

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, May 2, 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

April 18, 2023

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

*Hazardous Railing/Request for Railroad Quiet Zone*

Resident Peg Church presented a photograph of a damaged railing on the sidewalk of the 3<sup>rd</sup> Street ramp of the Hill-to-Hill Bridge. This is hazardous for bicyclists and pedestrians. She said this was reported many months ago. She said she was told at that time that this was not a Bethlehem concern, but the responsibility of PennDOT. Ms. Church had asked that the City report this to PennDOT, but this railing remains damaged. Ms. Church also said that her husband has emailed several City offices with interest in Bethlehem applying for a No Horn Quiet Zone to alleviate noise from railroad whistles. This was about a month ago. There has been no reply. She asked the City to look into the possibility and perhaps set up meetings for public discussion.

*Suggested Parking Solution*

Alex Hirsch said it has been 289 days since he launched his quest to again participate in the City's Residential Permit Parking program. He submitted a second attempt at revising the parking ordinance at Section 534.06(f) to allow special permits to be issued to non-resident property owners who can furnish proof of ownership and attest that no portion of the property is occupied by a non-family member in their absence. He would be happy to discuss his proposal.

*Neighborhood Concerns*

Resident Angela Mitchell thanked Council for helping her to resolve some issues she raised at the last meeting. She also has concern regarding six to eight stray cats. Ms. Mitchell suggested placing a speed bump on Cherokee Street to slow traffic. She again complained about noise coming from 439 Cherokee Street. She spoke to the landlord about a revving car engine there and general noise made by the tenant. It was quieter for a few days, but the noise is back. Ms. Mitchell also complained about trash and recycling, particularly refuse that is dropped or blows from containers that becomes litter.

*Mirror Request/Save Jobs/Call for Responsiveness*

Resident Mary Jo Makoul at the April 18 Council meeting asked for the City to place a mirror at Ritter and Bascom Streets to allow motorists to navigate a blind alley. She said she received a phone call advising her that the City does not purchase and install blind-spot mirrors. Ms. Makoul asked who was in authority to make that decision, but said she has not received an answer. Ms. Makoul additionally addressed the proposed zoning map amendment involving 119 Technology Drive. She asked why IQE is moving from that location and would like to see businesses like it that provide good-paying jobs encouraged to stay. She also complained that the Mayor and other officials look bored as repeat residents voice concerns at meetings. She asked for action to resolve issues rather than ignoring them.

*Warning Sign Needed*

Resident Paul Fondl distributed photos from a motor vehicle accident at the intersection he has been complaining about at Hanover and Club Avenues and West Broad Street. Mr. Fondl recommended placing a 15-mph speed limit and a “dangerous curve” sign at the Hanover Avenue curve as soon as possible. He added that the proposed 317-unit Hanover Apartments project would worsen conditions.

*Cinco de Mayo*

Resident Arthur Curatola again urged Council to allow Cinco de Mayo celebrations including outdoor music. Mr. Curatola said the City denied a permit for outdoor music at a City establishment and believed this to be unfair. He compared Cinco de Mayo for Mexicans to the Fourth of July for Americans, noting the loud celebrations that are accepted for America’s Independence Day.

*Yield to Pedestrians Initiative*

Resident Scott Slingerland is the Executive Director of CAT, the Coalition for Appropriate Transportation. He announced CAT’s Yield to Pedestrians Initiative called “Slow down. Look around,” which will be rolled out in June and will focus on pedestrian safety and quality of life issues. It is geared toward motor vehicle drivers recognizing their responsibility to yield to pedestrians. Mr. Slingerland said the simple act of drivers slowing down allows for more time to stop to avoid accidents. A Yield to Pedestrians news conference will be held June 7 on Broadway near the grocery store to highlight a challenging pedestrian intersection. A pedestrian’s kickoff party will be held June 10 at the Rose Garden’s Farmer’s Market. There also will be five banners to promote the initiative.

*More Support for Quiet Zone*

Resident Gale Maleskey supported Ms. Church’s comments. She said the noise has gotten worse as it appears there is more train traffic. She learned from Ms. Church that there are five communities in Pennsylvania with Quiet Zones and several more nationwide. Ms. Maleskey asked the City to research this matter and perhaps form a citizens council to see if anything can be done toward this effort.

*Landfill Expansion Concerns*

Resident Al Wurth agreed with Ms. Church about the unsafe railing. He also supports the idea of creating a railroad Quiet Zone. Mr. Wurth also supported Mr. Slingerland's efforts. He said that calming traffic in the City is needed. Mr. Wurth again stated his concern for the environment as it relates to the proposed expansion of the landfill in Lower Saucon Township. He said this landfill now accepts more waste from out of state than it does from residents. "We really don't want to facilitate any more dumping here," he added. Mr. Wurth also expressed concerns that the landfill would build a train depot to accept trash trains coming through town and could become "a destination for New York and other Eastern cities' trash." He asked Council to help protect the public.

*Preserve the Quality of Life*

Resident Julie Gallagher said that City residents view Bethlehem as a special place. There are tensions between the economic development pressing needs and what it means to walk our streets, ride bikes, and have children play in playgrounds. We are partners. Residents are desperate to be collaborative with Council. She appealed to Council to slow cars and keep streets safe. Ms. Gallagher pleaded to Council to preserve Bethlehem's quality of life.

*Police Back-ups for Traffic Stops/Changing Public Comment at Hearings*

Resident William Scheirer referred to his prior comments on excessive speeding. He wanted to add that we could use more police officers so that those making traffic stops would have more back-up for their safety. Traffic stops these days are unsafe to the officers because of more violence. Mr. Scheirer recognized that the variety of questions at a Council meeting can make it difficult to have a back-and-forth to get answers. He agrees with City officials discussing these matters with residents afterward. However, he requested that Public Hearings be handled differently. He noted that Council gets to ask its questions. These are hearings on specific subjects, so he believed that public comments would be focused. He asked if it would be workable to allow the public to ask its questions and get an answer on the spot.

*Discrimination and Exclusivity/Call to Improve Communication*

Resident Stephen Antalics continued his remarks from last meeting about discrimination in Bethlehem's history. He added the term "exclusivity" and said these words are interrelated in the sense that exclusivity achieves discrimination. But, he said, exclusivity can become a necessity. Sometimes a group that has been discriminated against must form its own group. Some of these elements remain today. They may be more subtle, but they exist. Mr. Antalics said that some residents of late are repeatedly expressing unaddressed frustrations. He attempted to compare this Administration with the last, but he could not because they contrast in style. During the previous Administration, he rarely heard anyone say that they were not getting answers or could not talk to someone at City Hall. He recalled that the previous Mayor offered an opportunity the first Monday of each month to discuss matters of concern. Things were accomplished by diplomatic negotiations. This is in contrast to the current mayor whom Mr. Antalics said used "strong-arm" tactics in the negotiations with St. John's Windish Church. Mr. Antalics said there are people not getting answers, and he recommended that Council suggest that the Mayor change this.

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

*Urges Maintaining Current Use*

Resident Tom Stine said he has worked in the technology business his whole life. He said the City has an excellent history of public/private partnerships. He said one of the best examples was that IQE was created at a time when Bethlehem Steel Corp. was failing. Mr. Stine believes that opportunities exist today to re-use this facility. He believes that rezoning the land to accommodate the proposed apartment complex is an excellent opportunity, but added that to restart a technology facility such as already exists would be very difficult to get necessary funding. He asked Council to consider possibilities that would maintain the property for technological use before giving up on this facility.

*Proposal to Add Patrons/Existing Use Unsafe*

Kevin Serfass of Serfass Development and Acquisitions spoke in support of his proposed change of zoning request. He said he was one of the founders of the Steel Pub about 10 years ago. This project failed in part because there was not enough foot traffic. He believes that current 3<sup>rd</sup> and 4<sup>th</sup> Street business owners would benefit greatly from the 300 new residents a block away that his apartment complex would bring. Mr. Serfass also addressed safety of continuing to allow a technology facility to remain where it is. There is a reason that these places with dangerous gases and other elements are placed in more distant industrial parks. He cited the explosion of Concept Sciences about 25 years ago in Hanover Township, Lehigh County. At the IQE building, four outdoor diesel generators, four 10,000-gallon liquid nitrogen tanks, a 1,500-gallon hydrogen tank, and a gas arsine bunker exist. Mr. Serfass said this facility does not belong next to Riverport and a vibrant cultural entertainment district.

*Alternative Zoning Districts Suggested*

Resident William Scheirer disagreed with the Lehigh Valley Planning Commission's positive review of the proposed rezoning of 119 Technology Drive. Mr. Scheirer said this may be meaningless because this panel reviews matters as they relate to all municipalities. Its focus is not on what this would mean to just Bethlehem. He has not seen the letter but understands that it notes that more apartments would help with the current housing crisis. He again asked, "Where is it written that we have to accept so many people? Do we want to become a city with more congestion, more noise, less sky, and mini-canyons?" He said that 20 apartment buildings have been built or are proposed with half of them on the South Side. Mr. Scheirer also suggested that, if this property is to be rezoned, a district other than CB might be best. CB allows a height of 150 feet. The CL District would allow a 5-story building, rather than the proposed six stories. However, he noted that if this were to be rezoned as residential, the height limit would be three stories. He said it is up to Council what Bethlehem will look like in the future.

*Examine Priorities*

Resident Stephen Antalics said the key word associated with Bill 19-2023 concerning the proposed rezoning is "priorities." Other critical words are "affordable housing" or "industrial

development beyond large storage buildings.” 119 Technology Drive could be developed as affordable rowhomes with garages or, alternatively, converted to an industrial park to invite small businesses with the help of the Ben Franklin center. He said the rezoning bill on tonight’s agenda is hasty. He urged Council to table or reject it and do more research into alternative uses of the property because priorities are not being addressed. The South Side is being flooded with high-end apartment buildings that South Siders cannot afford to live in. There is a contradiction here.

*Building Assessment*

Mike Adams, real estate broker of NAI Summit representing IQE, said this property has been for sale for about two years. They have had numerous showings. They have tried to market it throughout the country. One local firm said the purchase would not work because of the improvements needed. The clean room is too small and inadequate for their use. Several other potential suiters expressed similar concerns: outdated facilities, too much office space, and too much work that would need to be done to suit their needs. He has contacted Ben Franklin officials and Don Cunningham from LVEDC. He said his firm has worked hard to sell the building and keep the use, but that has not worked out.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Health Director – Recommendation of Award – Speak Up for Ben, Inc. – Next of Kin Interviews*

The Clerk read a memorandum dated April 18, 2023 with an attached Resolution from Health Director Kristen Wenrich recommending a contract with Speak Up for Ben, Inc. to conduct next-of-kin interviews on behalf of the Northampton County Overdose Fatality Review Team. The cost is \$7,000 and the contract expires on December 31, 2023. There are no renewals.

President Colón stated Resolution 10 A is on the agenda.

B. *Director of Public Works – Recommendation of Award – Western Lehigh Services, Inc. – Johnston Drive Detention Basin Repair*

The Clerk read a memorandum dated April 26, 2023 with an attached Resolution from Michael Alkhal, Director of Public Works, recommending a contract with Western Lehigh Services, Inc. to provide labor and materials for the Johnston Drive Detention Basin Repair. The cost is \$89,457.90. The contract shall run for a period of 60 days from the Notice to Proceed. There are no renewals.

President Colón stated Resolution 10 B is on the agenda.

- C. *Director of Water and Sewer Resource – Recommendation of Award – Eastern Environmental Contractors, inc. – South Side Pump Station Modifications*

The Clerk read a memorandum dated April 26, 2023 with an attached Resolution from Edward Boscola, Director of Water and Sewer Resources, recommending a contract with Eastern Environmental Contractors, Inc. for the South Side Pump Station Modifications. The cost is \$95,600. The contract shall run for a period of 60 days from the Notice to Proceed. There are no renewals.

President Colón stated Resolution 10 C is on the agenda.

- D. *Community and Economic Development Business Manager – CDBG/HOME Budget Adjustments*

The Clerk read a memorandum dated April 25, 2023 from Tiffany Wismer, Community and Economic Department Business Manager asking for an amendment to the Community Development Block Grant Fund. HUD has granted the City of Bethlehem \$1,416,201 for the Community Development Block Grant (CDBG) and \$455,213 for HOME funds as our 2023 Federal Grant allocation. The subrecipient accounts were not included in the 2023 budget. The adjustments will amend the total Community Development Block Grant Fund from \$5,553,448.85 to \$7,424,862.85.

President Colón stated Ordinance 9 B is on the agenda for First Reading.

- E. *City Solicitor – Use Permit Agreement – ArtsQuest – 2023 SteelStacks Gated Summer Concert Series*

The Clerk read a memorandum dated April 27, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is ArtsQuest and the event is the 2023 SteelStacks Gated Summer Concert Series. The agreement is from 12:00 Noon to 12:00 midnight June 1, 2023 and 12:00 Noon to 12:00 midnight June 11, 2023. Additional dates may be added by Amendment. The agreement covers 1st Street from Polk Street to the Eastern Terminus and Founders Way between 1<sup>st</sup> Street and 2<sup>nd</sup> Street.

President Colón stated Resolution 10 D is on the agenda.

- F. *City Solicitor – Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce – Suds N Roses Event*

The Clerk read a memorandum dated April 27, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is the Greater Lehigh Valley Chamber of Commerce and the event is Suds N Roses Event. The Agreement is May 27, 2023 from 1:30 PM to 6:00 PM and the rain date is June 10, 2023 from 1:30 PM to 6:00 PM. The agreement covers the Bethlehem Rose Garden.

President Colón stated Resolution 10 E is on the agenda.

- G. *City Solicitor – Use Permit Agreement – Mount Airy Neighborhood Association – 2023 Bethlehem Rose Garden Farmers Market*

The Clerk read a memorandum dated April 27, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is the Mount Airy Neighborhood Association and the event is the 2023 Bethlehem Rose Garden Farmers Market. The Agreement is from 8:00 AM to 2:00 PM each Saturday from June 3, 2023 through October 14, 2023. The agreement covers the Bethlehem Rose Garden.

President Colón stated Resolution 10 F is on the agenda.

- H. *City Solicitor – Use Permit Agreement – Bethlehem Economic Development Corporation by and through its initiative, the SouthSide Arts District – 2023 Live on the Greenway*

The Clerk read a memorandum dated April 27, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is the Bethlehem Economic Development Corporation, individually and trading as the SouthSide Arts District, and SouthSide Arts District and the event is 2023 Live on the Greenway. SubPermittees are the Social Still, LLC, and Five Maidens, LLC d/b/a Five Maidens Cider Co. The Agreement is from 12:00 Noon to 5:00 PM on May 21, May 28, June 4, and June 11, 2023. The agreement covers the Greenway between Webster Street and Taylor Street, including the Harmony Pavilion.

President Colón stated Resolution 10 G is on the agenda.

- I. *Community and Economic Development Business Manager – Recommendation of Award – BEDCO – BEDCO Activities*

The Clerk read a memorandum dated April 26, 2023 from Community and Economic Development Business Manager Tiffany Wismer recommending a contract with BEDCO to carry out the programs and/or targeted activities of BEDCO. Services are on an as-needed basis, not to exceed \$15,000. There are no renewals.

President Colón stated Resolution 10 H is on the agenda.

- J. *Community and Economic Development Business Manager – Recommendation of Award – The Greater Lehigh Valley Chamber of Commerce – Marketing Activities*

The Clerk read a memorandum dated April 26, 2023 from Community and Economic Development Business Manager Tiffany Wismer recommending a contract with The Greater Lehigh Valley Chamber of Commerce to provide marketing and public relations services to the City through its management and operation of the Bethlehem Chamber of Commerce. Term of the contract is January 1, 2023 through December 31, 2023. The cost is \$80,000. Maximum dollar value of all renewals provided for beyond the original term as if all renewals were exercised is \$80,000.

President Colón stated Resolution 10 I is on the agenda.

## 7. REPORTS

- A. *President of Council*

B. *Mayor*

*Communication Efforts Explained*

Mayor Reynolds thanked President Colón for earlier reminding residents that the City has representatives available at each meeting to talk about raised concerns. This can be done at the end of meetings. If a person cannot stay after voicing their concerns, it is possible for someone appropriate to meet them in the hallway for a discussion. The goal is to help all with their problems. For example, Mayor Reynolds said he discussed in the hallway this evening the bridge railing concern raised by Ms. Church. He relayed that the City has been trying to work with PennDOT, which is responsible for the bridge, on this matter. At this point, it appears that the City will do the work just to get it done. A discussion also was had with Mr. Slingerland. The Mayor said the reason for this approach is to avoid a 10- or 15-minute back-and-forth discussion that likely is not of interest to others. This is a more focused approach to solving issues.

*Biking, Walking Promoted*

The Mayor also announced that at noon on May 18 the City will have its Bike to Work Kickoff Ride. The idea of walkability and having sustainable neighborhoods is something worked on daily. He mentioned that several Council Members yesterday attended the Greenway planning meeting to discuss some concepts of future development of the Greenway west of New Street and south of 3<sup>rd</sup> Street. Other initiatives include the use of grant money to make West Broad Street more walkable and returning Linden Street to two-way traffic. Police and the Health Department will be combining to hold “walking stings” to catch drivers who are not yielding to pedestrians.

*Stark Pool Update/Weekend Activities on the Way*

Mayor Reynolds also updated the Stark Pool repair project. Council recently appropriated \$400,000. The bid came in at \$347,000. The pool is scheduled to re-open in late June or early July. The Friendship Park Block Party is coming up on May 20 from 4-8 PM. The Live in the Garden Concert Series will begin at 6 PM this Saturday at the Rose Garden. On May 21, the Live on the Greenway series will begin at 1 PM.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 15 – 2023 – Amending 2023 General Fund – General Fund Adjustments - Health*

The Clerk read Bill No. 15-2023 – Amending 2023 General Fund – General Fund Adjustments sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2023 GENERAL FUND BUDGET



Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. Bill No. 15-2023 now known as Ordinance No. 2023-15 was passed on Final Reading.

*B. Bill No. 16 – 2023 – Amending 2023 Liquid Fuels Fund – Adjustments*

The Clerk read Bill No. 16-2023 – Amending 2023 Liquid Fuels Fund – Adjustments sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2023 LIQUID FUELS FUND BUDGET.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. Bill No. 16-2023 now known as Ordinance No. 2023-16 was passed on Final Reading.

*C. Bill No. 17 – 2023 – Amending 2023 Capital Budget for Non-Utilities – Adjustments – Body Cameras*

The Clerk read Bill No. 17-2023 – Amending 2023 Capital Budget for Non-Utilities – Adjustments – Body Cameras sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2023 CAPITAL BUDGET FOR NON-UTILITIES.

Voting AYE: Ms. Kwiatek, Ms. Leo, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. Bill No. 17-2023 now known as Ordinance No. 2023-17 was passed on Final Reading.

*D. Bill No. 18 – 2023 – Amending 2023 Community Development Block Grant – Adjustments*

The Clerk read Bill No. 18-2023 – Amending 2023 Community Development Block Grant – Adjustments sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2023 COMMUNITY DEVELOPMENT BLOCK GRANT  
BUDGET

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. Bill No. 18-2023 now known as Ordinance No. 2023-18 was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 19 – 2023 – Zoning Map Ordinance – 119 Technology Drive – IR to CB*

The Clerk read Bill No. 19-2023 – *Zoning Map Ordinance – 119 Technology Drive – IR to CB*

AN ORDINANCE AMENDING PART 13 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BETHLEHEM, PENNSYLVANIA,  
AS AMENDED, KNOWN AS THE ZONING ORDINANCE OF THE  
CITY OF BETHLEHEM, PENNSYLVANIA, BY AMENDING  
THE CITY ZONING MAP

President Colón said he appreciated everyone's comments during the Public Hearing held on April 18 as well as related comments offered earlier tonight. This additional information is helpful. He sees points of both sides. One side raises the issue of the need for more apartments and foot traffic for existing South Side businesses. The other side pleads that this is a specialized building that would offer good jobs. He also cited the need for chips and the state and federal governments' interests in furthering such ventures. President Colón said he would not at this time support rezoning this parcel.

Ms. Wilhelm referred to Mr. Serfass' earlier comments that, as a former downtown business owner, he would support a project like his which would generate patrons. She has contacted several affected businesses and the arts community and asked which proposal they would favor. She said there was overwhelming support for residential. Ms. Wilhelm said all agree there is a housing crisis. The rates for the proposed units have not been thoroughly discussed, but it is widely understood that even market rate housing has a positive impact on the affordable housing situation by reducing the pressure on available units. Ms. Wilhelm pointed to empty space in the Riverport building that several times has been promised as a market. She also cited vast retail or office space at 3<sup>rd</sup> and New Streets that has gone unfilled. Then there is the IQE building, which will soon be empty. Holding open the IQE site to return to prosperity in its present form is a "fingers-crossed situation that we hope will happen." In contrast, the proposed rezoning and redevelopment is a solid offer. It would address housing and is good for businesses on both sides of the river. Its location is centralized and invites biking and walking. She added that the developer is reputable and has a proven track record in Bethlehem. She supports the project. She added that the City has had weeks to consider this proposal. Some concerns have come up within the last two weeks. That may have changed some minds, but they have not changed hers.

Ms. Crampsie Smith agreed that there are many points to consider on both sides. She added that this involves a building from the 1990s that was erected with some City and County taxpayer money. It was earmarked as a tech and life-science area. It was a pretty expensive building. Her concern is that Council would be discarding the taxpayer money put into this project. Ms. Crampsie Smith also has a concern for the environmental impact. In addition to the stored gases, she also raised concern for demolition debris and the impact that new construction would have on the environment, especially with it being so close to the Lehigh River. She agreed with President Colón that Gov. Shapiro during his recent Lehigh Valley visit said he wanted more investment in the tech business. The federal government feels the same. We are now looking at a tech building built with taxpayer money that we would be discarding. She also spoke with South

Side business owners who have not seen benefit from the apartment complexes already built there. Ms. Crampsie Smith also said the apartment project would be another example of Bethlehem “losing the fabric of this city.” She believes it is losing the small-town feel. Ms. Crampsie Smith also acknowledged the research cited by Ms. Wilhelm, but she does not believe that building more apartments will help the affordable housing shortage. She predicted that these would be higher-cost rentals that would only attract more people from outside the City. She said her commitment is to try to find affordable housing for the people who live in Bethlehem so that they can stay in the City.

Dr. Enix agreed that housing is needed, but the focus needs to be on homeownership, such as condominiums and townhomes, so that people can have “footholds” in the community. She agreed with Ms. Crampsie Smith that we need to keep the fabric of this City. “We are the gem of the Lehigh Valley. We do not want to have a big-city feel,” she said. Dr. Enix also felt strongly that we need to promote higher-paying jobs and careers. She said we need to stay with the technological purpose that 119 Technology Drive was built for. She urged allowing more time to try to maintain the technological use to achieve this.

Dr. Van Wirt said there are no easy answers. Both sides have good points. She said she weighs these points with the best interests of the City in mind and also as a former small business owner and urban planner. She said this is the intersection of Capitalism and Zoning. Market forces right now are calling for residential use, not industrial use. She believes that the South Side river site, especially stimulated by the new ArtsQuest building, is going to become a much more arts-associated neighborhood. Dr. Van Wirt encourages this and encourages the Administration to create a plan for how this could unfold. Instead of dealing with this on a spot-by-spot zoning change, we want to guide and direct those market forces. She also considers change. She likened keeping the IQE facility as it is to what would have happened if the shuttered Bethlehem Steel plant had been kept with its machinery inside waiting until the right buyer came along. She said the proposed arts facility and casino changed the character of the City, but it could not remain the same. She pointed to its success today. Finally, Dr. Van Wirt said this site is perfect for the proposed use. She had some reservations about environmental concerns, but her mind has changes with DEP’s position on the property. This does not impact small neighborhoods, it is in the arts district, and she trusts the developer. She also does not view this as an “either/or” situation. She believes the City has other areas of the city where industrial or technological uses can occur and the value of the residential use is higher at this time.

Ms. Leon said she also is conflicted. While it is true that a 150-foot-high residential building could be built, a 200-foot-high industrial facility could be built onsite also. Director of Planning and Zoning Darlene Heller agreed with Ms. Leon’s assertion that this is the largest rezoning proposal on the South Side in recent memory. “This could fundamentally change what the waterfront looks like,” Ms. Leon said. She has had enough conversations with South Side residents to know that there are many on both sides. Ms. Leon said she needs more time to consider the change.

Ms. Kwiatek said this is a difficult decision with pluses and minuses on both sides. She agrees this would provide more residential units, but concedes this would be at market rate. She added that this would likely increase business foot traffic. Ms. Kwiatek also understands that residential use would feed into the vibrancy of the arts district. She also is mindful that some have said that the attention that this rezoning issue has gained could bring forward someone willing to

continue the industrial or technological use of the property. Meanwhile, she thanked Mr. Adams for clarifying that he has performed a national outreach to find a buyer but is not hopeful. She called this a clarifying moment for her. She said she is now leaning toward approving rezoning, but she would be open to more conversation in a different venue. Ms. Kwiatek also asked about the taxpayer dollars that went toward this building. She noted that IQE is the current owner. Does that mean that the taxpayer money was reimbursed when IQE took possession of the building?

DCED Director Laura Collins said that it is her understanding that reimbursement was made. All the investment has been repaid.

President Colón said he heard one or more suggestions to continue discussion on this matter in another forum. He reviewed procedures to consider several options.

Ms. Leon made a motion, seconded by Dr. Van Wirt, to refer this matter to the Community Development Committee.

Ms. Crampsie Smith asked that if this matter were sent to Committee, what would the time frame be?

There was concern that a 60-day time limit from the date the Rezoning Petition was filed. Mayor Reynolds said the 60-day time limit only applied to the time in which a Public Hearing had to be scheduled. The April 18 Public Hearing was held within the 60 days.

President Colón said that, if there is no applicable 60-day rule, that the City would try to hold the Committee meeting as soon as reasonably possible so as not to delay the decision longer than necessary.

Council Solicitor Brian Panella agreed that the 60-day clock applied only to the Public Hearing.

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 5. NAY: Ms. Crampsie Smith and Dr. Enix. The Motion passed.

*B. Bill No. 20 – 2023 – Amending 2023 Community Development Block Grant – Adjustments*

The Clerk read Bill No. 20-2023 – Amending 2023 Community Development Block Grant – Adjustments sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2023 COMMUNITY DEVELOPMENT BLOCK GRANT  
BUDGET

Voting AYE: Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, and Mr. Colón, 7. Bill No. 20-2023 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Contract – Speak Up for Ben, Inc. – Next of Kin Interviews*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-082 that authorized to execute an agreement with Speak Up for Ben, Inc. for Next of Kin Interviews.

President Colón asked Ms. Collins whether this contract is specific to City of Bethlehem families or would referrals be made throughout Northampton County.

Ms. Collins said this would be countywide. The City administers Northampton County's Opioid Task Force. This also would include the Lehigh County portion of Bethlehem.

President Colón said the cost is modest. He will be eager to see the results after a year and to see if it is renewed next year.

Ms. Collins said they believe this is an important program and a lot can be learned from it.

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

B. *Approve Contract – Western Lehigh Services, Inc. – Johnston Drive Detention Basin Repair*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-083 that authorized to execute an agreement with Western Lehigh Services, Inc. for the Johnston Drive Detention Basin Repairs.

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

C. *Approve Contract – Eastern Environmental Contractors, Inc. – South Side Pump Station Modifications*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-084 that authorized to execute an agreement with Eastern Environmental Contractors, Inc. for the South Side Pump Station Modifications.

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

D. *Approve UPA – ArtsQuest – 2023 SteelStacks Gated Summer Concert Series*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-085 that authorized to execute a Use Permit Agreement with ArtsQuest for the 2023 SteelStacks Gated Summer Concert Series.

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

*E. Approve UPA – Greater Lehigh Valley Chamber of Commerce – Suds N Roses Event*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-086 that authorized to execute a Use Permit Agreement with The Greater Lehigh Valley Chamber of Commerce for the Suds N Roses Event.

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

*F. Approve UPA – MANA – 2023 Bethlehem Rose Garden Farmers Market*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-087 that authorized to execute a Use Permit Agreement with the Mount Airy Neighborhood Association for the 2023 Bethlehem Rose Garden Farmers Market.

President Colón said this concert series as well as the Greenway events are good uses of City assets. This gets people out to enjoy time with their neighbors and enjoying City facilities.

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

*G. Approve UPA – Bethlehem Economic Development Corporation, by and through its initiative, the SouthSide Arts District – 2023 Live on the Greenway*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-088 that authorized to execute a Use Permit Agreement with the Bethlehem Economic Development Corporation, individually and trading as the SouthSide Arts District; and SouthSide Arts District for the 2023 Live on the Greenway.

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

*H. Approve Contract – BEDCO – BEDCO Activities*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-089 that authorized to execute an agreement with BEDCO to carry out the programs and/or targeted activities of BEDCO.

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

*I. Approve Contract – The Greater Lehigh Valley Chamber of Commerce – Marketing Activities*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-090 that authorized to execute an agreement with The Greater Lehigh Valley Chamber of Commerce for Marketing Activities.

Ms. Crampsie Smith asked if this item was included in the budget.

Ms. Collins said the Chamber of Commerce has been under contract for several years through multiple administrations. There is \$75,000 budgeted under Economic Development. This

year an additional \$5,000 has been added from the Civic Expense line for the music fund. This accounts for the Live in the Garden Series.

Ms. Crampsie Smith added that the Chamber does some great things for the City, but she has heard from several business owners that there is sometimes a lot of inconvenience such as street closures arising from building development. She is requesting that the Chamber be more cognizant of that and work with these businesses to try to help them balance the loss of business and revenue.

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

## 11. NEW BUSINESS

### A. *Rescheduling Second City Council Meeting in May to Wednesday, May 17, 2023*

Ms. Kwiatek moved, seconded by Dr. Enix, to reschedule City Council's second meeting in May to Wednesday, May 17, 2023 since the normal meeting date of Tuesday, May 16, 2023 is Primary Election Day.

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

President Colón stated the Tuesday, May 16, 2023 City Council Meeting has been rescheduled to Wednesday, May 17, 2023 at 7:00 pm in Town Hall.

### *Pembroke Efforts/Bike to Work/Reflection on Council Experience*

Ms. Kwiatek said that, as liaison to the Bethlehem Housing Authority, she participated in a meeting in which BHA allocated funds for a grant writer to seek a Choice Neighborhoods Planning Grant. She said they toured the Pembroke area, and it was interesting to learn what this grant could do to replace existing housing and build additional affordable housing that would create a new community. She wanted residents to know that work toward this effort is underway. She also thanked the Mayor for mentioning the upcoming Bike to Work Day. And, Ms. Kwiatek reflected on her first year on Council. She observed that there are some things that a Councilperson can change and some things in which they have no control. She encouraged residents to remain involved as the extra eyes and ears of Council, police, etc. She said there was a recent comment that some on Council appear to be bored. She said she takes copious notes and considers things seriously, which may appear to emit a look of boredom. Ms. Kwiatek also urged patience, noting that many things take time to accomplish. The efforts are there.

### *Hanover Avenue Safety Worries?*

Ms. Crampsie Smith observed that neighbors in the area of Hanover Avenue have raised concerns about a dangerous intersection several times. She asked whether the Administration is investigating. Is there anything that can be done?

Mr. Alkhal said there have been past efforts and will continue to be efforts to improve the intersection regardless of the advancement of the development proposal there now.

*Park Clean-ups*

Ms. Leon announced that the SouthSide Alliance has planned a series of cleanups. The first occurred last month at the skate park. Other park clean-ups are planned. She encouraged anyone interested in the South Side and removing trash to participate.

*Get Out to Vote/Glad to Support City Events*

Ms. Wilhelm encouraged people to vote on May 16. She also agreed with President Colón's earlier comment that it is a pleasure to vote to support events at the various city recreation sites.

12. ADJOURNMENT

The meeting was adjourned 9:29 PM.

ATTEST:

Tad J. Miller  
City Clerk