

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, August 4, 2020 - 5:30 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, and Adam R. Waldron, 6. Paige Van Wirt was absent, 1.

President Waldron noted he is joined in Town Hall by the City Clerk Robert Vidoni, Mayor Donchez, Business Administrator Eric Evans and Public Works Director Michael Alkhal.

PUBLIC HEARING

President Waldron stated prior to the consideration of the regular Agenda items; City Council will conduct a Public Hearing to accept public comment on the City's Pollutant Reduction Plan (PRP). The purpose of the PRP is to identify Water Quality Stormwater Best Management Practices (BMPs) to reduce sediment loading to impaired local surface waters over a five (5) year time period. In connection with the public hearing there is one document: a memorandum from Michael Alkhal, Director of Public Works, to City Council, requesting a hearing at tonight's meeting to discuss the City's Pollutant Reduction Plan.

Mr. Alkhal informed the City of Bethlehem holds a municipal separate storm sewer system permit referred to commonly as an MS4 from the Pennsylvania Department of Environmental Protection. As part of the permit renewal the city is required to prepare a Pollutant Reduction Plan. The purpose of the PRP is to select Water Quality Stormwater Best Management Practices (BMP), to reduce sediment loading to impaired local surface waters by 10% over a (5) five year period. The water courses are the Saucon Creek, east branch of the Saucon Creek, Nancy Run, Monocacy Creek, and the Lehigh River. As part of the PRP calculations were done to estimate the current sediment loading to water courses in the city and the PRP identifies a list of BMP projects all on city property and other activities that would reduce the sediment loading by required 10%. These projects and activities include street sweeping, storm sewer system cleaning, constructing wetlands, stream back restoration and stormwater basin retrofit and improvements. The estimated cost of the plan is \$3.5 million over a (5) five year period. A copy of all public comments whether received at a public meeting or written will be included and considered in the city's final PRP submitted to the DEP. A copy of the PRP is on the city's website and here at city offices for review. A public notice soliciting public comments was placed in the Express Times on July 10, 2020 for a 30 day comment period running from July 10, 2020 through August 10, 2020. Verbal comments on the plan will be accepted at tonight's Council Meeting and all comments verbal and written will be included as mentioned before in the appendix of the final plan.

President Waldron mentioned for those viewing at home on YouTube he is not sure if there was a bit of a delay or glitch. He wanted to reiterate where we are at this meeting. Right now we are having a public hearing to discuss the city's pollutant reduction plan regarding water quality stormwater best management practices. We have not yet taken public comment or entered our full agenda but at this point we are just focusing on that public hearing. We just received comment from Mr. Alkhal, Director of Public Works on that plan and at this point he turned to Council for any comments or questions.

*Public Comment*

None.

President Waldron informed the final Pollutant Reduction Plan will be distributed to the city on a future date.

President Waldron adjourned the Public Hearing at 5:40 pm.

2. APPROVAL OF MINUTES

June 16, 2020.

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

*Police Reform*

Glen Nelson, 711 West Broad Street, informed he wanted to comment about police reform. He was unable to make the meetings in recent weeks where other comments were made but he wanted to add his to the dearth of those calling for defunding a portion of the police budget in order to reinvest in communities of color. He pointed out that since Nixon's war on drugs and Clinton's crime bill the role of police has gradually but consistently been expanding. In this time period have we seen significant reductions in crime nationally, no we have not. What we have seen nationally is a reduction of services available to citizens. We have fewer social workers so the police more often than not are the first interaction for people having a mental health crisis. We have fewer case workers and no housing so we criminalize the homeless. We have inadequate addiction services so we criminalize the addict. We do not have enough teachers so we criminalize students with behavioral problems. Mr. Nelson noted there has been opportunity lost in this expansion of policing; it is a zero sum game for our communities since when police expand the people see fewer services directed towards their uplift. We lack these critical services which are due us through the fabric of our social contract. Remember it is a contract that works both ways. We the people consent to be governed and in return our government is to provide us with a sense of safety and well-being. Whose interest is it if it ends to have police disproportionately using force against black and brown communities? Who gains from exposing people of color to the risk of prison or death constantly, five more times than likely than life to interact with the police and 2.5 times more likely to be shot. They are much more likely than whites to be on the receiving end of use of force incidents even here in Bethlehem. Despite being only 8% of the population black people were 31% use of force incidents in 2019. The sentencing project reported to the United Nations said that here in America, the land of the free, African

Americans are more likely to be arrested than whites and when convicted receive harsher sentences for the same crimes. They are 5.9 times more likely than whites to serve prison time and one in every three black men will serve a prison sentence at some time in their life. Yet despite the ineffectiveness of our criminal justice system to actually deter crime we continue to shovel more money in to police departments with almost no questions asked. What do we get for that? Do we get accountability, no, do we get transparency, no, do we get a change in the trend of violent outcomes for communities of color, no. Continuing to write blank checks for the BPD is a zero sum game. As the pandemic continues to wreak havoc on the economy, as cuts are made in the government, we ask that you not look in the familiar places many of which have been all but stripped out of the social contract at this point. Rather than defunding climate initiatives, the arts or the library we ask that the police department share in the pain of the rest of us who had to make due with less and who had to make tough decisions and to share in the burden already on other city services which have fallen by the wayside or never were because of the never expanding police budget. We must grapple with this now before it deteriorates the very fabric of our social contract.

#### *Highway Safety Grant*

Jon Irons, 1204 W. Market Street, noted that he wanted to speak about the Highway Safety Grant that is on the agenda. He understands that state grants are not drawn down directly from city funds however as a taxpayer he questions the use of these funds with this program in Bethlehem. Furthermore as called for defunding massive police budgets are growing and he is asking Council to see if we can do better and should we rubberstamp this application without serious debate of it and the implications. The grant as he read references DUI stops and arrests showing that over 3,000 traffic stops only 20 or so arrests are made and just a few hundred citations are issued. That means that the money is going primarily to random stops of thousands of Bethlehem residents and visitors who are not operating vehicles unlawfully. He wonders how this program can be considered effective or worthwhile with those kinds of numbers. Mr. Irons does not see any evidence in the grant suggesting that it is preventing drunk driving which is where most of the money is going. It was pointed out that the random stops may seem harmless but any random stop with an encounter with police especially for people of color and especially in the evening can turn traumatic at the very least and deadly at the worst. Just a few days ago in Colorado there was a mistaken lawful stop of a car and that ended up turning into an aggressive and traumatic experience for a whole family including small children. Mr. Irons does not think that Bethlehem is immune from things like this happening here. We are just waiting for this to happen at some point regardless of anyone's good intentions. The use of force report that was released shows that the use of force incidents disproportionately affect people of color in the city which means that we are in line with national trends on who is affected most by policing. He wonders what the statistics for the DUI stops are and are people of color being stopped more regularly. Mr. Irons noted these questions are not being addressed and he feels like they need to be discussed and debated before any work on this moves forward. He assumes that the city spends a fair amount of time and money researching and applying for an administrative grant. He does not think that grants for policing are the most productive for the residents of Bethlehem. Why not apply for transportation grants for transportation in the city to make it easier to travel to and from Bethlehem's great nightlife spots. If drunk driving is a serious concern for the city why not invest in expanding free and effective drug and alcohol addiction treatment through the city's Health Bureau. Could Bethlehem possibly see the grants or set up programs to sponsor free taxi or Uber rides for citizens that find themselves unable to drive. Those all seem like solutions that

would address the actual problem rather than just putting more money into a catchall department in the police department. To him this grant is ineffective and it comes as only abstract idea of public safety. As with most police funding he does not think this is the direction the city should take. He hopes that Council will use this as an opportunity to really begin investigating in all of outcomes of the police department using the police department's own data. He also hopes that Council also elects not to pursue this grant or at least that you ask for more clarification and data insuring this program is just inequitable for the residents.

Allison Mickel, 1204 W. Market Street, remarked she was concerned about the Highway Safety Project Police Traffic Services Grant. The biggest concern is that she is worried that the money is going towards something that is not very efficacious. Her understanding is that last year there were over 3,000 DUI stops that led to only a few dozen arrests. She works at Lehigh University and if something was that ineffective she does not think the University would continue to fund it. She hopes that our city government will take that into account. These stops where they stop all motorists are also really concerning to her. We are seeing all of these calls for reducing policing or reducing police budgets. Being exposed to police can be really scary and traumatic. She had an experience with police this week that was very frightening and she is a white person and she cannot imagine what it is like for people of color to be randomly stopped and especially if English not being your first language and you see these videos how police can be. She does not know that we need to be funding programs that put people in contact with police more. Ms. Mickel noted we do not need to be expanding people's contact with police officers and therefore increasing the risk that a violent interaction could happen and a non-violent interaction could turn violent. It is her understanding that the DUI stops that have been placed in Bethlehem in the past are primarily located near the Sands Casino. That is well intentioned and that is where people will be leaving who might be drunk driving there is something twisted to her about the city accepting so much money from the Sands and all the taxes we get out of the Sands and people visiting the Sands and then setting up these stops so close. It feels like entrapment on the cities level to get money twice out of people by enticing them to come to the Sands and drink alcohol and spend their money and catching them on their way out. Instead she would want to see the city putting its time and resources into applying for money for care and rehabilitation programs, addiction programs, and public transportation which actually does reduce people's risk and actually gets drunk drivers off the streets because they have options besides getting into their cars. Bethlehem right now is not a very transportation friendly city if you do not have a car. To her that money would be better spent those ways. Ms. Mickel is encouraging the city not to move forward on this grant especially not right now when our community is calling so widely for reduction in police budgets and closer looks at policing and accountability. Let's invest in our community and invest in something that actually works.

*Accident*

Arthur Curatola, 813 Laufer Street, remarked we have a bit of a problem going on here, especially us older guys. We have the deepest respect for police officers but the younger police officers do not quite give us the same respect. The situation is that if there is something that appears there might have been an accident but there is no damage that they saw with the younger person, especially with a younger and dark skinned woman. However the thing is other than that also they did not say anything in relation to her child being outside on March 26, 2020 touching things and going around without a mask or gloves. He hopes that child is okay but this happened and other people have situations going on too. He complained to Police Chief Mark

DiLuzio but he has not called back. On that date of March 26, 2020 around 3:00 pm Mr. Curatola moved his van that was in part of 426 Hayes Street for over a week because he does not move it unless he has to. There was a car about one foot behind him which was this woman's car. The other one was parked approximately two feet in front of him. He was careful to make sure he would be able to get out of this tight spot without any problems; he has had good judgement for over 25 years without getting into any major accidents or minor accidents. Mr. Curatola has never had an animal come out of nowhere and hit his vehicle. His driving record and credibility he takes seriously. Before going into his vehicle he noticed a little boy looking at him through the window and he smiled at him and nodded hello and went to his van. He sat behind the wheel of his van for a moment or two and to think about moving out. He hesitated a few minutes warming up his vehicle and over three minutes no one came out of the house to say let me move a little so you can get out, especially the woman of the house who had her child looking out the window. She was very upset when he got real close in his van to her car and she came out with a camera that he hit her car. He said to her that you could put a piece of cardboard between his vehicle and hers. It is close but he did not touch her vehicle. She said she was going to call the police. In the meantime while we were waiting for the police she said she will move her vehicle and he said do not move her vehicle and let the police see this. She moved her vehicle back, she moved from the scene of the crime. Mr. Curatola stated it was written up that he was at fault and he had an accident. The insurance company wrote it up as an accident, but there was no damage done to her car. He never touched her car. The police officers saw all this but they talked together and they came out and they said to the woman you can get your vehicle fixed. The officers told Mr. Curatola maybe you did not feel like you hit her vehicle but the thing is you have a big vehicle and it could have caused some damage. So she filed a claim with her insurance company but now his unblemished record is totally messed up. Her child might be messed up for being out there touching the vehicle and not wearing a mask and touching the ground and going out into the street, this is a four year old child who is left by the window to wait until you see someone go into that vehicle, you let mommy know. That is his situation and that to him is child abuse. Mr. Curatola related at the very least this should be looked into with this child. That also should not have been marked as an accident, there was no accident because there was no damage to her vehicle but yet she pleaded damage to the tune of at least \$2,500 dollars. She did have damage underneath her vehicle where she went over one of the parking blocks, there is no way his vehicle could have done that damage on the bottom and the officers agreed with that. He would appreciate if this would be looked into. The fact remains that there was no accident and the evidence is there because there were no marks on her vehicle.

#### *Community Engagement Resolution*

Greg Zahm, 224 East Macada Road, remarked in line with the dissatisfaction expressed unanimously by the public during the July 21, 2020 Council Meeting he wishes to express continued grave concerns about this Community Engagement Resolution and this process. The resolution was voted on and passed during the July 21, 2020 Council Meeting without any opportunity for thorough public discussion and input into the content or format. Lack of prior discussion could have averted the concerns that he will enumerate below, number one, why has the public been excluded from this process. He continued to say number two, why has Council conveyed its responsibility over to the Mayor, the Administration and the police, number three, do public partners have any apparent role in implementation. This is really the core, where is the public in this process. The resolution specifically reads, and he wants to read this because it is so difficult for the majority of people to get to the meetings and understand all these things required.

He thinks we need better outreach so reading this would serve the public if they would listen. The resolution reads "The City Council of the City of Bethlehem urges the Mayor and his Administration to collaborate with the City of Bethlehem Police Department to create a public space and forum for the long-term discussion of issues surrounding systemic racism." So what is the public role? Why is the appropriateness of invitees or participants in this initiative to be determined by the Mayor and his Administration and not a committee that would include Council, members and public partners? He asked this question because of the resolution saying the Community Engagement Initiative might include and/or interface with any individuals or entities that the Mayor and his Administration think appropriate. Mr. Zahm hopes that participants would not be limited to the Mayor and his Administration, who they think is appropriate, but he does not see any overstatement otherwise so he questions that. Are you using the same narrow digital portals for publicizing the upcoming August 11, 2020 Public Safety Committee Meeting for the Community Engagement Initiative? There are other ways to reach out to the public even in spite of the horrible virus we are dealing with. To summarize, why has the public been excluded from the Community Engagement Initiative process other than a brief public comment at the beginning of the July 21, 2020 meeting. Why has the Council conveyed its responsibility over to the Mayor, his Administration and the police? And, what are you doing to improve on involving the public.

*Resolution*

Mike O'Hare, 624 4<sup>th</sup> Avenue, stated he thanked all for their commitment to the city. He wanted to comment on the resolution tonight on public safety. He listened to some Council Meetings and he wanted to comment on the resolution that will be voted on about the public safety commission.

President Waldron clarified that the only resolution we will be discussion or voting on this evening regarding the Police Department is the approval of a Highway Safety Project Police Traffic Services Grant. Essentially that is a grant that the city is applying for from the state to fund DUI checkpoints. That is the only conversation or action that will be taken regarding the police department this evening. You may comment on that and if you have any other general comments you may give those as well.

Mr. O'Hare asked if he can comment on the resolution that will be voted on at the next meeting on the police department.

President Waldron related there are no other pending resolutions regarding the police department. We have been getting a few emails from people reaching out regarding the police department. This is the only one that is front of Council, the only proposal tonight regarding the police department; there are no other proposals or resolutions in front of Bethlehem City Council.

Mr. O'Hare noted that the agenda said there was going to be a resolution, a document about the use of force by the Bethlehem police and then a resolution to follow that.

President Waldron noted next Tuesday, August 11, 2020 there will be a Public Safety Committee Meeting and at that meeting which will be for informational purposes only we will be hearing from the police department on their police use of force policy as well as discussing the

newly passed resolution that we have already passed, the Community Engagement Initiative resolution that he referenced.

Mr. O'Hare remarked that would be the time to talk then.

President Waldron stated that Mr. O'Hare could give his remarks now if he wished to Council regarding public safety but next Tuesday, August 11, 2020 we will be having a specific meeting for a Public Safety Committee Meeting which will be a similar venue where you will be able to make comments regarding that resolution that has already been passed as well as the police use of force policy.

Mr. O'Hare stated he will call back then at that time.

President Waldron added neither of those topics are regarding funding to the police department.

Mr. O'Hare noted he will call back next Tuesday, August 11, 2020 and make his comments then.

President Waldron pointed out he can find the details for that meeting on the City Council website.

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

A. *City Solicitor - Highway Safety Project Police Traffic Services Grant Proposal and Resolution*

The Clerk read a memorandum dated July 29, 2020 from City Solicitor William P. Leeson with an attached Highway Safety Project Grant Proposal and Budget Summary submitted by the Bethlehem Police Department to the Pennsylvania Department of Transportation in connection with Highway Safety Project Police Traffic Services Grant Contract. This grant will provide funds through September 30, 2022 for DUI program sobriety checkpoints and expanded DUI enforcement operations, as well as aggressive driving enforcement, occupant protection activities and pedestrian safety activities. A proposed approval resolution is also attached.

President Waldron stated Resolution 10 B is on the agenda.

B. *Assistant City Solicitor - Proposed Ordinance Amending Article 721 (Streets and Sidewalks)*

The Clerk read a memorandum dated July 30, 2020 from Assistant Solicitor Matthew J. Deschler, Esq. to which is attached a proposed ordinance amending Article 721, titled Streets and Sidewalks. The proposed ordinance addresses permitting and fee issues related to small wireless equipment installations in the City.

President Waldron stated the proposed Ordinance will be placed on the August 18, 2020 agenda for First Reading.

7. REPORTS

A. *President of Council*

1. *Councilmanic Appointment – Veronica H. Moore – Human Relations Commission*

President Waldron appointed Veronica H. Moore to membership on the Human Relations Commission. This appointment is effective until March, 2023. Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-123 to confirm the appointment.

Mr. Colón stated he appreciates Ms. Moore volunteering to take part in the Human Relations Commission. We have grown our membership by around 25% in the last two meetings with these last two appointments. He does appreciate her volunteering and he will be supporting this and will be welcoming her to the Human Relations Commission.

Mr. Callahan thanks Ms. Moore for offering to serve on the Human Relations Commission. It is great we are adding more people to that commission and seeing growth of that commission. He thanks them for their service.

Voting AYE: Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

B. *Mayor*

*Health, Fire and Police visit businesses/Flooding from Hurricane Isaias/New Fire Department Pumper/Celtic Fest Cancellation*

Mayor Donchez informed the Bethlehem Health Department along with Fire and Police have been visiting various businesses throughout the city and they will continue to do so educating them about the Governor's policy in dealing with the policy that is in effect pertaining to the virus. As we all know we had extensive flooding throughout the city today. Saucon Creek and Monocacy Creek both overflowed. With the Johnston Park area it is a doubled edged sword here, if we had Musikfest this week we would have major problems down at the industrial area which was under water. Conestoga Street is closed because of that. The report from the Fire Department pertaining to the flood, as of 3:00 PM the Fire Department had 36 calls, 13 pump details and 6 water rescues as of 3:00 PM. Yesterday the city did receive its new \$800,000 dollar pumper that City Council approved, and we thank you and that will be placed at the Broad Street station. Mayor Donchez noted as you saw probably yesterday or the day before Celtic Fest has decided that the festival will not take place this year but there will be some form of it that they are working on.

C. *Public Works Committee Meeting*

Chairwoman Crampsie Smith informed the Public Works Committee met on Thursday, July 23, 2020 at 6:00 PM in Town Hall. There were two agenda items. The first agenda item concerned the proposed transfer of 4 city owned parcels of real estate in the following locations:

Minsi Trail Street and East Washington Avenue  
Walters Street and East Washington Avenue  
Center Street and Illick's Mill (north side)  
Center Street and Illick's Mill (south side)

The committee moved to recommend approval of these proposed transfers and referred them to full Council for consideration. The Administration will prepare one or more proposed transfer approval resolutions that will be submitted to full Council for consideration at a future Council Meeting. The second agenda item concerned the proposed transfer of city-owned land near 1843 West Broad Street. The committee moved to recommend approval of this proposed land transfer and referred it to full Council for consideration. The Administration will prepare a proposed transfer approval resolution that will be submitted to full Council for consideration at a future Council Meeting.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 7-2020 – Zoning Text Amendment – Hotels and Short Term Lodging*

The Clerk read Bill No. 7-2020 – Zoning Text Amendment – Hotels and Short Term Lodging, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING PART 13 OF THE CODIFIED ORDINANCES OF THE CITY OF BETHLEHEM, ZONING ORDINANCE RELATING TO HOTELS AND SHORT TERM LODGING

President Waldron remarked this has been a long time in the making. We have been talking about this issue and these three specific ordinances which are paired together in a way they are difficult to untangle and separate. It might make sense if we start at the beginning and forget everything we think we know about these ordinances and have them reintroduced to us as well as to introduce to the public. For folks watching at home on our GoToMeeting feed we have Darlene Heller, Director of Planning and Zoning, and Michael Simonson, Chief Building Inspector. President Waldron does not know how they want to handle presenting each of these ordinances. It is important that we understand that we have three different ordinances but they are tied together in a way that it is difficult to separate.

Ms. Heller informed President Waldron is correct; the timeline for adopting these ordinances has been fairly long for her to remember what has taken place at what time. We have been refreshing ourselves. But we had an ordinance adopted, Article 1741 adopted through the Housing Code for some time to address short term lodging. It required that facilities be inspected annually, that the owner/operator be registered with the city and we did not have a lot of response to that. We had maybe about 20 or 25 properties that signed up and got registered and we did the inspections. For the most part those were running smoothly and Planning and Zoning had not been involved in that too much because it was occurring through the Housing Department. What really raised short term lodging as an issue were those homes where they are not owner/occupied and where someone purchases a property, never lives there but it is perpetually rented out via Airbnb or some other operator for short term lodging. The concern is that they do not seem to be monitored, no one is there to take care of the properties or monitor the amount of noise or partying or other uses that are occurring there. Ms. Heller added we did do some enforcement, it was appealed and it went to court, we were struggling there. The advice we got was that we needed to have a zoning ordinance and create a zoning amendment to address short term lodging through the zoning ordinance. We did do that so 9 A, (Bill No. 7-2020) is the Bill that addresses short term lodging and revises the definition of Hotel in the zoning ordinance. One of the main changes is that the unit must be owner-occupied. They can rent out through short term lodging either one or two bedrooms, not the full house, but one or two bedrooms and the through process is that if they are owner-occupied and the homeowner is there that there would be less issues for the surrounding neighborhoods. We want to preserve the residential character of the neighborhoods and the quality of the neighborhoods overall. Ms. Heller remarked that is 9 A, (Bill No. 7-2020). As for 9 B, (Bill No. 8-2020) those are the revisions that are necessary to the original Article 1741 so that the Housing ordinance would continue to be compatible with these new zoning amendments. We still would require that the short term lodging facilities will register with the city, they will be inspected annually, there is a fee and the same criteria through the Housing Code will apply. But basically the update to Article 1741 in 9 (Bill No. 8-2020) it really ensures that the two ordinances are compatible; they have the same definitions, the same requirements and things like that. Ms. Heller continued with ordinance 9 C, (Bill No. 15-2020) that is something that is related but not exactly the same. We found that Bed and Breakfast is very similar to short term lodging. In that definition we allowed the property owner or an operator, a manager to take care of a Bed and Breakfast facility. We thought in order to tighten that up it was recommended that those Bed and Breakfast facilities need to be owner/occupied as well and the property owner needs to be a part of management of that facility. So we take out the opportunity for a Bed and Breakfast to be run by an operator or manager and we require that a Bed and Breakfast be managed by the property owner themselves. Ms. Heller noted that is an overview but that is basically where we are at this point in time. This is the First Reading of these ordinances and the Second Reading is scheduled for August 18, 2020 and then we would go back to those that are currently registered and have them re-register with the city and we would take a look at other short term lodging facilities that may be operating that are not currently registered with the city at all. Ms. Heller noted she can answer any questions or go over the components in the ordinances in more detail.

President Waldron is sure there will be some conversation here because this is a pretty contentious and difficult situation specifically in some neighborhoods in Bethlehem. We have gotten a lot of feedback from people coming to meetings talking about very specific issues that have been troublesome to them and very understandably so because there are some nuisance properties that are affected. He understands this is the goal to go after those. President Waldron

asked about the process so we are all aware of how we got here to these three ordinances as far as the fact that all three went through the Lehigh Valley Planning Commission as well as the City's Planning Commission. He asked if that is correct.

Ms. Heller stated yes, these were each reviewed and recommended for approval by the City Planning Commission and the Lehigh Valley Planning Commission. The City Planning Commission looked at these a couple of times and they did recommend some modifications to both. They considered a couple of different provisions in here. There was some discussion about whether the resident should be allowed to stay for up to 30 consecutive days and should we be limiting the total number of days that people can stay there. We talked about a variety of different issues with the Planning Commission. We tried to keep it simple and straightforward. We also tried to be cognizant of the fact that these have to be ordinances that we can actually enforce. The versions that you see in front of you today have been reviewed and modified at least a couple of times by those commissions.

President Waldron remarked another point is that when any changes are made there is this kind of ripple effect that can reset the entire process. There was a little bit of a conversation about what would be large enough to trigger that whether it is a substantial change or not. It is his understanding and Ms. Heller or Solicitor Spirk can comment but if we do make any changes to this that are large enough it would reset the entire process and at least 9 A (Bill No. 7-2020) and 9 B (Bill No. 8-2020) would have to go back to the two Planning Commissions but his not sure about 9 C (Bill No. 15-2020) because these are linked in a way that is challenging to separate.

Ms. Heller stated he is correct. She thinks it is actually 9 A and 9 C which are both a part of the zoning ordinance, they would have to basically start over. As for 9 B it is the Housing Ordinance and so the requirements are different but 9 A and 9 C would have to go back to the City Planning Commission and the Lehigh Valley Planning Commission and you would need to hold another public hearing for those two items.

President Waldron queried when we had the public hearing for 9 A and 9 C.

Ms. Heller stated you just had your public hearing for 9 C at your last meeting on July 16, 2020, that was just for Bed and Breakfast. As for 9 A that public hearing was held March 3, 2020, it was right before our public meetings were shut down and we had to readjust how we proceeded in general.

President Waldron remarked he wanted to hear from Mr. Simonson with the enforcement of short term lodging within the city. There was also a lot of focus put on the litigation specifically to one of the more problematic property owners and operators in the city deemed so by the neighborhood in the historic district. He just wanted to hear a refresher of where that is and where we are with litigation on that specific issue as well as what is the current state of enforcement within the city regarding all of short term lodging.

Mr. Simonson stated back in 2018 we first cited some of the properties that were operating as short term lodging against what is currently Article 1741. In that ruling it went to the Magistrate and the Magistrate did rule in our favor for operating without a license and not being owner-occupied some of the same things that are in the ordinance today. When we did that the defendants appealed that again to County Court and we received a ruling from the judge at the

County Court, they did not win their appeal but they delivered a preliminary ruling and on that ruling it was felt by conversing with Legal and other departments throughout the city that it was more of a zoning ordinance. The judge was leaning towards it being more of a zoning ordinance than a housing ordinance. At that time the city felt with the resources put into the original cases that it was worth the rewriting of the zoning ordinance and going about the ordinance to attack short term lodging in that matter, reworking the zoning to then rework the subsequent housing ordinance to match or mimic that for enforcement purposes. Mr. Simonson explained at that time and since then like Ms. Heller said we worked on that through the end of 2019 and in early 2020 we presented that first zoning change to Council and since then we have been in a holding pattern because we were waiting for this to evolve to where it is today.

President Waldron asked where we are with the current state of short term lodging within the city. He knows the Governor has put a moratorium on short term lodging and to his knowledge he does to know if that is still in effect or not.

Mr. Simonson stated where we are now is that we have not been enforcing, that was an order from the Governor so enforcing the Governor's orders, it has been left open to who the enforcement issues. The Code Enforcement Office has not been enforcing the short term lodging ordinance since our previous meeting with the Legal Department. We have done our due-diligence; we did send letters out to where we have are possible short term lodging properties and ones that registered in previous years. We notified them of the Governor's orders but we have not sent out citations on those properties. We made them aware that the Governor did ban short term lodging; he deemed them non-essential so we did make all the possible and previously known short term lodging owners aware of that.

President Waldron asked how many licensed operators are there in the city.

Mr. Simonson stated there were 25 at the end of 2019.

President Waldron asked to Mr. Simonson's knowledge how many does he think are additionally operating without a license.

Mr. Simonson informed we had approximately 18 others that were registered through Airbnb after we did our research relating to the COVID.

President Waldron asked if those 18 were also sent notices.

Mr. Simonson stated that is correct.

President Waldron would surmise that there is probably more on top of that.

Mr. Simonson agreed to that. He noted it is difficult sometimes with the addresses. We are trying to do our best research to find out where these properties were without legally registering.

President Waldron remarked that is one of the features of the Airbnb. If you are looking you do not get a specific address you get a general neighborhood or block. He can imagine if you are trying to try to get an address and owner that is a little challenging unless you drive around

and look at homes and try to match up pictures. Like so many zoning issues and quality of life issues they rely on neighbors to call in with specific complaints and issues for your office to investigate and look into. President Waldron asked what the process was with that because sometimes it pops up to our attention where there is some criticism of your office and how that is handled and people have thoughts on different ways you should be doing your job as far as coming in on Saturday's and being available on weekends and late evening hours because that is when the loud partying happens. He asked if Mr. Simonson could talk a little bit about the enforcement and how that happens on your end with people calling in and what some of those calls sound like.

Mr. Simonson explained we do get some complaints and when we do receive complaints during business hours from 8:00 to 4:30 Monday through Friday we dispatch housing inspectors to look into those. Unfortunately we do receive complaints after the fact that there were large parties or noise violations or just disturbance of the peace. We have notified the owners of that when they have a disturbance of the peace issue that they should notify the police and it becomes a police matter if there are large parties and they are noisy. That would rise to a police matter. Unfortunately we do not work weekends or nights. We tried that back in late 2018, we had some staff work off hours and weekends and alternate in the housing department and we really did not receive much of a response to that. So that attempt was made a few years ago when this was first getting wheels. When we did that and did not receive much of a response, we did stop it. That was around the time in 2018 when we went to court and the Magistrate ruled and we subsequently had the judges at the county level ruling and then we slowed down. We did try that but once again if someone is calling us to tell us the next day it is difficult for us to enforce because we literally have to catch them operating or present in the house at the time to go there and do the complaint inspection.

President Waldron asked if it would be helpful if some of those neighbors document some of those issues themselves, if they saw multiple cars with out of state plates coming and people carrying in luggage or a keg of beer and they took pictures of that. Also if there was a party at 3:00 AM and they are in their bedroom and they take a video and you can hear or see the party happening and they presented that information to you on a Monday morning. He queried if that would be helpful in enforcement.

Mr. Simonson stated that would absolutely be helpful, in code enforcement we do have people who turn in neighbors for working without permits all the time. They do share pictures with us of projects they see interior and exterior and we take those and investigate a little further but we do use that evidence and information they provide us when we have to.

President Waldron asked if that occurred with the short term lodging and Airbnb issue where they have had complaints with photo or video evidence.

Mr. Simonson informed he does not know about video evidence but he knows they have received pictures of out of state licenses for some of the cars on the street. With just the cars on the street that is very difficult because it is difficult for us to match up where the people who are operating the car are actually staying. It is like we just have to catch them going into the house. We received reports of people telling their neighbor in a situation where someone has a house and told the neighbor they were staying there, we tried that but it is a bit if a hearsay at the citation or Magistrate level. Any documentation or video we would take.

President Waldron remarked he is just trying to get a feel for what the process looks like and if people have problem areas how they can reach out and be helpful and proactive in the process.

Mr. Simonson informed the burden of proof when we are sending a citation to the Magistrate is on the city and they do require firm evidence. With us saying we have out of state cars on a property and if they will ask if we can associate them with that specific property, if we cannot we do not really have a good case in front of us. We support our cases with the best evidence we can and any evidence we can get from the public we would appreciate.

President Waldron understands the justification and the reason that these ordinances are coming forward because there are some really concerning issues that are happening in very specific neighborhoods, specifically with one operator that is causing problems for quality of life issues. That is what makes our city special, we do have these little pockets of neighborhoods that together make up a really great city overall and we want to make sure that we protect and keep those as owner-occupied as possible. President Waldron noted he lives in relatively the downtown area and he has a rental property on one side of him and he has counted in the 10 years of living there they have had 7 different tenants living in that house, some are great and some are good. He added that one tenant was problematic and that is the nature of living in the city, it is the roll of the dice of who is going to be living next to you and who will impact your day to day routine and life. That is why some people choose not to live in the city and that is understandably so. It is definitely a lot of impact that can happen when you are having a good neighbor or a bad neighbor especially if you have a large party that can be pretty upsetting if you live in a nice quiet neighborhood and you have a relatively relaxing lifestyle. President Waldron noted if there is a large party that comes in, that can be pretty upsetting. He would counter that argument and say there is a process to enforce that through the zoning office as well as picking up the phone and calling the police, whether it is 911 or the non-emergency number to say that there is a disturbance of peace here. He does not want to be a hypocrite and say that he does not see any way that Airbnb can work. He just went to the beach with his family a few weeks ago and he has four young children and we stayed in an Airbnb and it was great, we were respectful of our neighbors and we spent some money and helped out the economy down there and we had a great vacation. If that whole house rental was not available to us his kids would not have gotten to go to the beach this year because we cannot stay in a hotel, we need more space than a hotel room offers us. We also need a parking spot right next to where we are staying as well as a fenced in yard because of having young kids, also a kitchen with a large refrigerator. That is helpful and necessary for a lot of families to operate. If you are having a larger get together, even if you have 10 or 20 people in a large house you can do that in a respectful way to the neighborhood. He would kind of push back on this ordinance. While he does understand the reasoning he does think this can be considered an overreach in a lot of ways because it is punishing people who are good operators, not only the people who are renting out their houses but the people who want to come, visit, stay, and spend their money in our city. We are putting up a sign that says no, you are not welcome here or you are but you have to stay in one of these other options that may not be good for you and your family. President Waldron stressed he does have some major concerns to this ordinance because he does not want to be the one to say you are not welcome in Bethlehem unless you are a very specific kind of person or a very specific family that your needs may not be met by this. He mentioned before and will again, he does have an Airbnb operating in his neighborhood and he knows that last year they rented out their house more than they stayed in it. It is considered his primary residence and when that owner is not

there he stays with a friend who also lives in the city so there is a success story of this working. If his house is rented for 200 nights and he has literally zero issues, there are no parties, and no problems he thinks that is an example of this being successful and working. He would not want to say that this cannot work and should not be done in the City of Bethlehem. President Waldron remarked this is the first reading of these ordinances so we are able to amend what is in front of us and we can also do that in between our first and second reading which will be two weeks from today. It is important to get this right because it will have a big impact on a lot of people, not only the ones who live in our city but the ones who want to visit our city as well.

Ms. Crampsie Smith related that she sees both sides of this issue. She does see that the quality of life in our neighborhoods is first in her mind. The flip side is that she knows a lot of people, family and friends have used Airbnb frequently throughout the state, country and the world. They have all had great experiences. Similar to President Waldron, not that she has 4 small children but she comes from a very large family and we would not be able to go on vacations together if it was not for Airbnb and renting several houses. We certainly need to deal with the people who are taking advantage and she sees there is one individual in particular and that needs to be addressed because there is a whole neighborhood downtown that is suffering as a result of this inconsiderate and irresponsible behavior. Ms. Crampsie Smith has concerns with having it written such that the owner must be present all the time. She would like to see an amendment that the owner must be present maybe 75% of the time or 80% of the time. We have people come at the public hearing and speak out and they said the only way they can maintain their home in the city is by doing Airbnb periodically to supplement their income. This ordinance could hurt them, also having it written that the full house cannot be rented. Again, everyone that she knows that has used an Airbnb they were able to use the whole house and they like that better for privacy sake. There were many people at the public hearing that are in favor of this she also has to say that she has spoken to probably as many people or more who are not in favor of this. She is trying to do a balancing act here. Ms. Crampsie Smith noted when we talk about the issues with enforcement it sounds like it is somewhat difficult the way it is to enforce the current ordinance with Airbnb. She asked if they have any ideas on percentage or numbers of enforcement violations that we have considering the number of current Airbnb's we have and secondly, how do you think we could be able to attack enforcement of this ordinance giving we already have difficulties with enforcement of the current ordinance.

Mr. Simonson remarked that back in 2018 when the ordinance was starting to be enforced we had approximately 25 properties registered. Within the first few months, by the end of June in 2018 we had sent out 8 or 9 citations, it was for 4 different owners. We basically had one-sixth of our short term lodging operators in violation at that time. The cases did take a while to go to the Magistrate and the appeal after that process it kind of stalled. As far as enforcement the Housing Department recently added two additional staff so now we are up to six inspectors in Housing so our enforcement hours have increased.

Ms. Crampsie Smith remarked that some municipalities, like at the beach, will say that you are able to rent or do an Airbnb as long as you appoint a realtor or someone else that is a resident from that community to be responsible if you are not in town or there are issue while you are away. Is that something we could consider and what are your thoughts on that?

Mr. Simonson noted along those lines with our residential rental properties we do have that situation as well with out of town owners that own multiple properties and they do have to

designate a property manager. We are familiar with that; they need to have a reasonable response time.

Ms. Crampsie Smith noted her question is if that is something that can be considered with this ordinance, amending that if the owner is not on site as long as they appoint a realtor or some other resident to be responsible if there is an issue if they are not accessible. She wondered if that could be considered or not looked favorable upon by the Planning Commission.

Mr. Simonson stated he cannot speak for the Planning Commission.

Ms. Heller is not sure what to say about that. We do use it, like Mr. Simonson said for landlords that are not local. We use that program now. The concern has been accountability. If there are issues at one of these properties, how do we address accountability? If there is a way to do that with someone who is local and there is accountability then she guesses it is something we could look at.

Ms. Crampsie Smith knows these are three different ordinances and if there are issues with 9 A (Bill No. 7-2020) and 9 C (Bill No. 15-2020) and if they are not approved then 9 B (Bill No. 8-2020) may be approved. What she is saying is that she is not sure that she is 100% with ordinance 9 A, she would really like to see an amendment to it. She knows this has taken a lot of time and it is the best interest of the city timewise to approve it, she would consider it and do an amendment after the fact. But neither here nor there can 9 B still move forward and enforce the registration and inspection process. She asked if Ms. Heller had said that before.

Ms. Heller informed all of the ordinances are inter-related. So it is a little challenging if there are changes made to the housing ordinance that are not then making sense because there are no zoning amendments to coordinate those with. Our issue with enforcement and what we heard from the Magistrate was really that they did not feel they could support this as a housing ordinance; it was us to be able to do enforcement confidently so it should also be in the zoning ordinance. We really need the zoning provisions to be able to enforce the housing in the first place.

Ms. Crampsie Smith stated her understanding was that Ms. Heller said that 9 B would be okay but not 9 A and 9 C and that we would have to start over again with those.

Ms. Heller related she was just saying that because 9 B is a housing ordinance it does not have all of the public review requirements that the zoning amendment has. So 9 B was never reviewed by the Planning Commission or the LVPC, there is no separate public hearing. Ms. Heller added that 9 B is different in the adoption process and in the review process than 9 A and 9 C. But they still are inter-related and they still depend on each other to make sense.

Mr. Callahan noted he agrees with Ms. Crampsie Smith and President Waldron on their comments. He used Airbnb several times in Boston and in other cities and he has never had an owner that lived in the house while we were staying there. He does not want someone buying a house and never living there and renting it out 100% of the time but he does believe that a homeowner is away for a week or two or three weeks out of the year and out of the area and if they decide to list their property for an Airbnb he is in favor of that. He thinks there needs to be some type of homeowner occupancy but what percentage of that he does not know and will listen

to everyone else on Council and what they are in favor of as long as it is more than 50% of the year.

Ms. Negrón remarked as was mentioned she has also used Airbnb in different places in the U. S. and in Puerto Rico. All those times she has been close by the beach and in areas that are not residential neighborhoods like our neighborhoods. That is her experience. She remarked we have heard many members of our community speaking on this with their concerns. She asked if these changes have been run by that neighborhood and those people.

Ms. Heller wondered if she is asking if this has been run past the members of the neighborhood.

Ms. Negrón pointed out we have heard so much feedback and concerns from the neighborhood she wondered if the members of the community that came to City Council many times know about these changes and if they have seen these changes.

Ms. Heller mentioned they did have substantial numbers of comments at the public hearing. There were several members of the neighborhood that also came to the planning commission meetings. So, yes they are aware of the provisions. She believes they are supportive of the amendments themselves. The concerns they have had more recently are concerns about enforcement in general which we feel had our hands tied a little bit now because these ordinances are still pending and not in place yet. The comments you heard more recently relate to enforcement in general but not necessarily concerns about the amendment.

President Waldron informed we had a power outage in Town Hall so we lost all our power, our WiFi feed, our YouTube stream, and the GoToMeeting was all closed. So we paused our conversation on the three ordinances that are in front of us tonight, 9 A (Bill No. 7-2020), 9 B (Bill No. 8-2020), and 9 C (Bill No. 15-2020) which are all related to short term lodging and the definition of a bed and breakfast. When we last left Ms. Negrón was talking to Ms. Heller a bit about those issues.

Ms. Negrón believes that what she sees in front of her goes along with what is requesting to make it tougher and she just wanted to make sure that the residents had the opportunity to either see it or to learn that this will be on the agenda tonight so they could be part of the conversation. She knows that they are very active and are probably watching right now so we will be hearing from them. What she sees she can certainly support.

Mr. Callahan remarked like he said earlier he is all for someone having an Airbnb as long as they are not using it as a hotel and they never live there. He does not know the percentage of time that someone should be living in the property and using it as an Airbnb. He has rented out many Airbnb's in many cities and he has never had an owner there. He asked Ms. Negrón if someone owns a property if they are gone for a week or two shouldn't they be allowed to rent it out as an Airbnb?

Ms. Negrón stated the reason we have zoning in our communities is so we can control what is a neighborhood and what is not, what is commercial and she believes we should speak to that. If you have a neighborhood where you spend a lot of dollars fixing up your house and you bought it because this is a neighborhood and not a mixed neighborhood. We have zoning for a

reason and we need to respect that. More than anything she needs to listen to what the members of that neighborhood want because they are the ones who will have to deal with people coming in and out. She remembers the neighbors want it to be stricter and that is why she asked if these people know of these changes and that we are voting on this. She will support this the way it is because this is what the residents of the community asked us to do. If she gets emails and phone calls that they know nothing about this then she will listen to them.

Mr. Callahan asked what percentage they should be allowed to rent out. If you owned a home what percentage do you think they should be allowed to rent it out per year?

Ms. Negrón stated she will not continue this conversation because this has nothing to do with the ordinance we have in front of us. She does not have an answer for that question. In her mind whatever the residents want that is what we have to do. If they do not want anybody wanting to rent then that is what we have to do because they are the residents that have to deal with that over there. On the south side or the west side if they are okay with that then that is okay. It is important we listen to what that community wants.

Mr. Callahan asked if someone should be allowed to rent out for at least a week if they owned a home.

President Waldron jumped in and reminded Mr. Callahan of Council rules and decorum and that you are not supposed to be addressing direct questions to other Members of Council, you are supposed to go through the Chair. He thinks that Ms. Negrón has indicated that she really does not want to have this conversation right now as well. She supports the ordinance as is and if you want to make an amendment we can do that now or we can do that between first and second reading because we do have that opportunity to do so or we can pass it and then amend it.

Ms. Crampsie Smith knows this is a difficult situation and she agrees with Ms. Negrón, the most important thing is the neighborhood. She is thinking if we do an amendment and say owner/occupied at least 75% of the time and she does not know the history of the one person who is the violator mostly but if we do that will that resolve the issue with that particular person. Then you cannot be living in 8 different homes 75% of the time. Does that make sense?

Ms. Heller understands what Ms. Crampsie Smith is saying. She would like to make two points. The first one is that in the current housing ordinance that we have right now we do have a provision that it might be for 30 days a year, she is not sure.

Mr. Simonson stated it is for 30 days, we have the two types, the 30 days and the shorter stay.

Ms. Heller informed we have a provision now in the current ordinance that says if you are travelling or whatever it is and maybe you do not want to be around when Musikfest is here or if you travel during the holidays, we have a provision now that says you can rent out your whole house for up to 30 days while you are away. To this point nobody has registered for that and maybe they are doing it and not acknowledging that or maybe they do not know about it. Ms. Heller stated it is in place but it is really not being used so we took it out because it was not something the neighbors supported anyway. The other thing she wanted to mention is that we really, really struggle with enforcement, it is very challenging. She is not sure how we would

know if the owner is there 75% of the time and renting it out 25% of the time. Honestly, Mr. Simonson and his bureau have spent many man hours trying to track down and follow up on complaints related to short term lodging and it has been extremely challenging. We try to keep that in mind as we tailored a new ordinance so that we would really be streamlining our responsibilities for enforcement. It is very difficult. She does understand and knows that in some touristy communities, like beach community's people do rent out the whole house but sometimes they are very different communities and are made up of homes that have been rented out that way for years, maybe not through Airbnb but that was occurring in those neighborhoods for years. In this neighborhood now it is really a new challenge for us, the transition that this neighborhood has not experienced previously. It is different than a beach community or someone going back for a football weekend and bringing their whole family or something like that. She just thinks it is a very different neighborhood scenario. Although she does recognize that it is the experience that many people have when they vacation.

Ms. Crampsie Smith understands the enforcement, it is very difficult but she is thinking if it is hard to get a handle on if someone will be there 75% of the time would it also be hard to figure out if they are there 100% of the time. It will be difficult overall anyway. She feels for the neighborhood but is trying to balance both. It is important that we do not have these violations but the flip side is that we also need to think about that fact that we are a tourist city and people do like to come here and that does help our economy. We do not want to give the impression that we do not want people to come here. Most people she knows want to use the Airbnbs. She wondered if we can table this for the next Council Meeting or can we propose an amendment tonight to make change in the ordinance.

President Waldron explained we have the option to table, the option to make an amendment tonight on the spot, and we have the option to make an amendment between the first and second reading, where you can present at the second reading and work with the Administration on what that amendment would be. It was eluded to the fact earlier that we have the opportunity to pass this on second reading and then come back with a text amendment after the fact as well. So there are many options. There is also the option that we cannot pass this as well.

Solicitor Spirk added that it was his understanding that every time when the Administration came forward that there concern was enforcement in general. The proceedings in county court back in 2018 and 2019 passed some serious doubt on whether the housing ordinance in place could really be enforced. He believes it was the court's opinion sort of in a footnote and hint that what you are really doing here and what you are all talking about is regulating use, how is the person going to use their land, how will they use their property. That is a zoning thing more than a housing, safety, or code type thing. Solicitor Spirk explained zoning things have very specific requirements in terms of advertising and planning commissions that must be rigorously adhered to. So the difficulty as he understood it was that although you have the housing ordinance on the books and there may have been a lot of violations going on there was a concern on the Administration's part that there was nothing you could do about it until we finally got a zoning ordinance in place. So in addition to all the logistical challenges of would you have to re-advertise, would you have to have another hearing, would it have to go back to the planning commission, those things would happen and that would delay enforcement. On the other hand there are also the practical concerns of do you want to get something on the books now or not, those are some legal perspectives for what they are worth.

Mr. Reynolds added that no matter if it is a good idea or a bad idea about setting up a percentage for residency; it seems like a very difficult thing to enforce. It seems like this whole conversation includes a lot of things that are difficult to enforce and that might be a little bit of the nature of it but he just wanted to say it would be very, very difficult other than if someone had multiple properties. But if someone owned one property and trying to prove how much of their time they are actually living there would probably lead to all sorts of back of the napkin map as far as, we didn't see Joe for two weeks or Karen was not around last month and that should count as part of her time. It is not about if it is a good or bad idea, many times we get into what can be enforced and what can stand up in court.

Mr. Callahan thinks we all agree that there can be a situation where someone is not living in the home at all and they are buying several homes in the historic district and using it basically as a full time hotel. All of us are against that but he does not want to hamper someone who is a homeowner and goes away for a month vacation in Europe or goes for two weeks at the shore and they want to rent out their home the time they are gone and there might be someone from another part of the country that wants to come in and vacation in our city. We will all agree that Bethlehem is a tourist attraction, whether it is Christmas time or Musikfest time, a huge percentage of businesses do very well off of the amount of tourism that our city generates. He does not agree with a situation where someone is buying multiple homes and never living there and using it as a hotel, that he is against. But he is also in favor of someone who owns a home and lives there a majority of the time and they are away from that home or property and want to generate some funds off of it. We live in a digital age and between Airbnb and Vrbo and Grubhub and all these different new technologies that are popping up all over the place because of the internet and everyone having phones he thinks it someone is truly living in their homes there needs to be the ability of them to rent their property for a short period of time. What that percentage of time is, he does not know and he does understand there is the enforcement issue. Who are we to tell someone you cannot lease your house out to someone for a week or two weeks while you are on vacation? Bethlehem is a progressive city and we will always be and he hopes we can come up with some type of solution. He agrees with City Council Members Crampsie Smith and Waldron in the comments they made earlier. He does respect Mr. Simonson in how hard it is with enforcement and Ms. Heller in her department to manage this. There are people in the city who are buying homes and never living there and just renting it out, that he is totally against. If someone was away for a week and wanted to rent their property, that is progress, this is the age we live in and if we shoot this down we are falling behind as a progressive city.

Mr. Colón remarked just reading through some of the language, he has used Airbnb in his travels and going by the definition on page 1 of 9 A (Bill No. 7-2020), an owner-occupied single family dwelling would it be permissible if he turned his house into a second floor apartment and first floor apartment with different addresses, A on the first floor and B on the second floor. Then he used the second floor as his permanent residence, lived there 100% of the time and used the first floor as a constant Airbnb and never rented it out for anything exceeding 30 days. Because it is two different addresses but yet I occupy one home, is that permissible the way this is written?

Ms. Heller stated no it is not.

Mr. Colón informed his personal experience is that where he has stayed most often was something like that where it started as a single family dwelling which was then converted where the homeowner lived full time in one apartment and then used the other one. That is one

resolution where someone had mentioned the idea of privacy, he asked if that scenario was explored at all or taken into account when writing this up?

Ms. Heller remarked it was discussed and we really did try to be responsive to the neighbors and the neighborhood. The concern again really is that then the property owner has less awareness of their visitors, their tenants and when they are coming and going and whether there is noise or other issues. That was still a concern. So we wrote it that it must be a single family dwelling which it could be a detached dwelling or a twin or a town home but it does need to be a single family dwelling so that the space is then shared space, essentially. That again was in response to the comments and the desires of the neighborhood.

Mr. Colón agrees with Council Members Reynolds and Negrón because of the challenge of when we put these percentages in or limitations, who will be crossing out boxes on a calendar or verifying that. He does see merit in it but he thinks it is spinning our wheels to a degree in terms of enforcement that now we are putting something on paper not to say it is impossible but would be challenging to verify. That is especially since certain parts of this now are not even being followed as it is written let alone how are you going to surveille that. While the intentions are good and it does open up homeowners to use their property better if we want to discuss any kinds of amendments, which he is open to, the question he would have is what is that magic number and how does that make it easier to enforce what we have which is the biggest question with all of this.

Ms. Crampsie Smith agrees enforcement is an issue but enforcement is an issue no matter what percentage we have, no matter what. Her thoughts are that she would like to motion that we amend that the owner must be present 90% of the time that gives them approximately 30 days which we already have that they cannot rent more than 30 days. She pointed out that way we are giving the message that if someone does want to do an Airbnb in the city they can have the opportunity to do so and the owner cannot be on site for a small percentage of the time. Her motion is to amend the ordinance to owner be present 90% of the time.

President Waldron remarked they need to find out specifically where that language would go for this ordinance. Before we dive into that he did want to look at the first page of 9 A (Bill No. 7-2020), the final paragraph, 1302.117.1, there is language in there that says "An owner-occupied single family dwelling at which the owner allows the temporary rental of the dwelling unit or portion thereof for not more than 30 consecutive nights by a Transient Visitor." So we already have language in there for not more than 30 consecutive nights. Without making Ms. Crampsie Smith's potential amendment that she floated of 90% which is for that 30 day mark, does this ordinance still allow for people to rent out their home for 30 days without the amendment? This is a question that should be answered before we make any potential amendments. He does understand the points made by Mr. Callahan and Ms. Crampsie Smith, there should be a little flexibility to allow people to have some time if they are going away for a week or two and allow for maybe up to 30 days on a calendar year but what does this change that is in front of us, 9 A, what would it allow at this point. Currently we have on the ordinance that people can rent out their home for 30 days, which Ms. Heller is nodding her head in agreement. That is our current situation where people can rent out their home for 30 days in a year.

Ms. Heller stated yes, that is currently in the ordinance and has not been really utilized at least in a formal way. In the definition that President Waldron referred to on page 1 the 30 days refers to the longest period of time that any one visitor can stay at the Airbnb.

President Waldron remarked those are consecutive days essentially.

Ms. Heller informed that is correct.

President Waldron asked if we pass 9 A as it is where would our current ordinance that allows for 30 days, how would that be affected.

Ms. Heller informed we could just reinsert the language that is in the current ordinance. She has not given that thought so she is not exactly sure where in the ordinance that would fit the most logically. If you are comfortable doing that in a general way and just say that we agree to insert it, we can spend some time looking at that before your next meeting.

President Waldron asked if that was taken out because the copy of 9 A (Bill No. 7-2020) that he has in front of him that is not struck through, meaning we are not eliminating that language.

Ms. Heller stated 9 A (Bill No. 7-2020) is a new ordinance; the language is actually in the current Article 1741 which is 9 B (Bill No. 8-2020). The copy she has of 9 B does not have underlines or strikeouts in it, and does not clearly show what section that is in.

President Waldron informed Mr. Vidoni said because this Bill repeals and restates Article 1741. President Waldron is skimming through this and the number 30 is not popping out to him.

Ms. Heller noted if Council is comfortable with reinserting the older language maybe a motion could just reflect that, we could take it as a housing ordinance and put it in a zoning amendment.

Mr. Colón remarked just for his clarification to follow along, how the language was in the previous ordinance. He does understand that the way this reads 9 A says the longest anyone can rent an Airbnb is 30 days, nothing to exceed 30 days and in the previous ordinance what exactly was that language as it relates to 30 days?

Mr. Simonson explained in the previous ordinance there were two types of short term lodging, there was weekend type and there was the 30 day whole house rentals and that was what was removed from the current Article 1741 and not brought into the new Article 1741, the whole house rentals.

Mr. Colón asked if that was for a maximum of 30 days per year.

Mr. Simonson stated yes.

Mr. Colón asked if there were limitations on that, like could it be up to 30 consecutive days at one time.

Mr. Simonson informed the whole house rental was up to 7 days, he believes in the old Article 1741, you could rent your property up to 30 days throughout the calendar year but if you would do the whole house rental you are allowed to rent it for 7 days. So there was like a type one and type two but we did not have anyone register for the second type, with the whole house rental we just had then register for the first type.

Mr. Colón remarked would some type of middle ground with that talking about reinstating that language of up to 30 days, can you just tighten the enforcement where it strictly needs to be registered, but kind of like a zero tolerance policy or at least educate someone. Let's say his neighbor has his whole house rented out and he would call in a complaint that the whole house is rented out for Airbnb and there is no paperwork in your office that someone did this, is that a way to police it better and put that 30 day language back in there which might solve some of what the conversation is of giving people an opportunity. But in terms of enforcement someone calls a complaint and it is simple write up because you say here is a copy of the ordinance and you need to make sure you are registering this every time you rent out your house and you will not be there. Then it is just a matter of educating that renter or they will be subject to penalty if they do not register. Once they get into the habit of compliance that would make it an easier enforcement tool to look at how often it has been registered and it would be sort of complaint driven. He pictures this being operationally a little bit easier just being complaint driven. It is either yes or no, the owner is either there or he is not. If the owner is not there was it registered with his office and if it was, that is okay and if the answer is no then give them a warning so that they are compliant the next time.

Mr. Simonson stated the way the ordinance is written now; it would be a year-long license. If you were to rent the property for your 30 days consecutively you would not have to do anything above and beyond your original license fee. So there would not be any way for us to check if you rent it for 31 consecutive days. You would have to keep a ledger but we review that upon inspection. It can be looked at, if you are going to have an extended stay over a certain amount of time you would have to add that into your licensing or add some sort of supplemental registration for that, this would be an option.

President Waldron remarked we are back to Ms. Crampsie Smith's potential amendment about 30 days and what is the easiest most eloquent way to do that, will that go into 9 A (Bill No. 7-2020) or 9 B (Bill No. 8-2020) to allow for that and if it does go into 9 A (Bill No. 7-2020) does that trigger the necessary review by the 2 planning commissions.

Ms. Heller stated it does trigger starting each of the zoning ordinance amendments over again at least 9 A (Bill No. 7-2020) and 9 C (Bill No. 15-2020) and if those two have to start over we would recommend that you not adopt 9 B (Bill No. 8-2020) at this point because they are inter-related and need to be adopted together. Because we have been spending so much time on this and because it has been very much prolonged for a variety of reasons and Ms. Crampsie Smith noted this that one option would be to adopt these are they are and then if we have some consensus on what the amendment is then we can come back and provide an amendment to you. Probably we can do that in a couple of months, it take a while to get through the planning process but we could do that and then we would at least have something on the books by the end of this month and could start over with those amendments. That would then give Council some time to really come to a consensus about what it is that you want to see. Then we can come back to you with something that is workable for all of you.

Mr. Reynolds agrees with Ms. Heller and added many of the ideas that were brought up today while they have great merit, personally he would need more time to consider them and to consider all of the ramifications and the different enforcement. He would be in favor as well of passing them as it and then start whatever process. If we start with that process now by the amendments it will send the whole thing over anyway. It is either that you get what is proposed now with amendments afterwards or you stop everything and have to start the process over and he would think he agrees with Ms. Heller, it makes the most sense to pass this and then let whatever Council's wishes are to let us share them and go from there.

President Waldron reiterated that there has been a lot of conversation tonight about that neighborhood and really we have not said it but everyone knows what neighborhood we are talking about. This ordinance does not apply to one neighborhood; it applies to our entire city. So when ordinances come forward that are for a very specific reason but they affect an entire city he thinks that is overreach. He thinks this goes too far and it punishes people who are doing a good job of renting out their homes. They are encouraging people to come to Bethlehem, spend their money and visit our town. President Waldron noted for him he will not be supporting this because he does not want to be a hypocrite and say that Airbnb's are not welcome in Bethlehem when he personally use them in other cities and towns where he visits and he is a responsible guest in those homes. While he does understand the reasons for this because there is a neighborhood with on perpetual bad actor who is not taking control of some of the problems on their property he does not think that everyone in the entire city who is doing this responsibly should be punished. Nor does he think that people who want to visit our city and spend their money here should be told no they are not allowed to come because Airbnb is not permitted because of one person who is acting poorly. President Waldron informed he will not be supporting it this evening but he is willing to continue the conversation about a way that we can go after some of the problems that are happening regarding short term rentals.

Mr. Callahan related that he could have not said it any better, he totally agrees with him that is the way to go, so thank you.

President Waldron pointed out this is the first reading and that our second reading is scheduled for two weeks from today on August 18, 2020.

Solicitor Spirk stated we do have an amendment that does not have a second yet. He does not know if Ms. Crampsie Smith wants to withdraw her amendment or proceed with it. If we get a second then there would be a discussion on the amendment before the vote.

President Waldron queried if Ms. Crampsie Smith is searching for a second for that amendment she proposed.

Ms. Crampsie Smith stated no, she is willing to withdraw the amendment at this point. She is torn because she does concur totally with what President Waldron said. She also feels like we need to get an ordinance on the books so we can try to enforce this as we can. She does want to do an amendment but she is not sure tonight but she is in favor of an amendment.

Mr. Callahan stated he is also.

President Waldron remarked the amendment has been withdrawn and unless there are any other comments he will ask the Clerk call the roll. He noted that Ms. Crampsie Smith may not be sure of her vote but she is the first to vote this evening.

Voting AYE: Ms. Negrón, Mr. Reynolds, and Mr. Colón, 3. Voting NAY: Ms. Crampsie Smith, Mr. Callahan, and Mr. Waldron, 3. The ordinance failed 3-3.

President Waldron remarked that with an ordinance we need 4 votes to pass with only 6 of us a 3-3 vote would fail.

Mr. Reynolds the queried about the practical effect of 9 B (Bill No. 8-2020) and 9 C (Bill No. 15-2020) without 9 A (Bill No. 7-2020).

Ms. Heller is not sure what to say about 9 B honestly. She does know that it makes sense to adopt the revisions for 9 B. She would say 9 C is just a definition for Bed and Breakfast, you could do that if you were still inclined to move that forward, it just affects Bed and Breakfast.

Mr. Reynolds remarked that 9 B references the zoning ordinance so without passing the zoning ordinance we would have to amend 9 B in order for it to be effective anyway. Mr. Reynolds proposes that we table both 9 B and 9 C until the next meeting.

President Waldron remarked that does make sense.

Mr. Callahan concurs.

President Waldron pointed out if we vote no on this again, it kind of dies in perpetuity. If we table it we have a few more options.

Mr. Reynolds would make the motion and in hindsight if it was clear it was 3-3 we could have tabled 9 A as well and let Dr. Van Wirt decide to be the fourth vote either way but now that option is no longer in front of us so we should table 9 B and 9 C.

Ms. Negrón seconded the motion.

President Waldron remarked that we have a motion by Mr. Reynolds and seconded by Ms. Negrón so now we can have discussion on that motion.

Mr. Callahan remarked that we would have not have known what the vote was until we got here tonight unless we were making phone calls behind the scenes.

President Waldron does not know if that was Mr. Reynolds implication.

Mr. Reynolds stressed it was not his implication at all.

President Waldron remarked we can say we will not support this tonight as he and Mr. Callahan did and then we can all do the simple math to decide it was going to be 3-3 although Ms. Crampsie Smith did not know how she was going to vote until she unmuted her microphone. That was when we all found out.

Solicitor Spirk reminded that a motion to table is not debatable. There is no debate on a motion to table.

Voting AYE to table Ordinances 9 B (Bill No. 8-2020) and 9 C (Bill No. 15-2020): Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6.

*B. Bill No. 8-2020 – Repealing and Restating Article 1741– Short Term Lodging Facilities-TABLED*

The Clerk read Bill No. 8-2020 – Repealing and Restating Article 1741– Short Term Lodging Facilities, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, REPEALING AND  
RESTATING ARTICLE 1741 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM RELATING TO “SHORT  
TERM LODGING FACILITIES”

*C. Bill No. 15-2020 – Zoning Text Amendment – Definition of Bed and Breakfast Home-TABLED*

The Clerk read Bill No. 15-2020 – Zoning Text Amendment– Definition of Bed and Breakfast Home, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, REPEALING AND  
RESTATING ARTICLE 1741 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM RELATING TO “SHORT  
TERM LODGING FACILITIES”

10. RESOLUTIONS

*A. Approve Records Destruction – Solicitor’s Office*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-124 that authorized the disposition of the public records held by the Law Bureau, as stated in Exhibit A.

Voting AYE: Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*B. Approve Highway Safety Project Police Traffic Services Grant Resolution*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-125 that authorized the Mayor and Controller to sign all necessary grant documents for Highway Safety Project Police Traffic Services Grant No. PTS-2021-Bethlehem City-00050 on its behalf. The Clerk of the City of Bethlehem is directed to execute a certificate attesting to the adoption of this resolution and to furnish a copy of the resolution to the Pennsylvania Department of Transportation.

Ms. Crampsie Smith if this is 100% grant funded or are there any matching funds necessary from the city.

Mr. Evans does not believe there are any matching funds.

Ms. Crampsie Smith only asks because we heard some input from people who were against this because they thought this was city funds.

Mr. Colón informed he will be supporting this tonight. This is a grant in which his interpretation was that there is no city money being spent on these programs. If we want to talk about how effective a DUI checkpoint is, those are good conversations to have but he is not in a position himself to say he wants to take a stand against that policy. Given that these dollars have been programed by the state for this grant, we are simply applying for money that is out there for us to help with enforcement, he will support this.

Mr. Reynolds stated he will be supporting this as well. He does think it is a general good question, he was curious about what outstanding offenses arise to the level of action during a DUI checkpoint. Obviously there are some things like if someone is wanted on some type of warrant for something that the police would take action. He would just be curious about what the protocol is. Maybe that is something we could ask Chief DiLuzio in the future but he does think that is a legitimate question is that other than catching people that are driving under the influence or he would like to know what the standard is for what action is taken as far as outstanding warrants, etc.

Ms. Negrón stated the little bit she knows about it is that the police would be mandated to check on anything else that might be wrong in that stop including inspections or seatbelts. She knows the concerns that can bring to members of our community. However, she looks through the reports and it shows the numbers of actual DUI's that come out of it and fortunately they are not too high which is good. It means not many people are drinking and driving but we know it is still happening and we know that programs like MADD, Mothers Against Drunk Drivers have been very strong about making sure there is education included in this. So there are opportunities for police officers to provide education about seatbelt wearing. Ms. Negrón works for a law firm with personal injury and there are so many accidents that happen because people are not wearing their seatbelts. It is the opportunity for the police officers to provide education to the community and she sees that as a positive. However, we do have a lot of work to do in terms of that connection and relationship with people and members of our community so it does not turn into something ugly. That is what she read in the report that it is an opportunity for education and as a mother of three and hearing so many stories from MADD and the importance of the education of it as well as seatbelt wearing and she believes in the report this is something that is happening at these checkpoints. She will be supporting this.

President Waldron believes in his six years on Council this is the first time we have any public comment where people have called in asking us to not support a grant on any issue, public safety or otherwise. He can understand the sentiment of why we had a few callers reach out to us about that and he does take those concerns to heart but at the same time he does think this money is going to something that is a good cause. Anytime you can enforce against DUI and part of that comes through letting people know that traffic stops are happening for that goal as well as DUI checkpoints that reminds people that they need to comply with laws. It has become so much

easier to not make that mistake by driving after drinking with the fact of ride sharing. This is just a reminder that there is still work to go and the city should continue to apply for whatever grants they are willing to get whether it is state, county, or federal level. He will be supporting this as well this evening.

Voting AYE: Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*Motion – considering Resolutions 10 C through 10 G as a group*

Mr. Callahan and Ms. Negrón moved to consider Resolutions 10 C through 10 G as a group.

Voting AYE: Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Motion passed.

C. *Certificate of Appropriateness – 733 East Fourth Street*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-126 that granted a Certificate of Appropriateness to replace the roof at 733 East Fourth Street.

D. *Certificate of Appropriateness – 325 Broadway*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-127 that granted a Certificate of Appropriateness to replace existing signage at 325 Broadway.

E. *Certificate of Appropriateness – 327 Broadway – (Signs-Seven Sirens Brewing Company)*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-128 that granted a Certificate of Appropriateness to install new signs at 327 Broadway (Seven Sirens Brewing Company).

F. *Certificate of Appropriateness – 327 Broadway – (Guardrail-Seven Sirens Brewing Company)*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-129 that granted a Certificate of Appropriateness to install new guardrail at rooftop locations at 327 Broadway (Seven Sirens Brewing Company).

G. *Certificate of Appropriateness – 327 Broadway – (Metal Panel Cladding-Seven Sirens Brewing Company)*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2020-130 that granted a Certificate of Appropriateness to install metal panel cladding for new rooftop elements at 327 Broadway (Seven Sirens Brewing Company).

Voting AYE on Resolutions 10 C through 10 G: Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolutions passed.

11. NEW BUSINESS

*Public Safety Committee Meeting*

Mr. Colón reminded that the Public Safety Committee will be meeting a week from today on August 11, 2020 at 6:00 PM in Town Hall virtually. Anyone listening at home can go on the city's website, he encourages anyone to look at some of the materials and support documents that are already listed on the website along with instructions whether streaming it through YouTube as we have been doing or signing in as an audience member through the GoToWebinar. Someone had asked him earlier about the format. We will follow the agenda like any other committee meeting and then public comment will come at the end of the meeting. So after we have had the chance to listen to the agenda items then public comment will follow at the very end of the meeting.

President Waldron remarked all the information for that can be found on the City Council's website as far as getting access to the meeting online and what the instructions are for public comment.

*Police Department*

Ms. Crampsie Smith pointed out we have had a lot of emails from people with confusion and concerns about some members or all members of Council wanting to eliminate the police department. It is unfortunate because there is confusion regarding the term defund the police. It is important that people are aware that defund the police does not by any means mean to eliminate the police, or take all their funds away. It just means to just look at possibly reallocating resources especially in the area of mental health and drug and alcohol and training. She never herself has ever recommended taking funds away or eliminating police nor will she recommend eliminating the police. She has recommended to the Mayor regarding looking at grants especially securing grants for additional mental health specialists to help the police. It is important that we look at the training. She is a mental health professional with a Master's Degree and she does counseling every day but she still needs to be trained in mental health on a very frequent basis. Obviously our police and emergency responders also can benefit from mental health training, that is just a given. Ms. Crampsie Smith thinks there is a lot of confusion because of the 8 to Abolition group condones eliminating the police but she does not support that. She has supported the 8 Can't Wait and we talked about it. Our Police Chief and department and Administration have been gracious to assure that we change some of the language in our use of force policy so we are in compliance with 8 Can't Wait and she applauds them for that. She wants it to be known as she said multiple times and this is why she is confused why people are trying to paint her as anti-police that she grew up with a police chief from the time before she was born until she was 21 when her father passed away, he was a police chief. So she lived every day and she saw the struggles and challenges he endured. Ms. Crampsie Smith noted her nephew just retired as a State Policeman in Pennsylvania and her other nephew is a city detective and her other nephew is on the swat team with U. S. Capital so how anyone can say she is anti-police just boggles her mind. Again, she is personally invested in police and she knows the struggle they endure every single day. She also wants it noted that she proposed a resolution months ago to ensure that our police and emergency responders are covered for PTSD under the Workman Comp Law, the previously were not. It is really important that this is acknowledged. As far as the Community Engagement Initiative there is confusion with that. It is exactly what it states; it is the way to engage the community so the community has a voice. As far as what it will look like, we have not sat down with the Mayor and said this is what it will look like, we said we will have the Public

Safety Meeting and we will get input from the community and see what direction the community wants us to go with enhancing our relationship between the community and the police. Certainly we have some ideas. In her mind one of the ideas is that she wants to get more support for the police and look at the type and frequency of training that they have. Ms. Crampsie Smith applauds all the sides, it is important we hear from the people who are pro-police and from the Black Lives Matter and all the groups, that is what democracy is with everyone having a voice. It is unfortunate that there appears to be a scare type campaign that paints some individuals or groups as wanting to get rid of the police just to scare certain populations. That is very unfortunate and does nothing to help us as a community and as a country. Conversely it is doing nothing but dividing us further and must be avoided.

*Short Term Lodging Ordinances*

President Waldron did mention that we would turn back to the short term lodging ordinance 9 A, 9B, and 9 C. He noted that 9 A was voted down 3-3 and any ordinance needs 4 votes to pass and then 9 B and 9 C were tabled at this point until we have a plan of what we are going to do moving forward. If anyone had anything else they can add that to the conversation.

*J. William Reynolds Marriage*

Ms. Crampsie Smith stated that congratulations are in order for Mr. Reynolds and his wife Natalie on their recent marriage, congratulations.

Mr. Reynolds thanked Ms. Crampsie Smith and everyone who reached out to us. As you can imagine it has been a stressful time. Even though it was a very small affair it was stressful but he does appreciate all the well wishes and thank you to Councilwoman Crampsie Smith and everybody else that reached out.

Mr. Callahan had not idea but he congratulates Mr. Reynolds and his new bride, many years of happiness.

Mr. Reynolds stated thank you.

12. ADJOURNMENT

The meeting was adjourned at 9:38 pm.

ATTEST:

Robert G. Vidoni, Esq.  
City Clerk