

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, July 21, 2020 - 7:00 PM

INVOCATION

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Grace Crampsie Smith, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 7.

President Waldron remarked this is the most sparsely attended meeting thus far; it is himself, the Clerk Mr. Vidoni, Mayor Donchez, and Business Administrator Eric Evans in attendance in Town Hall. Those are the only four of us in the rotunda this evening. Two weeks ago we made an attempt to try to open things up to allow public in with social distancing. Since that time Pennsylvania Governor Wolf has put out new guidelines stating that 25 people cannot be gathered in a space inside at the same time. We thought it was prudent to reclose our space in an effort to protect city employees, administrators, as well as the public who might be coming in this evening. That is why there are not a lot of people in this room. We will make every attempt to try to engage and allow people to join us physically when that is safe to do. However, we will keep our lines of communication open throughout or virtual meetings, our GoToMeeting, as well as the YouTube stream and indefinitely allow comments to be made via our phone line this evening.

PUBLIC HEARING

President Waldron announced prior to consideration of the regular agenda items, City Council will conduct a Public Hearing to accept public comment on the proposed Zoning Ordinance amendment pertaining to Bed and Breakfasts.

Communication 6 A - City Planning Commission - Zoning Text Amendment - Definition of Bed & Breakfast

The Clerk read a memorandum dated February 20, 2020 from Darlene Heller, Director of Planning and Zoning stating that the City Planning Commission voted unanimously to approve a proposed zoning text amendment ordinance amending the definition of Bed and Breakfast Home in the city zoning ordinance. The approved ordinance incorporated some revisions from the proposed ordinance previously reviewed by the City Planning Commission. The proposed ordinance is the subject of the public hearing tonight.

Communication 6 B - Lehigh Valley Planning Commission - Zoning Text Amendment - Definition of Bed & Breakfast

The Clerk read a memorandum dated January 28, 2020 from Samantha Smith, Chief Community Planner of the Lehigh Valley Planning Commission stating that the Lehigh Valley Planning Commission reviewed the proposed zoning text amendment ordinance amending the definition of Bed and Breakfast Home in the City zoning ordinance. The commission commented that the Planning Commission staff found the draft amendment to be generally consistent with the County Comprehensive Plan and further that the proposed amendment poses no substantial impact to the region.

Darlene Heller, Director of Planning and Zoning explained this amendment is really straight forward, this is proposed to accompany some ordinance amendments that Council has previously looked at and will vote on next month for our short term lodging. The amendment is to clarify and make more specific the definition that we currently have in place for Bed and Breakfast, specifically the amendment requires that a Bed and Breakfast be a single family detached dwelling. We currently allow an owner or a manager to run a Bed and Breakfast and we are going to limit that to the owner of the property and the owner must reside in the dwelling. This was discussed a few Planning Commission Meetings before, we had some public comment from Mr. Haines but the Planning Commission did like the revisions that he brought to the table. So we did incorporate them into the amendment. She believes they were incorporated verbatim. Ms. Heller remarked that Council has seen the correspondence from the Planning Commission that was a unanimous vote. The Lehigh Valley Planning Commission also took look at this but as you can image they do not see this as a regional issue, they do not really have any comment on the amendment, they forwarded it to us pretty much without comment. We received another letter today from the Lehigh Valley Planning Commission because they received the first draft and then also the second draft and again, their statement is that they found the draft amendment to be generally consistent with the County Comprehensive Plan finding that the proposed amendment poses no substantial impact to the region. We recommend that Council moves forward with adopting the definition change as is drafted. It would be incorporated into your meeting agendas in the next few meetings so it can be adopted consistent with the amendments for short term lodging.

President Waldron remarked there are a lot of balls up in the air when it comes to short term lodging as well as Bed and Breakfast within the City of Bethlehem. It is pretty easy to mix some things together or exclude things. But he just wanted to clarify at this point we are specifically discussing and voting on the definition of a Bed and Breakfast. In time coming we will be having a discussion about short term lodging which is a much more hot button topic where we have been getting a lot of feedback. But at this point the only thing in front of this evening is the public hearing for the definition of a Bed and Breakfast.

Public Comment

None.

President Waldron stated the zoning text amendment ordinance will be placed on the August 4, 2020 Council agenda for First Reading.

President Waldron adjourned the public hearing at 7:10 PM.

2. APPROVAL OF MINUTES

June 3, 2020.

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

President Waldron noted that public comment has become a little bit more challenging. Typically when we are in the room we have a first public comment and a second public comment. For the interest of ease and managing the callers we have he has kind of rolled them into one public comment and has not been hard on trying to differentiate between first public comment which is any subject that people would like to make any comment versus the second public comment which is ordinance and resolutions to be voted on this evening. We have five names that have signed up previously so we will start with them and then he will open up the phone lines for anyone who would like to make a comment on any subject to Council this evening.

Certificate of Occupancy

Richard Lake, 1418 W. Market Street 1st Floor, stated he had a question and noted he has rented this apartment for a year now and he rents the garage in the back. It was brought up to him in regards to the Certificate of Occupancy and he has come to find out with the Right-To-Know that this particular owner does not have one since 2012. He is just wondering the rules and what are the penalties and what is being done with following up on these Certificates of Occupancies with these landlords.

President Waldron remarked he did see an email from Mr. Lake earlier last week about his specific situation. He does not have an answer right now but that is something that the Administration would handle probably specifically our zoning officer, he would be able to look into that for you. The Mayor is here this evening and we do have your contact information and the Mayor is indicating he will have someone from his staff reach out to you to look into this situation.

Mayor Donchez informed they will be in touch with Mr. Lake.

Mr. Lake pointed out there are many landlords and he knows of a website called Neighbors for the Tenants in the Bethlehem area and it is amazing how many tenants have no knowledge of the fact that landlords are supposed to have Certificates of Occupancy and many of them do not.

Recent Public Statements involving Bethlehem Police Department

Greg Ragni, 2955 Oakland Road, stated he is calling today out of concern about the quality and diversity of the recent public statements made on defunding, dismantling, and abolishing the Bethlehem Police Department. During Bethlehem City Council's last meeting all of the speakers repeated almost the exact same demands and were affiliated with the same few political organizations. While their group's opinions deserve to be heard they do not represent our entire community. Many of these speakers insisted that the time for conversation was over and that they already have had all the relative conversations amongst themselves, that they have their own initiatives and that they do not want any more input from other members of our community or even the involvement of the democratically elected Mayor or the police. One speaker even stated

that their group “has our own initiatives and we just want your money, frankly.” Another speaker plainly stated that we do not need to hear from any more whites. Appallingly several members of Council seemed extremely tolerant of these demands and even stated they agreed with most of what was said which not only included but centered around the abolition of the entire police department. Over the past several months we have initiated conversations with hundreds of Bethlehem residents and stakeholders in our community from diverse backgrounds who are also registered voters. The majority of those we have spoken with have expressed strong reservations about defunding, dismantling, or abolishing the police. All of these stakeholders recognize that abolishing our police department represents reckless public policy. They have pointed out that several other cities have recently experimented with this path and the results have been deadly. We encourage Council not to pursue recklessly; we encourage everyone in government and everyone in our community not to proceed recklessly. Mr. Ragni stated our city is diverse in our make up yet we are one community. We must either learn to live together respectfully as brothers and sisters or we will surely perish together as fools. Quality public policy starts with quality public conversations which are based on the free exchange of ideas. It is troubling to hear some community members say that they have no interest in exchanging ideas. How are we going to proceed when the police have reached out in solidarity, the Mayor has reached out in solidarity, the Council has reached out but all those overtures have been rebuffed and rejected with exclusion? Where does that leave the other 75,000 residents of our Bethlehem community whose concerns have not even been heard yet, or given any substantive consideration? How do we proceed when only one side wants to have a conversation and the other side is only issuing demands? That attitude does not come from a sense of respect for the community. In this kind of toxic atmosphere how does a public policy process go forward equitably for all stakeholders in the community. He would finish not with a demand but with a request. Mr. Ragni asks that all community members look into their own hearts and characters and begin anew, the quest for peace and mutual understanding. Hate is our common enemy, not each other. If we can overcome the human problem of justifying our own hatreds then no goal or ideal is beyond us, that quest for mutual understanding begins by genuinely listening and truly hearing each other’s troubles and concerns so that together we can serve for balanced solutions and choose policies that respect our common humanity.

Quality of Life in Bethlehem

Bud Hackett, 201 East Macada Road, informed that he is calling tonight to discuss the general issue of quality of life in the city and what he is increasingly finding that many people who are concerned about elements of the quality of life declining in our city. Recently he posted his first blog comment in a neighborhood blog and he asked the question, is he just becoming an old coot or does the quality of life seem to be declining in our community. He was amazed that in excess of 120 people returned a comment within 48 hours and the concerns were similar to his. Of course there was the fireworks complaint and the city has probably addressed that pretty well. Others complained about extremely noisy motorcycles and cars racing around the city. There were those who complained about personal bad behavior which is apparently not against the law but it is a concern. Mr. Hackett noted people posted other concerns that he does not even want to discuss publicly. There were a surprisingly large number of people that seemed to be very concerned about what they perceive as a decline in the quality of life in our community and city. His call tonight is just to have Council be aware of that concern and to maybe make quality of life issues, however you want to define them and maybe we need to define them and make them a higher priority for City Council and the City Administration. To look at all the many issues that

you must address and make sure that you are always thinking about how this affects the quality of life for those quiet people who apparently look at blogs and express themselves. Mr. Hackett pointed out these people are very concerned about the quality of life issues particularly as they relate to noise and poor driving, etc. That is his comment, he is asking Council and the Administration to be more aware that many people are concerned about quality of life issues in our community and hoping that Council and the Administration will make it a higher priority.

Historical Vignette-LGBT Organization in Bethlehem

Mary Foltz, 2216 Montgomery Street, a professor at Lehigh University stated she will be giving the Bethlehem Moment that she has written with Susan Falciano Maldonado and Kristen Leipert from Muhlenberg College and that both are archivists at Muhlenberg College.

In the early months of 1969, a group of friends tuned into activist groups in major urban centers envisioned bringing the energy of the Homophile Movement to the Valley. What she will be sharing today is a moment in Bethlehem's history that is important to LGBTQ people. The Homophile Movement gained support in the U.S. in the 1950s and continued to make progress through the 1960s; its primary aims were to fight for equal rights for gay and lesbian people, to counter discrimination in housing and employment, and to counter negative medical, educational, and social understandings of homosexuality. As LGBT people in the Lehigh Valley faced rampant discrimination, this group of friends believed that a local homophile organization could help to make civic change that greatly would impact our community.

Their dream became a reality six days before the raid at the Stonewall Inn in New York City, which served as a catalyst for the gay liberation movement. On June 22, 1969, a gathering of twenty-seven individuals met "on the north slope of the blue mountains" in Bloomsburg, PA to form a "homophile movement" in the Lehigh Valley. The meeting drew participants from a sixty-mile radius, and fifteen charter members pledged dues, time, and energy to foster the new organization. Leaders of the burgeoning organization included Ron Seeds, Joseph Burns, and others from the City of Bethlehem.

One of the primary decisions the members faced was whether or not to become an affiliate of the nationally-networked Mattachine Society, one of the earliest gay rights groups in the United States. Ultimately, the Lehigh Valley's relative distance from New York City and Philadelphia, which presented challenges for attending meetings and events, prompted the founders to lean towards an independent organization, and the Homophile Movement of the Lehigh Valley was born. Nicknamed "Le-Hi-Ho," the organization wanted to secure a more central location for their meetings so that many in the Lehigh Valley could attend. During the summer of 1969, Le-Hi-Ho approached the Unitarian Church of Bethlehem about holding its meetings in their building, and, after a review of the organization's bylaws, the Church approved meetings beginning in 1970. So Bethlehem has had LGBT organizations since 1969 here in our city.

From its first month, Le-Hi-Ho became a hub for information about national gay liberation struggles and their regional counterparts. For example, they published their first newsletter in June 1969 and continued to offer relevant reportage about protests and activist efforts in our region and NYC and Philadelphia as well as needed discussion of social events. Even as they provided rich resources for the LGBT community, Le-Hi-Ho leaders sought to protect members from discrimination by securing mailing lists and the names and addresses of those who received

newsletters. As gay, lesbian, bisexual, and transgender people could be fired or lose housing because of their sexual or gender identities, leaders needed to ensure the privacy of members. All communication and correspondence was conducted through a Bethlehem post office box in the name of Ron Seeds, a manager at Bethlehem Steel who was the founding director of Le-Hi-Ho.

According to Joseph Burns, the original editor of the newsletter, Le-Hi-Ho was primarily a social organization even as their members were invested in politics. Monthly meetings often featured an invited speaker, some who spoke about health concerns of LGBT people, or Dick Leitsch of the Mattachine Society, who visited in January 1970. Still, the most anticipated part of the meetings was the social hour that followed the conclusion of the official agenda. Le-Hi-Ho provided an alternative to the bar scene, as many LGBT people wanted the opportunity to meet outside of noisy taprooms and dance halls.

While social events continued to be a huge draw for members, political organizing became the focus for others. Le-Hi-Ho members, like Frank Whelan and Bob Wittman, were involved in starting the Lambda Center in Allentown, the first LGBT community center in our region. Others were involved with the regional chapter of N.O.W. and participated in the important fight for an anti-discrimination ordinance in Allentown. The political activity of Le-Hi-Ho members shows the value of social organizations for fostering spaces in which to build community, to dream of social change, and to create relationships that fuel the difficult work for social justice.

In the late 1990s, Le-Hi-Ho's membership began to decline as other LGBT organizations took the lead in the Lehigh Valley, building on the foundation created by our earlier organizers. Still, their work on behalf of our community is an important part of Lehigh Valley history, which we are proud to celebrate.

Ms. Foltz stated she is representing the Lehigh Valley LGBT community archives with this Bethlehem Moment tonight and if you are interested in learning more about regional LGBT history you can find that archive at Muhlenberg College's special collection on their website.

Recent Public Statements involving Bethlehem Police Department

Carrie FitzGibbon, 2955 Oakland Road, stated she wanted to address the recent calls to defund, dismantle, and abolish the Bethlehem Police Department. This is such an important issue and has such far reaching effects on so many members of the community in different ways. She is still trying to gather and process information from many different points of view as she imagines Council is as well. Clearly this is a complex issue that requires such nuance thinking and diverse research. Her concern is that she has not heard a lot of nuanced conversation around this topic. Instead what she has heard does not really qualify as conversation at all if conversation is the free exchange of ideas from multiple perspectives building towards some workable solutions that can be tried and then tracked to see how effective they really are. In public debate thus far we have only heard how one group of people perceive policing and their perspectives deserve to be heard. Some very broad absolute statements have been made and we would humbly ask Council to actively reach out to everyone in the community to seek out as many perspectives as possible as there are many different constituencies who will be affected differently by any changes that are made. Ms. FitzGibbon added that we would also ask that before public policy is set that rigorous research is conducted backed by statistical evidence. The Bethlehem Police Department recently released its 2019 policing report for Bethlehem and some people say the police should not have a

voice in this process but she disagrees. Because of their experiences the police can bring ideas to this conversation coming from their unique personal perspectives of what could possibly improve our systems. This report should be delved into. There were 65,000 calls made to police in Bethlehem in 2019, 2,600 arrests, and 145 uses of force but if we have to go through every one of those calls, arrests, and uses of force in order to better understand what the police do for us and how they do it, then so be it. But so far we have not discussed any real statistics or heard unbiased understanding of the value our police department contributes to our daily lives. Ms. FitzGibbon also feels it is important to realize that our police officers are human. Police have been referred to of late in any number of insulting and threatening ways. At the last Council Meeting they were called "an evil machine". When you start referring to other groups by demeaning names you make it easier to treat them as less than human and you invite in hatred and violence. The Bethlehem Police Department is made up of human beings who wake up every day put on their uniform and risk their lives by upholding the laws that this City Council has passed for the greater good of our community. The entire concept of a civic society is based on passing laws to balance the rights of diverse members of our community. Police risk their lives every day balancing those rights by upholding our laws and they are legitimate members of our community. People of color do not wish to be marginalized in our society and rightfully so. She finds it sadly ironic that groups who are combating their own marginalization would attempt to marginalize other groups who are a legitimate part of our community. If people truly want a conversation they must welcome the opinions and contributions that others make otherwise this movement starts to feel like it is less about justice and more about revenge. Some members of society are not interested in balancing their rights with the rights of others, some do whatever they want to do whenever they want to do it and sometimes that involves real violence enacted on others, rape, murder, battery that is why we need quality policing to protect us from those members of society. We are all human and we all have flaws and everyone needs to be held accountable for their actions, everyone, that includes the police and that includes the citizens that they interact with on a daily basis. We insist on de-escalation and sensitivity training for the police which is extremely important and that works towards solving one half of the problem. In any relationship both parties bring 50% to the interaction. Much has been said about the need to divert funds to education perhaps part of that education should be to teach the citizens how to respectfully respond to legitimate requests of police officers. We only achieve compassion for each other by understanding the other side's perspective. If we express ourselves honestly and hear each other we can separate the truth from the errors that are a part of every person's belief systems. If there is genuine dialogue and we listen well to other people's positions we can truly hear others and to truly hear others is to value what the other person says, not just talk at each other but really listen.

Social Upheaval

Greg Zahm, 224 East Macada Road, informed it is about time that we hear some comments and he heard two people speak tonight regarding only one opinion being expressed about the social upheaval we have been having. We had a City Council Meeting two weeks ago and we heard he believes 20 speakers and in person callers essentially in opposition to voting on the Community Engagement Initiative resolution. He does not recall anyone in favor of voting on that. It is kind of about time but this kinds of reflects what he feels is a real problem of communication short comings in this matter from Council and the city in general. He does not think we have nearly the participation we could have and that is something that has to be worked on. What he has prepared is the following. He has a few questions about the Community

Engagement Initiative resolution and discussion. Why at the last meeting did you vote on the resolution with that vast majority calling and in person opposition to voting on that resolution? Does he understand correctly that there will be an announcement tonight about a date for a first public meeting for the engagement initiative and that it will be held in a virtual format? If a virtual format is and has been an option for public meetings such as right now, why was that format not made an option to field public input prior to the voting on the resolution? This speaks to a problem that we have, we are not really communicating. Although, not in extended discussion that is necessary, he agrees with the recent caller who expressed that opinion. Regarding those two callers previously, like he said they were not present for the prior meeting perhaps that would have improved our discussion. It was said that we are one community and only one side wants to have a conversation, only one opinion was expressed at the last meeting and Council should not act recklessly which he agrees with. He thinks the discussion that has not taken place publicly will alleviate some of those concerns and help us resolve to arrive at more of a fair decision. But as far as we being one community in theory that is true and he believes strongly in that. Many justifiably in his opinion strongly disagree with that and that has been expressed. As far as only one side wants to have a conversation that is irresponsible and is not true and that only one opinion was expressed but that is just too vague to be responsible as well. It does require more nuance like that caller mentioned to say that only one opinion was expressed is not accurate. That is another reason why we need extended discussion on one. Mr. Zahm related it is our responsibility to consider thoughtfully and to respond and he certainly agrees with that. After the communication shortcoming surrounding this matter and our cities response to the public outcry fairly or unfairly about police violence in general he believes it is time for there to be public discussion. This is what he expressed at the last Council Meeting. Public discussion on topics to improve Bethlehem city government's communication with the public and he is asking if that will be made a priority for this. Will you make this a priority in the future? He really believes we need to improve communication and we can. He considers himself fairly savvy and he finds that few people have any clue how to get into and be heard at the meeting. They must share some responsibility for that. So to avoid the problems around lack of discussion how can we all be heard without more proper opportunity for public discussion which he hopes will take place regarding the resolution.

Permit

Scott Hough, Edgehill Road, remarked that last week a group of citizens from Northampton County attempted to obtain a permit from the City in order to support Pennsylvania House Resolution 836 in the 100 block of East Broad Street. Contact was made with Judith Stiles from his campaign and in all transparency he is a Republican Candidate for House District 135. Ms. Stiles responded to our campaign by saying that we would require a permit and we asked about filing for that permit. She then responded to us by saying that we would not be approved for a permit. This was without even the ability to even file an application. We asked why that was the case and we have received no response. It has now been 5 days. He is asking Council if there has been a moratorium on gatherings and permitted gatherings in public places and for the Mayor was this something that came from high above?

President Waldron believes that someone from the Administration will reach out to you to help give an answer to your question.

Community Engagement Initiative

Mike Henriquez, 537 4th Avenue, thanked Council for having an open floor for us to call in and make public comments. His comment is regarding the last City Council Meeting that took place. He just wanted to know what said during the last City Council Meeting which truly struck everyone as when we had a discussion about it and that the City Council stated that this document resolution is nothing and that the words on this document, the very thing that makes up the document and the resolution and for justice, that means nothing and it its more of a concept. Also, that it is not about the words. He is confused on why the resolution was even passed stating that the words in the document meant nothing. The community of Bethlehem is asking for public discussion to pass a resolution that will mean something to us and to mean something to the community in great change. He wanted to remind the City Council about further understanding on what the next document towards exceeding this resolution and what justice will say and what words will be used so this document means something for us and the community. Mr. Henriquez is just trying to gather an understanding on how the next step will mean something if the first step we took meant nothing.

Julie Bradley, 214 W. Broad Street, stated she is calling about the incident in Allentown with the police officers who kneeled on a man's neck in the same way that George Floyd was murdered. Allentown does have use of force policies and they were in place when that occurred. So she would just urge City Council to move away from 8 Can't Wait because it is clear that use of force policy is not effective ultimately. She would also urge Council to invest in the community including multi-lingual resources for immigrants and asylum seekers, such as housing and healthcare, non-carceral violence prevention, allocate funding for mental healthcare, neighborhood trauma centers, drug and alcohol treatment programs, support networks and training for healthcare professionals. She also demands that we invest in teachers, counselors, restorative justice, and transformative justice, make public transit free and accessible, invest in community banks, grocery operatives, gardens, and invest in youth programs that promote community care. Ms. Bradley wanted to comment on one of the first callers. She is in complete agreement that hate is the unifying enemy right now and if we are investing in community care that is how we can overcome it. To do so we need to invest in our community. Ms. Bradley urges the Council to consider allocating funds to those community supports.

Matty Fall, 1235 C Woodbine Street, informed she wanted to comment on behalf of the last City Council Meeting. She thanked City Council Member Olga Negrón for amplifying the voices that showed up to the last meeting and for listening to the people who were making these demands. She also wanted to point out that some of the stories that were shared at the last meeting by City Council Members were very inappropriate and just showed the lack of understanding of officials who are supposed to represent us on what exactly the community needs and what the people, especially the people in the black community need as of right now. She would also like to speak about what another caller said about the community engagement initiative resolution not being a resolution at all. It is about the concept and not about the words. This piece of paper means nothing when reading it there were things that were clearly outlined in what City Council wanted to do, she is confused as to why that means nothing and how it was voted on and passed in the first place when so many people opposed of this resolution. Ms. Fall reiterated that the people who spoke at the last meeting and many who called with demands in regards to 8 to Abolition and to get away from 8 Can't Wait as the caller said that small group does not accurately represent what Bethlehem needs but in fact those are the very voices that are

always overshadowed and those are the voices that Bethlehem continues to need to amplify and continue to listen to. That is because it shows that our officials and Council Members do not understand the needs of especially marginalized groups in Bethlehem.

Respect for Police/Noise Problem

Bruce Haines, 63 West Church Street, remarked that he wanted to call in about the comments from Greg Ragni and Carrie FitzGibbon. He thought that both of them eloquently spoke to the need for real dialogue and not one way demands. Unlike a few of the previous callers he does not have any demands tonight. He simply wanted to compliment them on the quality of thought that went into their presentations and he supports what they have to say completely. He is someone who moved here to Bethlehem, made an investment here in Bethlehem, and lives in the downtown. He moved here because of the safety and quality of life in Bethlehem. He has experienced the Bethlehem Police on multiple occasions over the past 20 something years in dealing with disruptive guests to being a first responder to someone who fell on the sidewalk to diffusing arguments between people to looking for lost children. Mr. Haines has the utmost respect for the Bethlehem Police Department and what they do and also the Bethlehem Fire Department. We have two of the finest public safety departments you will find anywhere in the state. He really encourages Council to not jump to fast conclusions certainly with respect to any kind of defunding. It is very important for the future of this city that we have the safety and quality of life that is provided by our current life safety people. Mr. Haines noted he wanted to comment on what Mr. Hackett had said about the noise issue. He brought this up last year or the year before. The outdoor dining obviously has become our forte, it is almost our calling card now on Main Street, Broad Street, and he has to say that the noise issues from cars with no mufflers to the motorcycles to the raceway that occurs on Main Street it is like being on the drag track where you cannot even have a quality dinner. It is time to actually consider, but he never thought he would recommend this but we may need speed bumps in the middle of each block, near the Hotel Bethlehem, up in the middle of the next block. It seems to be an accident waiting to happen, not to mention the quality of life issue with not even being able to carry on a conversation because of the noise. Many of these people come cruising through Main Street which is what goes on. We talked about enforcement a year ago. There was a sign put up the realities are that no one is getting tickets. The real answer and conclusion they have come to is that it is time for speed bumps to slow people down before we have a serious accident and this will also eliminate the noise.

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

None.

5. OLD BUSINESS

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

6. COMMUNICATIONS

C. *City Solicitor – Use Permit Agreement – Community Action Development Corporation of Bethlehem – Market on the Greenway Farmer’s Market*

The Clerk read a memorandum dated July 10, 2020 from City Solicitor William P. Leeson with an attached Resolution and Associated Use Permit Agreement. The Permittee is Community Action Development Corporation of Bethlehem and the event is the Market on the Greenway Farmer’s Market. The agreement covers various dates and times as stated in the approval resolution. The agreement covers the Greenway from Webster Street to Pierce Street.

President Waldron stated Resolution 10 B is on the agenda.

D. *Assistant to the Mayor – Recommendation of Award – Hometown Press Newsletter*

The Clerk read a memorandum dated July 16, 2020 from Kelley Andrade, Assistant to the Mayor recommending a contract with Hometown Press for services related to creation and publication of two City newsletters. The estimated total cost is \$14,036. There are no renewals.

President Waldron stated Resolution 10 C is on the agenda.

E. *City Solicitor – Records Destruction Resolution*

The Clerk read a memorandum dated July 16, 2020 from William P. Leeson, City Solicitor requesting Council to consider a resolution for the Destruction of Records listed in the exhibit to the proposed resolution. The Solicitor has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Waldron stated the resolution can be placed on the August 4, 2020 agenda.

F. *Director of Budget and Finance – Recommendation of Award – Maximus Consulting Services – Cost Allocation Plan*

The Clerk read a memorandum dated July 16, 2020 from Mark W. Sivak, Director of Budget and Finance recommending a contract with Maximus Consulting Services for services related to the City’s cost allocation plan. The term of the contract is three years. The cost is \$40,500 or \$13,500 per year. There is a renewal for three additional one year terms.

President Waldron stated Resolution 10 D is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Delia Marrero – Human Relations Commission*

Mayor Donchez appointed Delia Marrero to membership on the Human Relations Commission to fill the position held by Mark Wimmer who resigned from the commission,

effective through April, 2023. Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-116 to confirm the appointment.

Mr. Colón stated he had the chance to work with Ms. Marrero in her capacity within the Hispanic Center and being a member of the HRC he is looking forward having a new member willing to serve. He will be supporting this tonight.

Ms. Negrón informed she met Delia Marrero when she was at CACLV and now at the Hispanic Center where she has been working with her very closely. She will be a great candidate for this board and for many others for that matter, not just for the one where you should have Latinos to begin with. She thanked Mayor Donchez for reaching out to members of the Hispanic community showing that we are not invisible.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

COVID-19 Update/Parklets/Recreation Department

Mayor Donchez then mentioned an update on COVID-19. He stated that as of this afternoon the City of Bethlehem has had 1,126 positive cases and 82 deaths. We have been averaging the last few weeks 2 to 3 cases per day. The City of Bethlehem has had a positive rate of 2.2% which is down from 28% in April. So we have made a lot of progress and he has added that Health Director Kristen Wenrich has done an excellent job. Per the Governor's decision last Thursday which Mayor Donchez was very disappointed in to be honest how it affects our small businesses and restaurants, we met today internally and he has decided that the City of Bethlehem will purchase an additional 100 planters for the parklets for businesses. After we place the order and get them we get them out as soon as possible to try to help our small businesses and restaurants and even retail. That will give us a little over 200 planters that we have been able to put out within the last several weeks with the cooperation of Michael Alkhal, Director of Public Works and his department and Alicia Karner, Director of Community and Economic Development and her department. Mayor Donchez noted there is a cost to this but he thinks these are really challenging times and we have to do everything we can to help our restaurants and businesses because the restrictions that came last Thursday were much more restrictive and limits the number of people that can be inside. This is hopefully a decision that will get quick results and we will get them out as soon as possible. He added that Recreation Director Jodi Evans along with the Health Department and the Police Department did a very good job last week at Elmwood Park and this week they will be at Yosko Park and then LB Stewart and then at Clearview, it was well received.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 16-2020 – Authorizing Refunding of 2012 PennVest Note*

The Clerk read Bill No. 16-2020 Authorizing Refunding of 2012 PennVest Note, on Final Reading and titled:

AN ORDINANCE

OF THE COUNCIL OF THE CITY OF BETHLEHEM, LEHIGH AND NORTHAMPTON COUNTIES, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2020 ("2020 BONDS") IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$ 8,500,000; PROVIDING THE PROCEEDS OF THE 2020 BONDS SHALL BE APPLIED TO CARRY OUT THE REFUNDING OF THE GUARANTEED REVENUE NOTE, SERIES OF 2012 (THE "2012 NOTE") PURSUANT TO A REFUNDING PROGRAM; DETERMINING THAT SALE OF THE BONDS SHALL BE A PRIVATE SALE UNDER THE ACT, AND DETERMINING THAT THE BONDS SHALL BE NONELECTORAL DEBT OF THE CITY; FIXING THE INTEREST PAYMENT DATES, DENOMINATIONS AND REGISTRATION, TRANSFER AND EXCHANGE PRIVILEGES OF THE BONDS AND PROVIDING FOR BOOK ENTRY BONDS; SETTING FORTH THE MATURITY DATES, PRINCIPAL MATURITIES AND CURRENT INTEREST RATES OF THE BONDS AND ESTABLISHING A REQUIRED SCHEDULE OF PAYMENTS WITH RESPECT TO THE SINKING FUND, AS HEREINAFTER ESTABLISHED, IN ORDER TO AMORTIZE THE BONDS; ESTABLISHING THE REDEMPTION PROVISIONS OF THE BONDS; ACCEPTING A BID FOR PURCHASE OF THE BONDS AND AUTHORIZING EXECUTION OF THE BOND PURCHASE AGREEMENT; DESIGNATING A PAYING AGENT AND REGISTRAR; DESIGNATING A PLACE AND METHOD OF PAYMENT OF THE BONDS AND INTEREST THEREON AND MAKING CERTAIN COVENANTS WITH RESPECT TO THE TAX FREE STATUS OF THE 2020 BONDS; ESTABLISHING THE SUBSTANTIAL FORMS OF THE BONDS; DESIGNATING A SINKING FUND DEPOSITORY; COVENANTING TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY TO SUCH PURPOSE; ESTABLISHING A SINKING FUND FOR THE BONDS AND AUTHORIZING AND DIRECTING PAYMENT THEREFROM; SETTING FORTH CERTAIN RIGHTS OF THE PAYING AGENT AND BONDHOLDERS IN THE EVENT OF DEFAULT AND OTHER RIGHTS OF THE PARTIES WITH RESPECT TO THE BONDS; PROVIDING FOR THE CIRCUMSTANCES UNDER WHICH THE ORDINANCE MAY BE AMENDED OR MODIFIED; PROVIDING FOR THE TERMS, CONDITIONS AND COVENANTS WITH RESPECT TO THE BOND INSURER, IF ANY, FOR THE BONDS; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO AND PERFORM CERTAIN SPECIFIED, REQUIRED OR APPROPRIATE ACTS; DECLARING THAT THE DEBT TO BE INCURRED IS WITHIN THE LIMITATION IMPOSED BY THE ACT UPON INCURRING OF SUCH DEBT BY THE CITY; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE CITY TO DELIVER THE BONDS UPON EXECUTION AND AUTHENTICATION THEREOF, UPON RECEIPT OF PROPER PAYMENT OF THE BALANCE DUE THEREFOR, AND ONLY AFTER SPECIFIED APPROVAL, AS REQUIRED, OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH CERTAIN COVENANTS RELATING TO THE FEDERAL TAX STATUS OF THE BONDS; PROVIDING FOR COMPLIANCE WITH SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; COVENANTING TO PAY OVER AT SETTLEMENT SUFFICIENT MONIES TO PROVIDE FOR THE PAYMENT OF THE 2012 NOTE, (REFERRED TO AS "PRIOR NOTE") IN ACCORDANCE WITH THE REFUNDING PROGRAM AUTHORIZING AND DIRECTING CERTAIN OTHER ACTIONS AND APPROVING DOCUMENTATION WITH REGARD TO THE REFUNDING PROGRAM, PROVIDING FOR THE ISSUANCE OF IRREVOCABLE INSTRUCTIONS TO THE PAYING AGENT FOR THE PRIOR NOTE TO CALL SAID PRIOR NOTE FOR REDEMPTION, AND ESTABLISHING THE FORM OF SUCH IRREVOCABLE INSTRUCTIONS AND THE NOTICE OF REDEMPTION; PROVIDING FOR SEVERABILITY OF PROVISIONS OF THE ORDINANCE; PROVIDING FOR REPEAL OF ALL

ORDINANCES OR PARTS OF ORDINANCES SO FAR AS THE SAME SHALL BE INCONSISTENT; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. Bill No. 16-2020 now known as Ordinance No. 2020-15 was passed on Final Reading.

B. *Bill No. 17-2020 – Amending 2020 Non-Utility Capital Improvement Fund - Adjustments*

The Clerk read Bill No. 17-2020 – Amending 2020 Non-Utility Capital Improvement Fund – Adjustments, on Final Reading and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2020 CAPITAL BUDGET FOR NON-UTILITIES

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. Bill No. 17-2020 now known as Ordinance No. 2020-16 was passed on Final Reading.

C. *Bill No. 18-2020 – Amending 2020 Community Development Block Grant/HOME Fund - Adjustments*

The Clerk read Bill No. 18-2020 – Amending 2020 Community Development Block Grant/HOME Fund – Adjustments, on Final Reading and titled:

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

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. Bill No. 18-2020 now known as Ordinance No. 2020-17 was passed on Final Reading.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

A. *Approve Records Destruction – Water and Sewer Resources*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-117 that authorized the disposition of the public records held by the Water and Sewer Resources Department, as stated in Exhibit A.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

B. Approve Use Permit Agreement – CADCD – Market on the Greenway Farmer’s Market

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-118 that authorized to execute a Use Permit Agreement with the Community Action Development Corporation of Bethlehem for the Market on the Greenway Farmer’s Market event.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

C. Approve Contract – Hometown Press Newsletter

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-119 that authorized to execute an agreement with Hometown Press for production of two seasonal City newsletters.

Mr. Colón queried about the number of newsletters and asked if the 33,396 copies are every address in the city or every residential address in the city.

Mayor Donchez noted he will have to check, he believes it is every residential address but will touch base with Ms. Andrade and get back to Council.

Mayor Donchez noted that Mark Sivak, Director of Budget and Finance texted him that it is every residential address.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

D. Approve Contract – Maximus Consulting Services – Cost Allocation Plan

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-120 that authorized to execute an agreement with Maximus Consulting Services for services related to the City cost allocations.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

E. Certificate of Appropriateness – 51 East Wall Street

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-121 that granted a Certificate of Appropriateness to repaint portions of the house and replace existing railing with new railing at 51 East Wall Street.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

F. Certificate of Appropriateness – 24 East Market Street

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-122 that granted a Certificate of Appropriateness to replace a damaged garage door at 24 East Market Street.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolution passed.

11. NEW BUSINESS

Public Works Committee Meeting

Chairwoman Crampsie Smith announced a Public Works Committee Meeting will be held on Tuesday, July 23, 2020 at 6:00 PM in Town Hall. The subject will be proposed transfers of City-owned real estate.

Public Safety Committee Meeting

Chairman Colón announced a Public Safety Committee Meeting will be held on Tuesday, August 11, 2020 at 6:00 PM in Town Hall to discuss police issues. The formal announcement and the instructions on participation will be coming out from the Clerk's Office soon. We will get that out to the Citizens list, the Press, social media, the City's website and others. We are going to as discussed earlier because of Town Hall being closed to meetings it will be a virtual meeting. He thanks Mr. Vidoni and Ms. Kelechava for their work in helping get this meeting scheduled. Chairman Colón has spoken about this at the last meeting. Is it ideal to have a virtual meeting? No, if we could have had it in person this meeting would have been done by now. He pointed out that August 11, 2020 is the next date that everyone was available. We will release instructions moving forward soon on how everyone can participate. It will be either calling in or looking at giving people the opportunity to sign on how we as Members of Council sign on in the GoToMeeting. Those further instructions will be coming further down the pike and the agenda for the meeting will be policing and we will go over the use of force policy that the city released. The Mayor will talk further but the presentation that has been presented at different meetings by the police department he thinks would be good for Members of Council to see that presentation about the use of force and then also have the discussion about the community engagement initiative and the resolution that was passed. He reminded that at any time he encourages anyone to reach out prior to a Public Safety Meeting, after a Public Safety Committee Meeting by email, all of the Council email addresses are on the city website. Our City Clerk's Office can forward any messages to us or requests for phone calls. As we move forward through the process and as we tackle different meetings and this Public Safety Committee Meeting is going to be the first of what will be many. The goal is not to have a bunch of Public Safety Committee Meetings; it is to move towards that community engagement initiative which he expressed last time will be something that will be dynamic as we move forward. Is it ideal to have it virtually on August 11, 2020? No, but that is what we are doing because that is where we are right now. We will find about participation either at the next Council Meeting or before them as we put different things out there as to how people can participate.

Allentown Incident

Mr. Reynolds remarked that one of the earlier callers had referenced the situation in Allentown. He thinks a lot of us have read about this over the past week. He wanted to share a

few observations he had. He disagrees with the conclusions of both the Lehigh County District Attorney and the Allentown Police Department but he wanted to talk more about the statements that they made in response to their investigations. A big part of the protests have been people speaking to their distrust of people in position of authority. The common theme across a lot of the conversations, whether locally or in Washington or anywhere, people are always going to have disagreements but one of the things everyone should be looking at is how authorities views determines how much trust is going to be built and maintained. This is whether or not you are teacher, a parent, an elected official, whomever. There are a lot of people in Allentown and the Lehigh Valley that were waiting for those statements not just to see what the conclusions that were made by the District Attorney and the Allentown Police Department. But also people were waiting and pleading for those officials to acknowledge not just the pain and outrage people were feeling with that individual incident but also the pain and outrage at the cumulative effect of systemic racism that has led to a lot of the protest, a lot of the anger, and a lot of frustration. In those statements there was nothing about systemic racism, nothing about Black Lives Matter, nothing that would show someone who was angry and frustrated that the people in the positions of authority understood, not just this individual incident but the bigger issues that people were looking at. Even though this was in Allentown, that becomes our problem because when people do not trust authority and when they do not trust the people that they reflect their anger and frustration at have empathy towards understanding that we need to do better, it leads to mistrust that we end up having to deal with the consequences as well. Mr. Reynolds noted we did not create many of these systems of inequity but it is our responsibility to fix them. We were temporarily given the responsibility for the people of Bethlehem and the major part of that responsibility is utilizing our authority in the right way. He hopes if we ever have a situation like this that we respond with more respect for the cumulative pain, anger, and frustration that many are feeling and also how you utilize authority. Mr. Reynolds noted that his not a parent but he knows from watching his own family and other families and from watching the classrooms and from watching authorities used publicly is that there is a way that people respect and there is a way that people do not. When you do not respect the way authority is being utilized it builds up, this anger and frustration we are seeing a lot of. He just wanted to say that.

Community Engagement Initiative

Ms. Crampsie Smith stated she wanted to try to bring some clarification because it seems like there is still a lot of confusion regarding the community engagement initiative. Quite frankly she is a little confused because she feels like some of the callers and some have been repeated callers and they are not feeling what she is feeling as far as what this is going to look like. The community engagement initiative is really to allow another avenue for public input beyond just City Council Meetings or Public Safety Committee Meetings and from there to provide some framework to the city and the Council and the police to move forward and to address systemic racism as well as build bridges and better relationships within the community and our police department. She is going to read what the resolution states. At one point it states that City Council believes that now is the time to create a consistent, public space for the long-term discussion of issues surrounding systemic racism, discrimination, race-based inequities, social justice, mental health, addiction, poverty eradication, inclusionary housing, education, and fair policing practices. We must work together with a community-wide coalition dedicated to promoting awareness of these issues. It is imperative that we create as wide of a space as possible to include all community voices in this important conversation. She certainly does not have all the answers and she agrees with what Mr. Reynolds said; we have a real issue of systemic racism

that has gone on for way too long in this country. She sees it every day in the students she works with and she will reiterate what Mr. Reynolds said. One thing that she thinks is key in counseling in her high school students is letting them feel validated, especially when they are angry and they feel they have been oppressed by a system that has been unjust. So people need to feel validated and that they matter and she hopes this community engagement can help to meet that goal, at least partially. It may not be the be all and end all but it is a way to engage all members of the community to give their voice and tell us what we should do and how we should proceed so that we can work towards ending systemic racism in our city and our country as well as work to improve relationships within communities and the police.

Noise/Human Resources and Environment Committee Meeting

Mr. Callahan informed he totally agrees with Mr. Haines, we need to do some work on the noise ordinance we have. This has been going on for years as far as the motorcycles with no mufflers, the cars with no mufflers, and the people racing their engines when they are in neutral and the stop lights, whether at Market and Main or Broad and Main Streets. That area is our dining area and where most of our tourists are during the holiday season. The amount of noise that is created by those vehicles with the enhanced mufflers, it is not a normal muffler system and is not a good thing. Something has to be done and needs to be addressed. Mr. Callahan then noted he is asking for some advice from President Waldron and Solicitor Spirk. He pointed out that Mr. Vidoni sent out probably about 4 or 5 different emails to him, Dr. Van Wirt, and Councilwoman Negrón and we probably had about 20 different dates to schedule a Human Resources and Environment Committee Meeting. For some reason we are unable to schedule a meeting date for the equal pay ordinance which Mr. Callahan thinks is very important to all women and minority women in particular. He is asking Mr. Vidoni to send out another list of dates but if that comes back also as not being able to schedule it what are the options at this point?

President Waldron does not know what the issue is as far as finding dates. Obviously it is pretty challenging with the current conditions to get people in the same room. He imagines that meeting remotely is an option. He cannot speak to committee member's availability that would be something for them. He does not know what is required, obviously there are three members of the committee but if you can meet with just two members if you are not able to be three in committee to a meeting. He is not sure what the options would be moving forward. There is also the possibility that members of the committee to not want to meet to discuss the item on the agenda as well which is what Mr. Callahan is implying as well based on the conversations that have happened around that topic specifically.

Mr. Callahan remarked the ordinance was passed in the City of Philadelphia, it is being passed by a lot of cities and it basically protects women and make businesses pay women the same amount of money for doing the same job provided all of the qualifications are the same. It was passed by the City of Philadelphia and it went to federal court and the federal court ruled in favor of women and minority women. This is a really important thing for the City of Bethlehem. He is all ears and has been waiting for some dates to be agreed to. Some of the people on the committee have questions about it but he still has not received any amendments they would like to address. At this point Mr. Callahan stated he is going to ask Mr. Vidoni to send out another round of meeting dates. He has agreed to over 20 meeting dates and over all the years he has been on Council he has never have any committee never to be able to agree to a date over a

period of three months. Mr. Callahan is just asking because he wants to move this forward. If they do not want to he understands but he would ask that Council be willing to at least listen to the arguments and pass the ordinance and pull it out of committee. He asked Solicitor Spirk how many votes it takes to pull something out of committee.

Solicitor Spirk informed obviously for a committee meeting, there needs to be two members to be a quorum for a committee, so you need two members present to have a committee meeting and a majority could discharge the committee and call up the issue to come before full Council.

Mr. Callahan asked how many people on full Council have to vote to pull it out of committee.

Solicitor Spirk stated a majority.

Mr. Callahan stated he would just reach out to his committee members and ask if there are any amendments they would like to propose to him to move this along, he is just looking for some guidance.

Ms. Negrón remarked that she believes they had a conversation and it was clear that we are not going to sit down together and meet and talk about the same things over and over again and repeat the same thing. We do not have a solution for this; we do not have a solution for that. She added that Solicitor Spirk did the research and obviously there is no way for us to put money in there for the women that need to take the employer to court. So unless you have a conversation with the Human Relations Commission which is what is done in Philadelphia and other places, if you can have that conversation and they agree to take on this then that would be a solution in terms of that process. She believes that Dr. Van Wirt also had some input that she wanted to put in there which includes the public statements of the salary of individuals. It was mentioned that this will make every woman get paid the same thing as every man and she does not think it is really what it means, it just means that the box that they ask how much we were getting paid from our previous employer is what this ordinance will stop so they do not use that as a base for something like, she was only getting paid \$12 dollars an hour so we can just give her \$12 again, not necessarily now that because men are getting paid \$20, women will be getting paid \$20 too. Ms. Negrón remarked if Mr. Callahan wants to have a conversation with the Human Relations Commission and see if they will be willing to take on this piece that would be a reason for us to get together.

Mr. Callahan informed he did some research on this. Number one, the ordinance as it is written right now has been passed by numerous cities in the United States to protect women and he thinks there was an assumption made if we pass it there will be thousands of businesses that will be violating the law and thousands of women who need to go to court and spend \$4,000 to \$5,000 of a retainer fee. From what he found out from the Northampton County Bar is that businesses in general when ordinances are passed they do not break the law. The great thing about this ordinance is that we are going to make an educational piece; we will not make it binding immediately. As you remember, we talked in the two committee meetings that we wanted to have an educational piece. Mr. Callahan stated he had talked to Mr. Evans and Mr. Sivak and we could send out with the city taxes every year to all the businesses along with the business privilege tax, we could put a little mailer into those envelopes to inform the Human

Resources department of all these companies and businesses that you are no longer permitted to ask women what they made at their prior employment. The fact that there was also the suggestion that women if they were asked the question would have to spend \$4,000 to \$5,000 on a retainer and he was told by the Northampton County Bar that is why we have district justices. Most people that do go to a district justice, most lawyers charge no more than \$400 to \$500 dollars. He also talked to the Bar and they are under agreement that they think that any business after a year of being educated about the new law that broke the law, they assured him that there would be numerous lawyers in Northampton County that would do this pro bono provided they get to represent the woman when and if it goes to court. Mr. Callahan pointed out 100% of them said when the cities pass ordinances businesses do not want to break the law, they usually, especially on civil rights issues and equal pay they do not want to be in the newspaper or be called out for violating those types of laws. So they abide by those laws. If we have one or two people a year who claim that a business did question them on it he feels we can move it to the Human Relations Commission. That is their job. Originally they thought there would be thousands of cases but that is really not the case from what he is hearing. Mr. Callahan would like to at least have Council look at this or read it and have a chance to see this. He ideally would like the other two committee members, if you do not like what is in it then come up with some type of amendment. At our last meeting you both had stated that you needed 6 weeks but it has been almost 3 or 4 months and he has still not received any amendments on it. If you do want to change something he would like to have those amendments so we could at least discuss it and have a meeting that is why we are on a committee. If you do not like it them be honest and be up front and say you are not in favor and vote it down. That way it can go to Council with a negative recommendation. Just not agreeing to a meeting to him is not doing the citizens of Bethlehem justice. It is hurting the opportunity for women to be equally represented when it comes to pay and salary. Mr. Callahan reiterated if they do not like the ordinance as is he would prefer that we have a meeting and you could vote against it as a negative recommendation to full Council and then we could give full Council the opportunity to vote on it as a whole.

President Waldron encouraged Mr. Callahan to reach out to members of the committee to have those conversations individually.

Solicitor Spirk remarked that yes, a majority vote of Council can bring a matter from committee back to Council if notice is given on the agenda that a motion to discharge the committee is going to be voted on. So in other words if Mr. Callahan got to a point where you did not feel like the committee was moving and you wanted full Council to take the issue back you would have to request that go on the agenda for a meeting and then a majority vote would be sufficient to bring it back. If there would be no prior notice and it was just something that you spontaneously brought up at a meeting then it would require 5 votes, it would require two thirds. But so long as you gave notice in the agenda to a subsequent meeting it would only need 4 votes. Solicitor Spirk informed he just wanted to clarify his earlier statement that a majority would be sufficient, it is if there is prior notice before the meeting.

Mr. Callahan remarked he will take President Waldron's advice and he will send an email to the other committee members and he will also have Mr. Vidoni send out three or four more dates to see if we can all agree to meet and have a meeting. If they do not like the ordinance as is he would ask kindly that they just vote against it as it is or submit an amendment at our next meeting of any changes you would like to have. He will also have at the next meeting, as soon as we can schedule it some representatives from the Northampton County Bar who would explain

that if businesses did violate the law that there would be a number of lawyers who would be willing to handle any of those cases pro bono provided they have the case when it goes to court. Mr. Callahan then asked Dr. Van Wirt and Councilwoman Negrón that if you would not mind that we could agree to a virtual meeting, a committee meeting. If you cannot he understands but he would ask that if we do have a meeting to vote against it so we can move it to full Council. If you do not want to vote against it and stall on it or keep it in committee he would then give full Council notice that he would like to pull it out of committee.

COVID-19

Dr. Van Wirt remarked for the people who are watching us she just has to feel compelled to say that as you all know she is a physician and today we had over 1,000 deaths in America from COVID. We had over a 1,000 new cases in Pennsylvania from COVID. We have a death rate here in Bethlehem of 8.2% which she hopes would continue to drop as we learn more about it. In some ways she feels like we are like firefighters who are standing in a field and a forest fire is surrounding us. She is just sending out this plea to everyone to please do not take this for granted. It is not time to sit down and pull out our deck chairs; it is time for us to start digging the fire ditches deeper. This is the time where we have the chance of keeping this out of our community by practicing all the guidelines as stringently and frequently as we possibly. She is deeply concerned that if we do not do this right now that things will get worse. While she totally understands the pain that this has caused our local businesses and she feels like if we do not get it right now, it will be even more painful in the future. That is her message and what she wanted to say. She still has grave and deep concerns. This virus has decimated her personal community where she practices and the death rate in the places where she goes in nursing homes is at least 25% so please let's do everything possible we can to prevent this from not coming back through our town and our community and keep it away by using all the guidelines and not lack in your guard.

Rescheduling Time of City Council Meeting – August 4, 2020 – 5:30 PM

President Waldron explained our next Council Meeting is scheduled for August 4, 2020 and typically we have our Council Meeting that occurs during Musikfest moved to 5:30 pm. He is seeking a motion to do that tonight as well. It does feel a little anti-climactic to move the Council Meeting without the large Musikfest that we all know and love but in fact the adjusted virtual Musikfest that is happening. However, we advertise at the beginning of the year when our Council Meetings occur, we put out a full schedule and pay for those advertisements which are not too expensive but we do have a public hearing scheduled for that evening and that was already advertised for 5:30 pm and that happened before we go to where we are at as far as COVID. To revert back to our 7:00 pm would cost about \$2,000 to the city to do that. President Waldron thinks in keeping with our tradition as well as being prudent financially we should stay on track to keep our meeting at 5:30 pm and that would allow folks to go home and screen some of the virtual events that are happening on August 4, 2020 as well as the rest of the week in order to support ArtsQuest and all the other businesses downtown that could use our support and our dollars.

President Waldron stated he will accept a motion to reschedule the time of the City Council Meeting on Tuesday, August 4, 2020 to 5:30 PM instead of 7:00 PM.

Mr. Callahan and Ms. Negrón made the motion to reschedule the City Council Meeting on Tuesday, August 4, 2020 to 5:30 PM instead of 7:00 PM.

Voting AYE: Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan and Mr. Waldron, 7. The Motion passed.

President Waldron related that our next Council Meeting will be August 4, 2020 at 5:30 PM instead of 7:00 PM. It will be the same setup as our GoToMeeting attendance option as well as our YouTube stream and our phone call in line. He will invite a soft invitation to any member of Council who do want to come in, you are able to do that however, we would not be able to accept everybody due to social distancing. If you have the itch to come in here we could accept as many as two people up here at the dais. If you want to do that please reach out to Mr. Vidoni so we do not have too many people show up at the same time.

Recreation Department/Police Department/Parklets

Ms. Negrón stated she wanted to say kudos to the Health Bureau; she has spoken to the Mayor about this. The person in charge of the social media in the Health Bureau is doing a splendid job. Even over the weekend she was seeing in social media comments again and again about the heat and about COVID, messages and phone messages, it was incredible. She spoke with Jodi Evans and kudos for her putting together with thinking out of the box again with parks and putting that together with Health and the police department and even community organizations to keep the kids busy. She heard many great things and feedback about this. She hopes everyone is safe although she knows that the Health Bureau is been very militant about keeping everybody at 6 feet distance so the kids and everyone can be safe in there. Just looking at the pictures put a big smile on her face, just to see so many different departments and community organizations and the police coming together. Ms. Negrón pointed out she heard the Mayor talking about more parklets, and she says thank you but please remember the south side. She knows on the south side things are a little more spread out and we have a few restaurants that are farther away but she just is asking that we keep an eye on those restaurants that are also suffering. She thanked the individuals that called in and it was mentioned that at last meeting we only heard one side of the group but they organized and they were the ones that put that together making a point to share their comments. She is glad this was done tonight; we need to hear from you, that is what the public comment time is for. She heard someone on the phone say that members of Council were being reckless and thinking to eliminate the police department, she has not heard anyone from Council talking about that. Ms. Negrón noted she worked for 7 years with the City of Allentown Commission. She was a member of the Pennsylvania Crime Commission and Delinquency and she watched police departments working, all for the commonwealth and the nation. She knows from experience and from years of working with police that there are many ways that we can have a better police department. We have a great police department. Show of force is something that we have seen among our community but she truly believes that is not the issue here but we do have to have a better relationship between the community, especially people of color, and the police department. So there is room in there for us to do that. She is hopeful moving forward between the different groups and especially the advisory council that was created that people will speak up because just like City Council Meeting public comment this is for everyone to speak up. We are hoping that this special space that will be created for that kind of conversation people will take advantage of it. In many circumstances people of color are actually the ones that will not speak up because of fear and

retaliation and because of life experiences of the white privilege and the power always putting us down and not letting us talk. She hears that many times but she found her voice and she is not afraid to speak so she does it but that is not the case with the general people of color. At this point that frustration has become anger and that is dangerous, it could be even worse. So it is important to create that space and she is hopeful that we can create that safe space for people to do that. She is hoping and praying that members of her community do take this advantage to be there and be safe to speak up because even the last report we got from the police department if you look at it in detail the complaints that the police department gets, it is from white people. If you think about why a majority of the complaints are from white people that does not mean that white people are the only ones not being treated well. It is only because the people of color are afraid to speak up and that is not the norm, we do not make complaints, that is why the number, especially among Latinos, is the lowest, that is because they are afraid to make complaints. Ms. Negrón is hopeful that we can pass this idea that we are trying to create a safe space for people in the community to come and speak together.

12. ADJOURNMENT

The meeting was adjourned at 8:53 pm.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk