BUDGET (Parks & Rec Master Plan)*

The Clerk read Bill No. 28-2024 Budget Adjustments – Non-Utilities Capital Fund Budget (Parks & Rec Master Plan), sponsored by Ms. Kwiatek and Ms. Leon and titled:

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

Voting AYE: Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and President Colón, 7. Bill No. 28-2024, now known as Ordinance No. 2024-29, passed on Final Reading.

9. NEW ORDINANCES

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

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

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

Voting AYE: Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and President Colón, 7. Bill No. 29-2024 passed on First Reading.

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

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

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

Voting AYE: Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and President Colón, 7. Bill No. 30-2024 passed on First Reading.

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

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

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

Voting AYE: Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and President Colón, 7. Bill No. 31-2024 passed on First Reading.

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

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

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

Ms. Laird participated online in the Public Safety Committee meeting on this subject earlier this evening. The point was raised during the Committee meeting that the Ordinance would apply to City “highways.” Under the state’s Motor Vehicle Code, “highway” includes areas such as parks and school grounds. Ms. Laird believed that this Ordinance would be clearer if the restricted areas were delineated to more clearly list areas that include all City streets, parks and school grounds.

City Solicitor Spirk said he spoke with Council Solicitor Steward between meetings. These changes could be made.

Ms. Kwiatek suggested adding snowmobiles to the list of ATVs and dirt bikes. This should be done under the sections of prohibitions and the legal definitions. She has seen snowmobiles operated on her street after snowfalls.

President Colón asked Chief Kott to outline the need for this Ordinance.

The Chief said that the state law gives the City the power to seize an illegally used dirt bike or ATV on a roadway. Including this language in an Ordinance streamlines the process. The Northampton County District Attorney’s Office strongly supports this action. Chief Kott was in agreement with Council’s proposed changes of explaining “highway” and including snowmobiles in the Ordinance.

Solicitor Spirk also agreed.

Solicitor Steward read the definition of “highway” from the Motor Vehicle Code: “The entire width between the boundary lines of every way publicly maintained when any part thereof

is open to the use of the public for purposes of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on the grounds of a college or university or public or private school or public or historical park.”

Ms. Laird made a motion, seconded by Ms. Wilhelm, to include under the definitions section the definition of “highway” that appears in the Motor Vehicle Code.

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

Ms. Kwiatek made a motion, seconded by Ms. Leon, to add within the prohibitions the words “or snowmobile” after the words “dirt bike” and include the definition of a “snowmobile” under definitions as defined in the Motor Vehicle Code.

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

Ms. Crampsie Smith offered an additional amendment. Ms. Crampsie Smith made a motion, seconded by Ms. Leon, amending the word “Department” on Page 2 to read “the Pennsylvania Department of Transportation (PennDOT)”. This was discussed at the Public Safety Committee meeting.

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

Mr. Callahan thanked all who worked on this Ordinance. He believes the downtown business owners and residents will appreciate the benefits.

President Colón said it does not appear that a snowmobile can be forfeited if being operated illegally. Solicitor Spirk said that was correct. Fines would apply, but the state law did not include forfeiture for snowmobiles.

Voting AYE on the Ordinance with three amendments: Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and President Colón, 7. Bill No. 32-2024 passed on First Reading.

10. RESOLUTIONS

A. *Approve Use Permit Agreement – Christmas City Spirits – Night Market*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-205 that authorized to execute a Use Permit Agreement with Christmas City Spirits, LLC for Night Market.

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

B. Approve Resolution – DCED LSA Grant Gateway on 4th (Monroe)

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-206 that authorized and directed that City officials as deemed appropriate by the City Solicitor to execute all application forms necessary to apply for a \$2 million Monroe County Local Share Assessment grant from the Commonwealth Financing Authority to be used for mixed-housing development at Gateway on 4th Phase 1.

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

C. Approve Resolution – DCED LSA Grant Gateway on 4th (Lehigh/Northampton)

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-207 that authorized and directed that City officials as deemed appropriate by the City Solicitor to execute all application forms necessary to apply for a \$2 million Lehigh/Northampton Local Share Assessment grant from the Commonwealth Financing Authority to be used for mixed-housing development at Gateway on 4th Phase 1.

Ms. Leon said this would be a big boost for the City's affordable housing effort.

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

President Colón said he would accept a motion to consider Resolutions 10 D through 10 F as a group. Mr. Callahan made a motion, seconded by Ms. Leon, to consider Resolutions 10 D through 10 F as a group.

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

D. Certificate of Appropriateness – HARB – 30 East Wall Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-208 that authorized to replace the existing rear slate roof with GAF shingles in the antique slate color.

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

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

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-209 that authorized to replace a total of 36 windows, including 32 double-hung units, 1 picture unit, and 3 casement units, with Marvin Elevate windows. The applicant also proposes to remove, retore/repaint the existing shutters, repaint the wood sills and lintels for the windows being replaced, and install new 6-inch half round gutters.

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

F. Certificate of Appropriateness – HARB – 229 East Wall Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-210 that authorized to replace the existing shingled roof with GAF Timberline HDZ shingles in the antique slate gray color.

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

G. Certificate of Appropriateness – HCC – 2024.07#841 – 325 Broadway

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-211 that authorized to replace the existing storefront, install a new awning and new signage along with upgrades to the entrance for Americans with Disabilities Act compliance.

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

11. ADJOURNMENT

The meeting was adjourned 9:48 PM.

ATTEST:

Tad J. Miller
City Clerk