

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, March 21, 2023 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Participating were Grace Crampsie Smith, Wandalyn J. Enix, Hillary G. Kwiatek, Rachel Leon, and Michael G. Colón, 5. Paige Van Wirt and Kiera L. Wilhelm were absent, 2.

*Citations Honoring Retirees*

Two retirees were recognized for their service to the City. They were Eric Carr and Robert Lopez. Mr. Lopez was present and received his certificate of appreciation from President Colón. Mr. Lopez was recognized for more than three decades of service to the Department of Public Works – Grounds Bureau. Mr. Carr was not present. His certificate will be mailed.

*Public Hearing Postponed/Executive Session Announced*

President Colón announced that the Public Hearing that was scheduled for this evening for a Zoning Map Amendment involving 119 Technology Drive has been postponed. Rescheduling will be discussed tonight under New Business.

President Colón also announced that prior to tonight's meeting, Council held an Executive Session for its annual update on pending litigation matters.

2. APPROVAL OF MINUTES

March 7, 2023

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

*Concern for Disabled*

Jesse Almodovar said he is disabled. His disability causes mannerisms that make some people believe that he is drunk prompting calls to police. Police have stopped him many times over the years. Eventually, things were worked out and police would recognize that he was disabled, rather than drunk. Mr. Almodovar said new officers have been hired who do not know his circumstances. He cited an incident in which three back-up officers were called. The added escalated response put more pressure on Mr. Almodovar. Fortunately, one of the back-up officers knew the background and diffused the situation. Mr. Almodovar understands that police may mistake him for being drunk, but he asked if training could be provided for police to distinguish between the disabled and those who are intoxicated. He said "it gets a little old" to be frequently

stopped by police. He predicted that others with similar experiences may just be inhibited to go outside.

President Colón encouraged Mr. Almodovar to speak with Chief Michelle Kott after the meeting to see what could be done.

*Parking Authority Complaint*

Resident Arthur Curatola spoke about the power of the Bethlehem Parking Authority. He said that he and others have complained about the Authority before, but these complaints are only an opportunity to vent. Nothing changes. There are many flaws. Mr. Curatola cited street sweeping parking restrictions on the South Side as an unnecessary rule. He proposed that the funding from the City as well as state and federal grants directed to the Parking Authority be given instead to the City's Police Department to enforce parking regulations. He additionally called for the abrogation of the Parking Authority.

*Seeking Answer for Removal from HARB*

Marsha Fritz reminded that she addressed Council on October 18, 2022 regarding her application to the Historic Conservation Commission. She noted that she is the immediate past President of the Historic Architectural Review Board and is a trained architect and a long-time preservationist who is well-qualified to serve on either panel. She said this City is entitled to rely on "thoughtful and knowledgeable advice" from these groups. She strongly believes that recommendations coming from these panels to Council should be given without favoritism and based on the guidelines passed by City Council. Despite adhering to these principles, she said she was removed from HARB by the current Mayor. Ms. Fritz requested that Bethlehem Council obtain an answer from the Mayor as to why she was removed from HARB. She provided her contact information.

*Poet Seeking Justice*

Alex Hirsch added a little creativity and levity to his ongoing appeal of his denial to participate in the Residential Permit Parking Program. He said it has been 249 days since he has been able to participate in this program because he is only a part-time resident. Mr. Hirsch read original poetry to make his points that the restrictions affecting his situation are too harsh and unnecessary. He cited Allentown's current examination of its Parking Authority and believes that Bethlehem also should relax the power that its Authority has been given.

*Apartment Building Moratorium Requested*

Resident Francine Spevak presented a petition with 82 signatures seeking a moratorium on apartment building construction "until such time as the Housing Strategy Committee et al. has vetted the housing strategies best suited to Bethlehem's real estate market and has formulated a plan." The petition said the "Southside has seen an explosion of proposed new apartment buildings over the last several years and is the definition of overcrowding." It estimates there are 11 proposed projects resulting in the possibility of 822 apartments adding many more people and vehicles. The petition states that the purpose of the moratorium would be to provide a "pause to re-evaluate our housing needs." The document requested a Council vote for adoption of the

moratorium. Ms. Spevak noted that none of the apartment projects meet the definition of “affordable housing.” She added that she is concerned about the zoning amendment proposed for 119 Technology Drive. If approved, this would allow a developer to build 240 apartments instead of the idle existing commercial building which once employed 100 workers. She believed a zoning change would be unwise, saying “this site is better suited for jobs, not more apartments.”

*Apartments/Parking/Historic Boards/Identification Cards*

Resident William Scheirer spoke on several matters. He agreed with Ms. Spevak that there has been an explosion of market-rate apartments. This will bring a need for more police, firefighters and EMS personnel. He also agreed that it is unfair that Mr. Hirsch cannot get a parking permit because he is only a part-time resident. He said this shows a defect in the City’s structure and allows the BPA too much authority. As for Ms. Fritz and her interest in serving on City historic panels, Mr. Scheirer asked what kind of people does the City want to serve on these? He said that an architectural historian would be useful to have to point out significance. He also asked “Who better?” to provide ideas of how to blend new construction with a historic environment when HARB or the HCC tells an applicant that they like the basic proposed project but it does not quite fit the character of the neighborhood. A member with Ms. Fritz’s background would offer a logical next step toward massaging a plan to make it compatible. The fact that Ms. Fritz was removed from HARB and has not been appointed to the HCC may suggest that her knowledge is not wanted, Mr. Scheirer said, “which would be ridiculous to the core.” Finally, Mr. Scheirer suggested providing identification cards for some residents with disabilities or mental challenges. This would provide a linkage between the police and the Health Bureau. The card would be a quick identifier to erase misunderstandings.

*Support for Ms. Fritz*

Resident Stephen Antalics asked that we stop decimating the professionals serving on our boards. He noted the names of Ms. Fritz and Beth Starbuck. He said the Council, as the legislative branch, is a check and balance for the residents toward the Mayor, the executive branch. Mr. Antalics said the City is being punished by not having the most qualified people serving on their boards. He said that some speculate the reasons for not appointing these well-qualified members is for personal reasons and political favors. He said that Council has a duty to supply an answer to Ms. Fritz as to why she has not been appointed.

*Definition of “Rental” Questioned*

Resident Gregory Gulick said that he owns a condominium on Linden Street. He also lives in Florida. He has paid a \$75 license fee for his Bethlehem condo for several years. He received an invoice this year and a mercantile form. He was told the condo needs to be inspected and is considered a rental unit. Mr. Gulick said he came to City Hall and told Chief Building Inspector Michael Simonson that he has allowed some relatives to live in the condo for the past 10 years but he does not charge them to do so and does not consider this to be a rental. Mr. Simonson told him that the City considers a rental to be a property that is not your primary residence. He said that Mr. Gulick owed the fee and an inspection should be scheduled. Mr. Gulick believes this is a defect. He has never derived any income from allowing his son and daughter-in-law to stay there. Mr. Simonson provided a copy of the applicable City ordinance and the number for the City Solicitor’s Office. Solicitor Spirk told Mr. Gulick that his role is to represent the City departments,

not the public. Mr. Gulick added that the condo association in its bylaws advises members that they shall not sublet their property. Mr. Gulick said he wanted to bring to Council's attention what he believes to be a defect in the ordinance that may require amendment.

President Colón said that no representative from Community Development was present this evening, but he encouraged Mr. Gulick to discuss this matter with someone from Council or Solicitor Spirk after the meeting.

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. *Director of Purchasing – 2023 Vehicle Auction*

The Clerk read a memorandum dated March 3, 2023 from Sandra Steidel, Director of Purchasing, with an attached list of vehicles that will be placed for sale in an auction to be held within the next 60 days.

President Colón stated if Council had no objections to the property listed, the items may be added to the on-line auction. If Council would like to discuss a specific item, the same shall be removed from the list and discussed at the next Council Meeting on April 4, 2023. No objections were raised. President Colón said the Purchasing Director shall be notified.

B. *Director of Public Works – Recommendation of Award – DePaul and Company – Lynfield Storm Sewer Agreement*

The Clerk read a memorandum dated March 9, 2023 with an attached Resolution from Michael Alkhal, Director of Public Works, recommending a contract with DePaul and Company of Plymouth Meeting to replace all the deteriorated catch basins located on Lynfield Drive, Argus Street, Oberly Drive, Lynn Avenue, E. Ninth Street and E. 8th Street. The amount of the contract is \$162,000. The term of the contract is 60 days. There are no renewals.

President Colón stated Resolution 10 B is on the agenda.

C. *Director of Water & Sewer Resources – Recommendation of Award – LCF Construction, Inc. – Emergency Utility Services*

The Clerk read a March 14, 2023 memorandum with an attached Resolution from Edward Boscola, Director of Water & Sewer Resources, recommending a contract with LCF Construction,

Inc. of Hatfield to provide on-call service for repair of water distribution and wastewater collection system infrastructure and other related facilities on an as-needed basis when City personnel are unable to do so. The total cost for each job will depend on the nature and extent of the services needed and will range from \$10,000 to \$50,000-plus. The contract shall run from the Notice to Proceed through December 31, 2023. There are three additional one-year terms.

President Colón stated Resolution 10 C is on the agenda.

*D. Director of Water & Sewer Resources – Recommendation of Award – Joao & Bradley Construction Co., Inc. – Emergency Utility Services*

The Clerk read a March 14, 2023 memorandum with an attached Resolution from Edward Boscola, Director of Water & Sewer Resources, recommending a contract with Joao & Bradley Construction Co., Inc. of Bethlehem for on-call service for repair of water distribution and wastewater collection system infrastructure and any related facilities on an as-needed basis. The total cost of each job will depend on the nature and extent of the services needed and will range from \$20,000 to \$100,000-plus. The contract shall run from the Notice to Proceed through December 31, 2023. There are three additional one-year terms.

President Colón stated Resolution 10 D is on the agenda.

*E. Director of Water & Sewer Resources – Recommendation of Award – Michael F. Ronca & Sons, Inc. – Emergency Utility Services*

The Clerk read a March 14, 2023 memorandum and Resolution from Edward Boscola, Director of Water & Sewer Resources, recommending a contract with Michael F. Ronca & Sons, Inc. of Bethlehem for on-call service for repair of water distribution and wastewater collection system infrastructure and any related facilities on an as-needed basis. The total cost of each job will depend on the nature and extent of the services needed and will range from \$20,000 to \$100,000-plus. The contract shall run from the Notice to Proceed through December 31, 2023. There are three additional one-year terms.

President Colón stated Resolution 10 E is on the agenda.

*F. Director of Public Works – Recommendation of Award – Aquatic Facility Design, Inc. – Stark Pool Design Services*

The Clerk read a March 14, 2023 memorandum and Resolution from Michael Alkhal, Director of Public Works, recommending a contract with Aquatic Facility Design, Inc. of Millersburg, PA for design, bidding, and project administration services for repairs and renovations to Stark Pool. The cost is \$29,000 and the completion date is August 31, 2023. There are no renewals.

President Colón stated Resolution 10 F is on the agenda.

*G. Director of Community and Economic Development – Resolutions for DCNR Grants for South Bethlehem Greenway Extension and for the rehabilitation of Friendship Park*

The Clerk read a March 16, 2023 memorandum and two Resolutions from Laura Collins, Director of Community and Economic Development. The memorandum outlines actions related to the extension of the South Bethlehem Greenway and the rehabilitation of Friendship Park. The first Resolution authorizes a grant request in the amount of \$1.8 million as an additional funding source for land acquisition, engineering, and construction of the Greenway trail from Clark Street to Auburn Street between Hellertown Road and Saucon Creek. The second Resolution authorizes a grant request in the amount of \$250,000 as a funding source to begin park improvements to align with the Northside Alive neighborhood revitalization plan.

President Colón stated Resolutions 10 G and 10 H are on the agenda.

- H. *City Solicitor – Use Permit Agreement – Work to Live, LLC d/b/a Run Lehigh Valley – Brew to Brew Run Event*

The Clerk read a March 16, 2023 memorandum from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is Work to Live, LLC d/b/a Run Lehigh Valley and the event is the Brew to Brew Run Event. The agreement is for April 1, 2023 from 8 AM until 4 PM. The premises is Main Street from Sand Island to Broad Street; and the Nevin Place right-of-way and a W. Walnut Street parcel, both of which are adjacent to the Sun Inn Courtyard and are designated on an exhibit attached to the Agreement.

President Colón stated Resolutions 10 I is on the agenda.

- I. *City Solicitor – Use Permit Agreement – American Association of University Women, Bethlehem Branch – 61<sup>st</sup> Annual Book Fair*

The Clerk read a March 16, 2023 memorandum from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is American Association of University Women, Bethlehem Branch and the event is the 61st Annual Book Fair. The agreement is for March 31 through May 1, 2023 with specific dates and times as follows: 2-6 PM on April 27, 10 AM to 6 PM on April 28, 10 AM to 5 PM on April 29, noon to 5 PM on April 30, and 9 AM to 2 PM on May 1. The premises is the Earl E. Schaffer Ice Rink.

President Colón stated Resolutions 10 J is on the agenda.

- J. *City Solicitor – Use Permit Agreement – Christmas City Spirits – Blossom Fest*

The Clerk read a March 16, 2023 memorandum from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is Christmas City Spirits and the event is Blossom Fest. The agreement is for 11 AM to 7 PM on April 22, 2023. The premises is the Nevin Place right-of-way and a W. Walnut Street parcel, both of which are adjacent to the Sun Inn Courtyard and are designated on an exhibit attached to the Agreement.

President Colón stated Resolutions 10 K is on the agenda.

- K. *City Solicitor – Use Permit Agreement – Touchstone Theatre – Parham Park*

The Clerk read a March 16, 2023 memorandum from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is Touchstone Theatre for theater and creative arts events, productions, performances, rehearsals, student and community lectures, workshops, and related activities. The agreement is for January 1 through December 31, 2023. The premises shall be Parham Park.

President Colón stated Resolutions 10 L is on the agenda.

- L. *Director of Public Works – Recommendation of Award – LB Construction Enterprises, Inc. – ADA Curb Ramps*

The Clerk read a March 16, 2023 memorandum and Resolution from Michael Alkhal, Director of Public Works, recommending a contract with LB Construction Enterprises, Inc. of Spring House, PA for labor and materials to design and construct ADA curb ramps in preparation for paving activities throughout the City. The cost is \$633,200 and the completion deadline is 90 days from the Notice to Proceed. There are no renewals.

President Colón stated Resolutions 10 M is on the agenda.

- M. *Chief of Police – Records Destruction – Police Department*

The Clerk read a March 16, 2023 memorandum with an attached Resolution and exhibit from Police Chief Michelle Kott requesting the Destruction of Records from the Police Department. The Chief has reviewed the Municipal Records Retention Act, and the records listed on the exhibit fall within the categories where destruction is permitted.

President Colón stated the Resolution will be placed on the April 4 agenda.

- N. *Chief of Fire – Records Destruction – Fire Department*

The Clerk read a March 16, 2023 memorandum with an attached Resolution and exhibit from Fire Chief Warren Achey requesting the Destruction of Records from the Fire Department. The Chief has reviewed the Municipal Records Retention Act, and the records listed on the exhibit fall within the categories where destruction is permitted.

President Colón stated the Resolution will be placed on the April 4 agenda.

- O. *Director of Community and Economic Development – 2023 CDBG/HOME Allocations – Public Hearing Request*

The Clerk read a March 16, 2023 memorandum from Laura Collins, Director of Community and Economic Development, requesting a Public Hearing for April 4, 2023 on funding recommendations to Council of \$1,416,201 in Community Development Block Grant and \$455,213 in HOME Investment Partnership Program allocations for 2023.

Ms. Kwiatek made a motion, seconded by Ms. Crampsie Smith, to schedule a Public Hearing on Tuesday, April 4, 2023 at 7:00 PM in Town Hall.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The motion passed. President Colón stated the Public Hearing will be on Tuesday, April 4, 2023 at 7 PM in Town Hall.

P. *Director of Public Works – Request for a Budget Transfer – Stark Pool Rehabilitation/Repairs*

The Clerk read a March 16, 2023 memorandum with an attached Ordinance from Michael Alkhal, Director of Public Works, requesting a budget transfer of \$400,000 from the Recreation Facilities Fund Account to the Public Works Recreation General Pool Improvements Account. The action is necessary to repair and rehabilitate Stark Pool.

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

7. REPORTS

A. *President of Council*

1. *Councilmanic Appointment – Joanne Garcia – Bethlehem Area Public Library*

President Colón appointed Joanne Garcia to the Bethlehem Area Public Library Board. Dr. Enix and Ms. Leon sponsored Resolution No. 2023-045 to confirm the appointment.

President Colón stated that this appointment is to fill a vacancy created when a board member moved from the City.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, Ms. Wilhelm, and Mr. Colon, 6. The Motion passed.

B. *Mayor*

Business Administrator Eric Evans provided the Mayor's Report in the absence of Mayor Reynolds. There are five existing Sister City relationships. Mr. Evans announced a potential sixth relationship with an unspecified city in Puerto Rico. A news conference will be held at 3:30 PM on March 30 at the Hispanic Center at 520 E. Fourth Street.

C. *Finance Committee Meeting*

Dr. Enix announced that the Committee met at 6:00 PM today in Town Hall. The subject was a review of the 2021 City audit.

8. ORDINANCES FOR FINAL PASSAGE

None.



9. NEW ORDINANCES

A. *Bill No. 14 – 2023 – Amending 2023 Capital Budget for Non-Utilities*

The Clerk read Bill No. 14-2023 – Amending 2023 Capital Budget for Non-Utilities sponsored by Dr. Enix and Ms. Leon and titled:

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

Mr. Evans referred to a memo from Mr. Alkhal explaining the need for repairs at Stark Pool.

Mr. Alkhal joined the session via GoTo Meeting. He explained that City workers found that leaks occurred resulting in voids under the lining of the 1960s-era pool. This raised portions of the shell in the deep end by about 2 inches, significantly damaging the drainage system. To repair the pool, the voids must be filled, the ground must be re-stabilized, the drainage system repaired, decking restoration, and it is proposed that portions of the deep end of the pool will be partially filled to make it shallower. There is no longer a diving board, so a 12-foot depth is not required. This would decrease pool maintenance and water usage. The estimated cost is \$400,000.

Mr. Evans estimated that, if Council approves the transfer of funds, repairs could begin and hopefully be completed in time for summer. This is something similar to what occurred at Clearview Pool in 2016-2017. This is a preferable option to two others presented, both of which came in at higher cost and would have required pool closure for about two years. Mr. Evans cited staff-generated cost estimates of \$1.2 to \$1.6 million. Instead, he believes there is life left in Stark Pool and that the recommended repairs would add decades of use, similar to Clearview Pool.

As for funding, Mr. Evans recommended using developer recreation fees and referred to a provided spreadsheet. This is generated from new development at \$1,500 per unit and is held in an escrow account. Revenue collected and expenditures were shown on the spreadsheet. The account now holds about \$1.2 million.

President Colón asked who implemented these developer recreation fees in 2008.

Solicitor Spirk said this was passed as a state law.

President Colón confirmed that the fee is \$1,500 per new unit.

Mr. Evans read from the Pennsylvania Municipalities Planning Code that the requirement is either for dedicated land or the \$1,500 per residential unit in lieu of that land.

President Colón asked for an estimate for how long this project would extend Stark Pool.

Mr. Alkhal said about 30 years.

President Colón asked whether this event was foreseen by the City staff.

Mr. Alkhal said it was an unexpected event. He said it is routine to do some sealing and joint rehabilitation, but this went well beyond.

President Colón asked how many people use Stark Pool annually.

Mr. Evans said attendance for 2022 was 5,173.

President Colón said he would support the proposed repair. He said the developer recreation fees are intended to cover costs like this. A similar transfer was done for renovations at Memorial Pool and the fund regenerated. We are back up to \$1.2 million, and we are early in the year. President Colón was glad to hear that the preferred plan would not close the pool. He termed it a “needed investment.”

Ms. Crampsie Smith said her three children got a lot of use out of Stark Pool and made great memories. She said this is the only pool for the families in the northeast section of the City and added that this is the only pool that with walking accessibility for the children of Marvine and Pembroke. She said \$400,000 is a lot of money, but it will be great if this investment would add 30 years of life to the pool.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. Bill No. 14-2023 was passed on First Reading.

## 10. RESOLUTIONS

### A. *Approve Records Destruction – Health Bureau*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-046 that authorizes the disposal of the public records in the office of the Health Bureau, as stated in Exhibit A.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

### B. *Approve Contract – DePaul and Company – Lynfield Storm Sewer*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-047 that authorized to execute an agreement with DePaul and Company for the Lynfield Storm Sewer Project.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

### C. *Approve Contract – LCF Construction, Inc. – Emergency Utility Services*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-048 that authorized to execute an agreement with LCF Construction Inc. for Emergency Utility Services.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

*D. Approve Contract – Joao & Bradley Construction Co., Inc. – Emergency Utility Services*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-049 that authorized to execute an agreement with Joao & Bradley Construction Co, Inc. for Emergency Utility Services.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

*E. Approve Contract – Michael F. Ronca & Sons, Inc. – Emergency Utility Services*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-050 that authorized to execute an Agreement with Michael F. Ronca & Sons, Inc. for Emergency Utility Services.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

*F. Approve Contract – Aquatic Facility Design, Inc. – Stark Pool Design Services*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-051 that authorized to execute an Agreement with Aquatic Facility Design, Inc. for Stark Pool Design Services.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5. The Resolution passed.

*G. Approve Resolution – Resolution for DCNR Grant for South Bethlehem Greenway Extension*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-052 that authorized a grant request in the amount of \$1.8 million as an additional funding source for land acquisition, engineering, and construction of the Greenway trail from Clark Street to Auburn Street between Hellertown Road and Saucon Creek; and

WHEREAS, the City of Bethlehem desires to undertake the project, Bethlehem Greenway Trail Gap; and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources a grant for carrying out this project; and

WHEREAS, the applicant understands the Terms and Conditions will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

The “Grant Agreement Signature Page” may be signed on behalf of the applicant by the Official who, at the time of signing, has the title of Mayor;

If the applicant is awarded a grant, the signed Grant Agreement Signature Page will become the applicant’s executed signature page for the agreement; and

Any amendment to the Grant Agreement may be signed by the Mayor, and the grantee will be bound by the amendment.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

*H. Approve Resolution – Resolution for DCNR Grant for the rehabilitation of Friendship Park*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-053 that authorized a grant request in the amount of \$250,000 as a funding source to begin park improvements to align with the Northside Alive neighborhood revitalization plan; and

WHEREAS, the City of Bethlehem desires to undertake the project, Friendship Park Rehabilitation; and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources a grant for carrying out this project; and

WHEREAS, the applicant understands the Terms and Conditions will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

The “Grant Agreement Signature Page” may be signed on behalf of the applicant by the Official who, at the time of signing, has the title of Mayor;

If the applicant is awarded a grant, the signed Grant Agreement Signature Page will become the applicant’s executed signature page for the agreement; and

Any amendment to the Grant Agreement may be signed by the Mayor, and the grantee will be bound by the amendment.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

*I. Approve Use Permit Agreement – Work to Live – Brew to Brew Run Event*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-054 that authorized to execute a Use Permit Agreement with Work to Live for the Brew to Brew Run Event.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

*J. Approve Use Permit Agreement – AAUW – 61<sup>st</sup> Annual Book Fair*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-055 that authorized to execute a Use Permit Agreement with the AAUW for the 61<sup>st</sup> Annual Book Fair.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

K. *Use Permit Agreement – Christmas City Spirits – Blossom Fest*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-056 that authorized to execute a Use Permit Agreement for Christmas City Spirits to hold Blossom Fest.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

L. *Use Permit Agreement – Touchstone Theatre – Parham Park*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-057 that authorized to execute a Use Permit Agreement to Touchstone Theatre for event use at Parham Park.

Ms. Kwiatek welcomed a full-year Use Permit Agreement with Touchstone for the use of Parham Park. She said this would be smoother in years past.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

M. *Approve Contract – LB Construction Enterprises, Inc. – ADA Curb Ramps*

Ms. Kwiatek asked how many curb ramps would be provided under this Agreement in reference to a notation of 2023-11 curb ramps.

Basil Yandem, Public Works Deputy Director, said that “11” is the number of the contract, not the number of ramps to be upgraded. The contract is for the completion of 180 ADA ramps at intersections.

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-058 that authorized to execute an Agreement with LB Construction Enterprises, Inc. to provide ADA Curb Ramps.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The Resolution passed.

11. NEW BUSINESS

*Rescheduling Public Hearing*

Ms. Kwiatek made a motion, seconded by Ms. Leon, to reschedule a Public Hearing on a proposed Zoning Map Amendment involving 119 Technology Drive for Tuesday, April 18, 2023 at 7:00 PM.

Voting AYE: Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 5.  
The motion passed.

*"You are Heard; you are Seen"*

Ms. Leon thanked everyone who spoke this evening. She noted that she is a South Side resident and has many of the same concerns. Ms. Leon mentioned Ms. Fritz and her appreciation for preservation on the South Side, although Ms. Leon wondered aloud whether too much loss has already occurred. She also noted the rezoning concerns raised by Ms. Spevak. "You are heard; you are seen. We hear you and we are thinking, and we are trying to be as forethinking as possible as we come up with solutions," she said.

*Disabled Awareness/Executive Director Search/Flag-raising*

Ms. Kwiatek also thanked Mr. Almodovar for raising the issue about the disabled sometimes being misidentified as intoxicated. She hoped that this would be an opportunity for growth.

In her capacity as liaison to the Bethlehem Housing Authority, Ms. Kwiatek said that the search for a new Executive Director continues. She said there will be a meeting on March 27 at 4:00 PM in Monocacy Tower to discuss a Request for Proposals for a search for an Executive Director. This is a particular important time as the City moves forward with its Housing Strategies initiative and the importance of the partnership between the City and the BHA. Hiring a new Executive Director will be a key part of that.

Ms. Kwiatek also announced a flag-raising ceremony on March 31 at 9:00 on Payrow Plaza for Transgender Day of Visibility. She invited others to attend.

*Disabled/South Side Housing/Rental Definition*

Ms. Crampsie Smith also thanked those who spoke tonight. She noted Mr. Almodovar's comments and Ms. Spevak's concerns about the South Side. She views Bethlehem as being an inclusionary City as far as having all levels of income, but said sometimes Council's hands have been tied by existing development and regulations. However, Council is mindful of needs on matters in which it still has control. As for Mr. Gulick, Ms. Crampsie Smith said she would speak to Mr. Simonson as to the circumstances and whether anything can be done. She said it sounds as if there is a loophole in the existing ordinance.

## 12. ADJOURNMENT

The meeting was adjourned 8:36 PM.

ATTEST:

Tad J. Miller  
City Clerk