

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, August 20, 2024 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

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

2. APPROVAL OF MINUTES

August 6, 2024

Ms. Crampsie Smith noted concerns over discrepancies appearing on Pages 9 and 10. She did not believe that these were errors made by the Clerk's Office. Instead, she believed that Ms. Kwiatek inappropriately made the assumption that Ms. Crampsie Smith questioned the fitness of a Council member to serve on the Housing Authority and the need for Housing Authority reform. Ms. Crampsie Smith further said that, on Page 10, Ms. Kwiatek inappropriately stated that Ms. Crampsie Smith made insinuations and accusations against Ms. Leon as a resident and Council member. She said Ms. Kwiatek falsely stated that Ms. Crampsie Smith insinuated that Ms. Leon would shunt money to herself or her family if she were to serve on the Bethlehem Housing Authority board. Ms. Crampsie Smith said that none of these accusations are found among her comments in the minutes on Page 9 and are thus fabricated and false. She also disagreed with Ms. Kwiatek's comments that Ms. Crampsie Smith's comments amounted to "microaggressions." Ms. Crampsie Smith read a definition of this term and said that Ms. Kwiatek apparently does not know what Ms. Crampsie Smith has done personally or professionally for the past 40 years if she directed the word "microaggression" at her. Ms. Crampsie Smith believes there were discrepancies and said she was insulted. She was not asking for a revision of the minutes, but she wanted to clarify these discrepancies.

President Colón asked for a clarification that Ms. Crampsie Smith was not asking for amendments to the minutes. He asked if these were meant as remarks for clarification.

Ms. Crampsie Smith repeated that she did not believe there was erroneous documentation by the Clerk's Office, but that there were severe and erroneous statements made by other Council members that appeared in the draft minutes.

Ms. Kwiatek reassured Ms. Crampsie Smith that those comments were not intended or aimed at her. The only comment that she made concerning Ms. Crampsie Smith's comments was that she did not believe it was "bad government" to appoint a sitting Council member to the BHA board. She hoped Ms. Crampsie Smith would accept this explanation in the spirit in which it was given.

Ms. Wilhelm said she does not see some of the comments in the minutes that Ms. Crampsie Smith referred to. However, she would invite more conversation off-line on this matter so that Ms. Wilhelm could perhaps clarify her intentions.

Ms. Crampsie Smith said she would welcome further conversation at any time and directed Ms. Wilhelm to Page 10 of the minutes.

With no additional comments, President Colón said the minutes were approved as submitted.

3. PUBLIC COMMENT

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

Daily Crime Reports/Elected Officials' Salaries

Resident Robert Virgilio thanked Council, the Police Department and the Mayor for the new practice of posting a daily crime report on Facebook. He said it is well done, but he does have a few questions and would like to follow up with someone. The police incidents appear to be reasonable, but he noted that simple assaults have increased a bit. He gave the City credit. On another topic, he looked at City salaries and saw that the Mayor's salary is about \$60,000 yet he saw several other City employees who earn considerably more. This is contrary to most companies where the CEO would typically be the top wage earner. He encouraged City Council to consider during the next budget hearings a pay raise for the Mayor commensurate to his considerable responsibilities. He also believes the \$7,000 salary for an average Council member is too low for the number of hours it takes to be an effective public servant. A higher wage should be considered. Lastly, Mr. Virgilio passed out a copy of a crime report. He offered his own memo to go with it that discussed a situation in Center City, but he did not publicly elaborate as to what was written in his memo.

President Colón said he was not certain of the website used for reference by Mr. Virgilio for the comparison for elected officials' salaries, but he believed the Mayor's salary to be \$90,500. Mr. Virgilio responded that there are several employees earning more than this higher figure.

Moratorium Suggested

Resident Jo Daniels read a document that suggested implementing a minimum six-month moratorium on new housing developments that do not offer at least 50 percent affordability within their units. The rapid pace of proposed developments is creating significant challenges particularly for long-term residents. She said new housing that has been proposed is raising housing prices beyond affordability and said the existing infrastructure cannot keep up. Ms. Daniels also cited public safety and environmental concerns and the belief that zoning laws should be updated to meet existing conditions. In addition, the document also calls for a permanent moratorium on Lehigh University campus housing outside of the existing student overlay district. The document also called for measures involving non-student rental properties. It recommends mandatory education for landlords and tenants, reform of outdated rental laws, and the establishment of a dedicated landlord/tenant court.

Tenant Complaint

Christina Resetar said she is one of the examples of a landlord disaster. She has had four years of reporting a leaky roof, mold, and other conditions that she said have led to health conditions involving her son. She said the City has found violations. The landlord has offered excuses, but little gets done, she added. She cannot afford to move.

Benefit Event/Surveillance Cameras

Resident Arthur Curatola invited all on Sunday to a benefit for the Pink Pumpkins to raise money and raise awareness for breast cancer victims at the Tri-Boro Sportsmen's Club in Northampton. Mr. Curatola also said there are several City police surveillance cameras that he has learned do not work. He said money was stolen from him in the library and learned that the camera that was to monitor the situation was not working. He encouraged having working cameras.

Not Stopping

Resident Frank Martemucci reported that several vehicles have not stopped for stop signs at Ravenwood and Bonnie Drives. He recommended placing speed humps.

Horse Waste at Musikfest

Resident Theresa Oduol reported that waste from police horses was not being promptly being cleaned up at Musikfest. She asked who is responsible for cleanup and whether this could be better coordinated.

Middle East Funding Continues

Resident Harry Faber said that U.S. tax dollars continue to be spent on weaponry for fighting in the Middle East. He said this is why he and others began attending City Council meetings earlier this year. The practice continues as the United States recently authorized \$3.5 billion toward weapons and equipment to assist Israel. He acknowledged that City Council does not make these decisions, but believes that voices of opposition begin at this level. This is money that could and should be spent on our own people.

Drop the Pettiness

Resident Bud Hackett said that Council reached a new low at its August 6 meeting. Council wasted time arguing among two or three factions of the panel. He believed that Ms. Kwiatek attempted to silence Mr. Callahan based on "decorum" issues rather than substance. He believes it is good government to have open, transparent, and civil discussions on matters involving City business and that Council should not just rubber stamp the wishes of the Mayor. City Council should deal with matters of interest to the people and not their special interests and certainly not on petty personal disputes among the members.

Thanks for Council's Support

Resident Mary Jo Makoul thanked Council members for their opposition to the proposed curative amendment hearing that concluded on July 31. It means a lot to the neighborhood.

No Significant Response to Request

Resident Terry Kloiber said on July 11 she used the MyBethlehem app requesting that a street light be added to a utility pole at the corner of her property. On the same date she received a message acknowledging her submission and advising that it was forwarded to the appropriate City department. She has heard nothing since. Since that time, she has found dog feces and two used condoms in the area where lighting was requested. She said she will again send a message to the app noting these health risks, but she was disappointed that no one has responded.

History Repeats Itself in Gaza/Mailed Agendas

Resident William Scheirer observed that recent events in Gaza have history repeating itself. He holds the same view that he stated several months ago: that government aid should be withheld and that efforts should be made to escort humanitarian aid to those in need. Mr. Scheirer also said he recently received notification that he would no longer be mailed a copy of the Council agenda. He said that he can look up the agenda on the Internet but is concerned for those who perhaps cannot. This may discourage community participation. A compromise would be to mail agendas to those who do not have Internet access.

Please Fix the Feature to Allow Handicap Access

Resident Valerie Noonan noticed someone tonight attempting to use the button to gain handicap access to Town Hall and the feature was not functioning. She believes in talking to others that this may not have been functioning for some time.

Student Housing

Resident Hibah Akbar heard a comment tonight about affordable housing as it relates to Lehigh University. She noted that multiple studies have shown a correlation between the presence of a university in a large town and the socio-economic development within that area. She was abhorred to hear that there was disgust toward increasing off-campus housing for Lehigh. She understands the frustration by some that housing for non-students has decreased, but she said the students are not the problem. She agrees with efforts being made toward affordable housing but asked Council to keep the housing needs of college students in mind as well.

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

Price-gouging Concerns

Resident Harry Faber spoke on Item 6 I on tonight's agenda involving a grant to purchase baby cribs. He believes there is price gouging in the medical industry including the price of baby cribs.

4. OLD BUSINESS

A. Members of Council

Mr. Callahan

Mr. Callahan said the issue of Council's attendance has been raised at recent meetings. He said he assumed this was aimed at him. Mr. Callahan said that Council is only accountable to the voters rather than the attendance standards of other Council members. According to a tabulation done by the City Clerk's Office, Mr. Callahan said another Council member has missed the same number of Council meetings as himself – three – and one other has missed two meetings. He has not questioned those members or the circumstances. Mr. Callahan additionally said that he has challenged others' beliefs, including those of the Administration. He said that Council is to serve as a check and balance, not as a rubber stamp. If other Council members disagree with him, they should "come up with a better debate" rather than say that he is disagreeable. All members have the right to their opinion and to speak. He said he grew up with a certain tone and volume in his voice and added that, "If these are microaggressions, you are going to have to deal with them."

Ms. Wilhelm

Ms. Wilhelm agreed with Mr. Callahan that fellow Council members are to respect the opinions of other Council members. Respecting opinions goes both ways. Ms. Wilhelm also responded to the Public Comment of Mr. Hackett. She understands anyone's dismay by a person with a differing opinion other than the way a public body votes. She added that she, as a Council person, would not change her vote just because she suspects one or more colleagues might not agree with her. Checks and balances are appropriate, but if you do your research and agree with what is being proposed, the result is not rubber-stamping legislation. She does not believe that Council members are supporting legislation just to get along. Ms. Wilhelm also thanked attendees as well as those responsible for presenting Musikfest under less-than-ideal circumstances.

Mr. Callahan

Mr. Callahan agreed that a Council member's comments are their opinion. He said that there were people who elected Ms. Wilhelm and she believes she is doing a good job for them. And there are people who voted him in to shake things up a bit, and he has heard that they believe he is doing a good job. Time will tell at election time. He said disagreement is fine, but he advocates respecting one another's opinions. He added that he also welcomes debate and that it should occur in public and not in back rooms or by phone calls.

B. Tabled Items

C. Unfinished Business

5. NEW BUSINESS

Ms. Leon

Ms. Leon asked police Capt. Benjamin Hackett about the comment made about horse waste during Musikfest. She asked if he had insights.

Capt. Hackett said that Pennsylvania State Police as well as the City's Mounted Patrol Unit were present. One person is assigned clean-up duty and is generally summoned when needed. It would not be prudent to have an officer dismount and provide their own clean-up. The more likely question is whether more than one person is needed on clean-up duty.

Ms. Leon also asked about the MyBethlehem app and who answers those submissions.

Business Administrator Eric Evans said the Bethlehem Service Center is the initial point of contact. An emergency would be transferred to 911. Otherwise, the report would be directed to a particular department.

Ms. Leon asked if there is a process in place that would update a person submitting such a request if it is determined the City will not fulfill the request.

Mr. Evans said the Service Center does not engage in dialogue.

Ms. Leon appreciated Mr. Virgilio's comments. She was glad to hear that the Mayor's salary is \$90,500 instead of \$60,000. She tends to agree with Mr. Virgilio's observation that generally the leader of an organization would make the most money because of holding more responsibility. She also appreciated Mr. Virgilio's comments about Council pay. She said it is a privilege to serve but added that if a person is financially strapped, they probably cannot afford to serve on Council. The Council pay, for example, likely would not pay for child care during time associated with Council activities. Ms. Leon said perhaps Council should consider raising the amount, although she is hesitant to talk about raising the salary for the job that would include herself.

Ms. Leon also said that Ms. Daniels brought up some great ideas on housing. However, she does not believe that a Third Class City is permitted to impose any kind of moratorium of this nature. She asked Solicitor Spirk for his opinion, which was agreement.

Still, she said "creative thinking" is desirable. She believes that ongoing discussions are important. Ms. Leon also offered Southside Tomorrow, which has a housing committee and regularly meets to talk about housing issue regarding the South Side. This is an excellent place to learn about what the City can legally control and what it cannot.

Ms. Leon asked Director of Community and Economic Development Laura Collins what the City knows about the property where Ms. Resetar lives.

Ms. Collins said that City inspectors have issued several citations. This has gone to the magistrate and fines have been issued. Problems have continued, and there has been a new round of citations issued. Despite this, it remains fit for habitation and does not have to be condemned.

Ms. Leon next asked whether the Health Bureau could play a role, at least as far as mold and similar conditions are concerned. She also asked if there are protections afforded against retaliation toward the renter if such actions take place.

Ms. Collins said mold conditions are landlord/tenant matters. The Health Bureau has no jurisdiction. There is a Lead and Healthy Homes program that addresses lead remediation, but that must be triggered by a landlord request.

Mr. Callahan

Mr. Callahan returned to his inquiry of last meeting about money that is received from UGI to restore streets following utility trenches excavation. He has spoken with Controller George Yasso. Mr. Callahan believed there was going to be a new process in which the City would create an escrow account for this money.

Public Works Director Michael Alkhal said he believed Mr. Callahan was talking about the correction of an accounting procedure. The UGI reimbursement money was budgeted based on the cost-sharing agreements that were in place, but when the money arrived it was "double counted" leading the account balance to be double what was really received for the agreements already in place. Mr. Alkhal said the Administration is devising an accounting method to be sure this does not happen again. The City received more than \$630,000 toward repaving roads from UGI for 2023 and 2024 combined. This number is expected to rise sharply to \$2.3 million for 2025 alone. Mr. Alkhal assured Mr. Callahan that the \$2.3 million will be shown separately in the 2025 budget. Mr. Alkhal said that the total amount for the resurfacing budget, including the \$2.3 million figure, will be exceed \$5 million. Mr. Callahan was pleased to hear this and said that now is the time to work toward catching up on the deferred street resurfacing. The \$5 million is at least double the typical annual resurfacing figure.

Mr. Alkhal also offered insights into the MyBethlehem app question. He said this app was not designed for back-and-forth communication. This issue has arisen before. The app is for reporting concerns that need to be addressed by the City, such as a pothole. The matter gets reported, gets referred to the Streets Bureau, and the pothole gets fixed. But, there is no mechanism to contact the requester. In the case of the street light example involving Ms. Kloiber, the matter likely was referred to the Electrical Bureau. An evaluation may have been made. He said he would have to check into all of the facts. But, in the case of a street light, certain criteria would have to be met. He was uncertain of those results, but if it was determined that the situation did not warrant an additional light, there is no mechanism to contact the requester. Mr. Alkhal said that if this is not a routine request, he suggested writing or calling Public Works so there could be a dialogue that should lead to a yes or no answer.

It was noted, as it has been in the past, that a feature of the app sends a message to the requester that a matter has been closed out once it has been dealt with to a certain degree. This can cause confusion. A requester may assume their request has been granted, but this is not necessarily the case. A better solution has not been suggested unless, as Mr. Alkhal said, a requester contacts the related City department directly.

Ms. Laird

Ms. Laird offered a clarification to Mr. Faber's point about Item 6 I on tonight's agenda involving baby cribs. She first pointed out that the amount is \$15,000. She also addressed Mr. Scheirer's point about making copies of Council agendas and offering them to the public. She recognized this would be time-consuming and costly on a large-scale basis. Ms. Laird suggested that agendas might be sent to City fire stations to be posted on their doors for a neighborhood approach to notifying the public of upcoming Council business. Lastly, she wondered what "ticket status mechanism" the MyBethlehem app offers. She said there often is a comment section offered in similar apps to offer detail as to whether a matter was resolved or potential other options rather than simply indicating "closed" regardless of the action taken. Mr. Alkhal said he thought this question was asked of the vendor before and the answer was that there was no feasible way to notify the requester.

Ms. Crampsie Smith

Ms. Crampsie Smith also thanked all of those involved in Musikfest. She also asked several landlord/tenant-related questions. Ms. Collins said there is a delicate balance for the City in dealing with these. The immediate concern is life and safety issues. In somewhat lesser matters, there is a concern as to whether actions will make things difficult for the tenant. In a specific recent matter in which life and safety issues arose, the City contacted the Health Bureau to direct the tenant to Community Connections for assistance. There can be communications problems. The City tries to avoid a 24-hour turnaround in which the tenant quickly would have to find other accommodations. Ms. Crampsie Smith said that if there are not necessarily life and safety issues but there are ongoing problems with landlord compliance, is it possible to notify the tenant that they may wish to start looking at alternative housing? She also reminded that the City should not be the sole facilitator. The counties probably have more human services resources than the City to help tenants. Ms. Crampsie Smith also asked for an update on the inspection process with the recent approval to hire two more housing inspectors. Ms. Collins said the City is scheduling inspections one to two months in advance for rental and sales inspections. The two new positions are posted but have not yet been hired. To this point, she said, the program is "fairly strained" but they are working very hard toward improvement. Ms. Crampsie Smith followed up on the app questions. She has had reports that some people are having some trouble reaching the right department to get action. Mr. Evans recommended calling 610-865-7000 to reach the Service Center. The call will be directed from there.

Ms. Kwiatek

Ms. Kwiatek also asked about the landlord/tenant process. She asked what happens between a landlord receiving frequent citations and condemnation. She said it feels like there is a limbo state when things are really bad but not quite bad enough to condemn. Ms. Collins said this is quite a challenge. Delays can occur because a landlord is given time to remedy. If citations are written, there is a scheduling period with the magistrate. There is no other way for the City to make the landlord do the work.

Mr. Colón

President Colón asked Mr. Alkhal for an eventual update on the apparent malfunction of the handicap access door that was mentioned by Ms. Noonan. He also noted that the salaries of the Mayor, Council, Controller, and the Treasurer are set by Ordinance. Council has the right to amend any of these. However, if Council were to do so, changes would not affect seated officials. The changes would only impact those new to these positions at the next cycle. As to the agenda, Council Solicitor Steward has told President Colón that the Sunshine Act requires the agenda to be posted and made available at the meeting location. He said he would speak to the Clerk's Office if anyone is truly in need of other accommodations. He said there is no attempt to limit access to the agenda.

6. COMMUNICATIONS

A. *Chief of Police – Wasserman – 2024 Disposition of Police Handgun*

The Assistant Clerk read an August 2, 2024 memorandum from Police Chief Michelle Kott with an attached Resolution and Agreement for the purchase of a duty weapon by a retired Officer of the Bethlehem Police Department. Pursuant to the Third Class City Code, retired officers may purchase their duty firearms at fair market value.

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

B. *Director of Water and Sewer Resources – 2024 39 2 MG Reservoir Replacement Engineering – Herbert, Rowland & Grubic*

The Assistant Clerk read an August 12, 2024 memorandum with an attached Resolution from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends a contract with Herbert, Rowland & Grubic, Inc. of Allentown to provide engineering and construction administration services to replace the 100-year-old, 2-million-gallon drinking water reservoir located on South Mountain in Lower Saucon Township. The cost of the contract is \$229,000 with partial project funding provided by an H2O PA Grant. The contract shall run from the Notice to Proceed until September 30, 2026. There are no renewals. Six bids were received from reputable engineering firms. HRG was selected based on fee, experience, interview, and project approach.

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

C. *Director of Water and Sewer Resources – 2024 40 WWTP Aeration Tank Optimization and Design Criteria – AECOM*

The Assistant Clerk read an August 12, 2024 memorandum with an attached Resolution from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends a contract with AECOM of Conshohocken to evaluate the Waste Water Treatment Plant's aeration tank performance and design criteria for the next phase of improvements at the plant. The cost is \$45,900. The contract shall run from the Notice to Proceed through March 31, 2025. There are no renewals. AECOM has satisfactorily provided work involving the Waste Water Treatment Plant in the past.

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

D. DCED Business Manager – Parks & Recreation Master Plan – Omnes, Landscape Architecture, Planning & Art

The Assistant Clerk read a July 29, 2024 memorandum with an attached Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends a contract with Omnes, Landscape Architecture, Planning & Art of Easton to provide a comprehensive Parks and Recreation Master Plan. The cost is \$124,948. Work is to be completed by December 31, 2025. There are no renewals.

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

E. City Solicitor – Use Permit Agreement – Celtic Fest – 2024-2026 Celtic Classic

The Assistant Clerk read an August 13, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is Celtic Fest, Inc. d/b/a Celtic Cultural Alliance. The event is the 2024 thru 2026 Celtic Classic Highland Games and Festival. The Agreement specifies event times and the duration of facilities' usage for September 27-29 of 2024 and similar dates for 2025 and 2026. The premises also are specified including various public properties, streets and Sand Island West facilities.

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

F. Deputy Director of Community Development – Memo – Emergency Solution Grant (ESG)

The Assistant Clerk read an August 14, 2024 memorandum from Deputy Director of Community Development Sara Satullo with an attached Resolution. Ms. Satullo seeks authorization to apply for a grant of up to \$1.5 million of Emergency Solutions Grant funds from the Pennsylvania Department of Community and Economic Development. This action would be done on behalf of Lehigh Valley's homeless service providers, who are represented by the Lehigh Valley Regional Homeless Advisory Board.

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

G. Director of Community and Economic Development – Memo – Multimodal Resolutions

The Assistant Clerk read an August 15, 2024 memorandum from Laura Collins, Director of Community and Economic Development, with attached Resolutions. Ms. Collins advises that two Resolutions passed by City Council at its July 16, 2024 meeting must be revised to reflect the amounts of grant funding sought. The Multimodal Transportation Fund grants are offered through the Pennsylvania Department of Community and Economic Development. One is for \$695,339 toward the construction of sidewalks in the Northside Alive neighborhood and the Southside Business District, and the other is for \$1.8 million toward the West Broad Street renovation project.

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

H. *Business Administrator – Memo – General Fund Budget – Fire Academy Cadets – HACC Amendment*

The Assistant Clerk read an August 12, 2024 memorandum from Business Administrator Eric Evans with an attached amended Ordinance. Mr. Evans in a July 8, 2024 memo requested funding for “up to 9 cadets” to attend a fire academy. Bill No. 25-2024 was approved July 16 on First Reading. However, Second Reading of this Bill was postponed at Council’s August 6 meeting because Mr. Evans advised that not all nine cadets would be attending academy training. It has since been learned that eight cadets will participate. Mr. Evans wishes to amend Bill 25-2024 to authorize spending for eight cadets rather than the original nine. This amended Bill is offered for Second Reading this evening.

President Colón stated that Ordinance 8 A is on the agenda.

I. *Director of Health – Memo – Budget Adjustment – Health (Cribs)*

The Assistant Clerk read a June 3, 2024 memorandum from Health Director Kristen Wenrich. Ms. Wenrich advises that the City has received a \$15,000 grant to purchase baby cribs for the Cribs for Kids Program. A budget adjustment will be necessary because the 2024 General Fund Budget will increase by \$15,000.

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

J. *DCED Business Manager – Memo – Budget Adjustment – Parks Recreation Master Plan*

The Assistant Clerk read an August 12, 2024 memorandum from DCED Business Manager Tiffany Wismer. Ms. Wismer advises that the City has received a \$108,650 grant from the Pennsylvania DCED for a consultant to provide a comprehensive parks and recreation master plan for the City. The grant requires a 15% match which will be funded by recreation fees of \$16,298. A budget adjustment will be necessary because the 2024 Non-Utility Capital Fund Budget will increase by \$124,948.

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

7. **REPORTS**

A. *President of Council*

President Colón addressed some matters that came up today under Old Business. He believes he has spoken about these before but he believed they bear repeating. He will not advocate that all members agree, but they should be working in good faith with one another and should listen to one another. He believed it to be an unfair criticism that Council always votes a certain way or to support certain initiatives. President Colón also defended adherence to Robert’s Rules of Order to not talk over one another and to avoid questioning motives. He is looking to avoid contentiousness among Council members.

B. *Mayor*

It was announced that Mayor Reynolds was attending a World Heritage event that conflicted with this Council meeting. Mr. Evans had nothing to report in Mayor Reynolds' absence.

C. *Public Safety Committee – Ms. Leon*

Ms. Leon announced that the Committee will meet at 6 PM on September 3 in Town Hall to discuss the Police Department's plan to curtail the use of illegal dirt bikes.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 25-2024 – Bill No. 25-2024 Budget Adjustments – General Fund Budget (Fire Academy)*

The Assistant Clerk read Bill No. 25-2024 Budget Adjustments – General Fund Budget (Fire Academy), sponsored by Ms. Kwiatek and Ms. Leon and titled:

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

President Colón referred to the memo provided by Mr. Evans on this matter, but asked for an update on the latest number of recruits and the funding sought. Fire Chief Michael Reich said that seven candidates were selected for fitness to attend the academy as well as one previous recruit who was injured during the last academy class. This makes eight candidates to be funded through this Harrisburg Area Community College program. Graduation is set for January 10. Mr. Evans commented that the original request to pay for nine cadets was for \$360,000. At \$40,000 per cadet, this amendment requests \$320,000.

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 25-2024, now known as Ordinance No. 2024-27, passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 27-2024 – Bill No. 27-2024 Budget Adjustments – 2024 General Fund Budget*

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

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

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 27-2024 passed on First Reading.

B. *Bill No. 28-2024 – Bill No. 28-2024 Budget Adjustments – 2024 Capital Budget for Non-Utilities*

The Assistant Clerk read Bill No. 28-2024 Budget Adjustments – 2024 Capital Budget for Non-Utilities, sponsored by Ms. Kwiatek and Ms. Leon and titled:

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

Ms. Kwiatek asked about the services to be provided. She asked for more explanation on the description that says that recommendations should include funding sources for a profitable neighborhood parks systems concept. Ms. Kwiatek asked for an explanation about “profitable.” She said that pools, for example, are not expected to fully fund themselves or turn a profit. Ms. Collins said that that language was associated with the contract itself rather than the budget transfer to pay for it, but it was agreed that these are related issues.

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 28-2024 passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Wasserman – 2024 Disposition of Police Handgun*

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-195 that authorized to execute an Agreement to effectuate the transfer of the City-issued handgun assigned to Sergeant Chad Wasserman, a retired City police officer.

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 6; NAY: Ms. Kwiatek, 1. The Resolution passed.

B. *Approve Resolution – Water and Sewer Resources – 2024 39 2 MG Reservoir Replacement Engineering – Herbert, Rowland & Grubic, Inc.*

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-196 that authorized to execute all documents and agreements with Herbert, Rowland & Grubic, Inc. to provide engineering and administration services to replace a water reservoir in Lower Saucon Township.

Ms. Crampsie Smith asked the amount of the Pennsylvania H2O grant that we be used for partial funding.

Director of Water and Sewer Resources Edward Boscola said \$750,000.

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

C. *Approve Resolution – Water and Sewer Resources – 2024 40 WWTP Aeration Tank Optimization and Design Criteria – AECOM*

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-197 that authorized to execute all documents and agreements with AECOM to evaluate the aeration tank performance at the

Waste Water Treatment Plant and recommendations and design criteria for the next phase of improvements at the plant.

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

D. Approve Resolution – Parks and Recreation Master Plan – Omnes, Landscape Architecture, Planning & Art

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-198 that authorized to execute all documents and agreements with Omnes, Landscape Architecture, Planning & Art to provide a comprehensive Parks and Recreation Master Plan.

Ms. Kwiatek now asked her question about use of the word “profitable” in the scope of work to be done.

Ms. Collins said she consulted with Mr. Alkhal. Both agree that “profitable” was meant in the sense of “beneficial” rather than making money. There is not an intent to make money off of the parks system.

Ms. Kwiatek just wanted to be certain that the City is not entering into creating a master plan that would have a cost structure associated with it that would anticipate returning more money than the parks upgrade costs.

Ms. Crampsie Smith wondered if the firm being considered has experience with inclusive and sensory-friendly playgrounds. She believes that should be an important part of planning playgrounds.

Ms. Collins said that was discussed with each of the candidates. It is her understanding that this firm has this experience and is aware that that is of interest to the City.

Ms. Laird asked if the draft master plan will be reviewed prior to implementation by the Parks and Recreation Committee.

Ms. Collins believed so. Meetings are built into the schedule. She would have to check at what point it would come before the Committee.

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

E. Approve Use Permit Agreement – Celtic Fest – 2024-2026 Celtic Classic – Resolution

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-199 that authorized to execute a Use Permit Agreement with Celtic Fest, Inc., d/b/a Celtic Cultural Alliance for the 2024 thru 2026 Celtic Classic Highland Games and Festival.

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

F. Approve Resolution – Emergency Solution Grant (ESG)

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-200 that authorized and directed to execute all application forms necessary to apply for an Emergency Solutions Grant through the state Department of Community and Economic Development on behalf of Lehigh Valley's homelessness service providers and that the Mayor and Controller are authorized to execute necessary agreements and documents.

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

G Approve Resolution – West Broad Street – PA DCED Multimodal 2024 (Revised)

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-201 that authorized and directed to execute all application forms necessary to apply for a \$1.8 million state Department of Community and Economic Development grant for West Broad Street renovations and that the Mayor and Controller are authorized to execute necessary agreements and documents.

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

H. Approve Resolution – Northside Alive Sidewalks – PA DCED Multimodal 2024 (Revised)

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-202 that authorized and directed to execute all application forms necessary to apply for a \$695,339 state Department of Community and Economic Development grant for construction of sidewalks located in the Northside Alive neighborhood and the South Side Business District and that the Mayor and Controller are authorized to execute necessary agreements and documents.

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

I. Certificate of Appropriateness – HCC – 2024.07#840 – 117 East Fourth Street

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-203 that authorized to finalize details and finishes for a proposed new construction project that previously received Certificates of Appropriateness in November of 2021 and November of 2023.

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

President Colón made a motion, seconded by Ms. Leon, to reconsider agenda Item 8A. He explained that this motion meant that, if this motion passes, the previous action would be nullified. President Colón explained that because eight cadets will be attending the academy, instead of the nine originally intended, the figures in 8A must be amended in the manner in which Mr. Evans explained.

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

President Colón explained details of the reconsidered agenda item. Bill No. 25-2024 must reflect the appropriate adjustment of \$320,000 in funding instead of the original request of \$360,000. President Colón made a motion, seconded by Ms. Leon, to reconsider Bill No. 25-2024 for Section 1 to read that total appropriations in the 2024 General Fund Budget be increased from \$113,684,955 to \$114,004,955 and Section 2 that the allocations be changed for account title salaries to be changed to \$8,743,016 for account title uniforms/safety shoes to be changed to \$287,000 and for the account title training to be changed to \$210,000 followed by Section 3 that the source of revenue be changed from account title of investment interest \$1,160,000 to read \$1,120,000.

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, and Mr. Colón, 7. The Resolution (to amend Bill No. 25-2024) passed.

President Colón now asked the Assistant Clerk to call the roll to approve Final Reading of Bill No. 25-2024 as amended.

Voting AYE: Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, and Mr. Colón, 7. The Resolution passed. Bill No. 25-2024, now known as Ordinance No. 2024-27, passed on Final Reading.

Ms. Crampsie Smith asked to make an announcement under New Business. She said that on social media there was a discrepancy involving the annual Christmas tree lighting ceremony. The ceremony will again be held on Friday, November 29.

11. ADJOURNMENT

The meeting was adjourned 9:34 PM.

ATTEST:

Tad J. Miller
City Clerk