

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, April 19, 2022 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Grace Crampsie Smith, Wandalyn J. Enix, Hillary G. Kwiatek, Rachel Leon, Paige Van Wirt, Kiera L. Wilhelm, and Michael G. Colón, 7.

PUBLIC HEARINGS

President Colón stated prior to the consideration of the regular Agenda items; City Council will conduct two Public Hearings:

Public Hearing No. 1

The First Public Hearing is to accept public comment on the proposed ordinance amending Article 1701 to adopt the 2018 version of the Pennsylvania Uniform Construction Code. Pursuant to the Pennsylvania Construction Code Act, this proposed ordinance was required to be transmitted to the Pennsylvania Department of Labor & Industry for review at least 30 days prior to the holding of a required public hearing by City Council. At the time of the transmission of the proposed ordinance, which was done on March 7, 2022, the city was also obligated to provide to the Department a proposed date of the holding of the public hearing, and the Council Meeting on April 19, 2022 provided sufficient time for the Department's review to be concluded. Accordingly, it is requested that this proposed ordinance be placed on the Council's agenda for April 19, 2022, for a public hearing.

Public Hearing No. 2

The Second Public Hearing is to receive public comment on the request for the Inter-municipal Transfer of Restaurant Liquor License No. R-14009 from Valley Pizza, Inc., 503 Old Main Street, P.O. Box 5, Walnutport, Northampton County to Montclair Meat & Food Corp., 410 Montclair Avenue, Bethlehem, Northampton County, PA.

Public Hearing No. 1

President Colón stated the First Public Hearing is called to order concerning the proposed ordinance amending Article 1701 to adopt the 2018 version of the Pennsylvania Uniform Construction Code. He recognized a representative from the Administration.

Michael Simonson, Chief Code Official, said that Pennsylvania adopted the 2018 version of the UCC as of February of 2022. The City had a 30-day review period in which it could submit amendments to the state. The changes in the 2018 version are not significant but add detail, he said.

Ms. Kwiatek asked if Pennsylvania was going to adopt a newer code.

Mr. Simonson said that the state has a Review Advisory Committee. This fall, it will begin reviewing the 2021 codes which is a three-to four-year process. This means the state anticipates it will adopt the 2021 codes in 2024 or 2025.

Ms. Kwiatek asked if the City could adopt anything sooner.

Mr. Simonson said the state could adopt a portion sooner with approval by the House of Representatives. But certain elements that are specific, such as catch traps, could be adopted by the City sooner. Other elements may not.

Ms. Kwiatek asked about regulations relating to the number of bathrooms in a public building, specifically gender-specific details about the number of bathrooms and the number of stalls for men and women and providing for more gender-inclusive facilities.

Mr. Simonson said that falls under the International Plumbing Code and involves the number of fixtures to be provided. The 2021 Plumbing Code allows for additional fixtures. He said they do not have to be designated by gender, so they become family-style bathrooms. This was permitted in 2018, 2015 and prior codes. It does not have gender-inclusive language in the 2021 code, it just allows for the extra fixtures to be marked as family, multi-purpose or multi-use. He said it is unfortunate, but the gender-inclusive language has not been brought into the construction codes at this time.

Mayor Reynolds said the crux of the issue is that the City is mindful of gender inclusion, but cannot change this part of the code. He said it is the City's goal to add the language when and if it is legally allowable.

Ms. Kwiatek said the issue of labeling bathrooms as "family" for transgender people is "problematic". To use a restroom, in and of itself, is a sensitive matter. But, to have to use a restroom marked family is additionally hard. As such, she was wondering if the City could adopt newer pieces of the UCC sooner.

Mr. Simonson said unfortunately not. He added that he has been working with some of the universities. There are some things that can be done in addition to the family-style restrooms with signs, but not much else.

Ms. Crampsie Smith asked about the appointment of the Chief Code Official. She asked whether this is an appointed or posted position and whether this was a change in practice.

Mr. Simonson said language has been added regarding required certifications. As to appointment versus posting of the position, he said he only knows that when he was hired four years ago, he interviewed for the position and was not appointed.

Public Comment

None.

President Colón adjourned the First Public Hearing at 7:11 p.m.

Public Hearing No. 2

President Colón stated the Second Public Hearing is called to order to receive public comment on the request for the Inter-municipal Transfer of Restaurant Liquor License No. R-14009 from Valley Pizza, Inc., 503 Old Main Street, P.O. Box 5, Walnutport, Northampton County to Montclair Meat & Food Corp., 410 Montclair Avenue, Bethlehem, Northampton County, PA. He recognized David Berger, Esquire, representing Montclair Meat & Food Corp.

Attorney Berger said the location is the former Ahart's Market. The applicant plans to operate an Ideal Food Basket grocery store at this location. He added that this operator is the owner of CTown grocery store, which is also in Bethlehem. The CTown store also has a liquor license and sells beverages and food for takeout. The owner intends the same type of use, service and offerings at the Montclair Avenue location as at the CTown store. He will sell beer and may later add a wine expanded permit. He is allowed to sell up to a 12-pack of beer and 3 Magnum bottles of wine in any single transaction. The reason for requesting the inter-municipal transfer is because there are no existing licenses for sale in the City and the City is over quota. There will be no exterior expansion of the store, but there will be an interior reconfiguration to accommodate the sale of alcohol. The business will be open seven days a week from 7 a.m. to 9 p.m. Monday through Saturday. Hours on Sunday will be 8 a.m. to 8 p.m. The Liquor Code allows for sales at all of those times except from 8 a.m. to 9 a.m. Coolers will be locked for this hour, and the designated cash register will not be operated. All interior and exterior areas have video surveillance coverage. A retail corral also will afford a full view by the register operator and all transactions will be monitored by camera, meaning sales to minors will be monitored and prevented. Any register operator must be trained under Pennsylvania's Responsible Alcohol Management Program, which includes server seller awareness to identify visibly intoxicated patrons and check identification for anyone believed to be under the age of 35. There are no plans to foster on-premises consumption at this time. On-premises drinking cannot be banned, but the owner can limit a patron's consumption to one bottle of beer.

Dr. Van Wirt asked if an area will be provided for eating and drinking.

Attorney Berger said that because this is a restaurant liquor license, LCB guidelines require a 30-person seating area for food and beverages. The supermarket will prepare the food.

Ms. Leon asked whether the addition of alcohol will cause items such as fruits and vegetables to not be offered.

Attorney Berger said no, adding that this area will be a small percentage of the store. He added that LCB guidelines require the area to be a minimum of 400 square feet.

Ms. Crampsie Smith thanked the owner for providing a grocery store adding that the community was devastated when Ahart's closed.

President Colón added that he has not heard anything bad about the CTown store and wished this venture well.

Public Comment

None.

President Colón adjourned the Second Public Hearing at 7:21 p.m.

2. APPROVAL OF MINUTES

February 15, 2022, March 1, 2022, and March 15, 2022.

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

Voicing views

Artie Curatola of 813 Laufer Street encouraged residents of Bethlehem, as well as those throughout the world, to voice their views to their municipal representatives. He further encouraged those speakers to offer suggested solutions to issues they raise. Mr. Curatola spoke out about animal abuse and encouraged enforcement and imposing strict penalties for those who commit the abuse.

Opposes two-way traffic

Eddie Rodriguez of 701 Main Street wanted to discuss the proposal to restore two-way traffic to portions of Linden and Center streets. He said he encouraged many Linden Street residents to attend tonight's meeting, but observed that few did so. He asked for better signage at intersections that would be affected by the change. He asked that bent signs be replaced and that several do not enter signs be installed to clearly mark the one-way traffic until the study is done and if two-way traffic is restored. He said he spoke to at least 30 business owners, many of whom do not want two-way traffic or parking meters. They believe the meters will hurt their business. A few favor the two-way street because drivers will not have to go around the block to park, but they are not thinking of some of the other problems that two-way traffic can cause. He does not believe that restoring two-way traffic on Linden or Center Street is wise. He also noted the shortage of crossing guards in the area of Liberty High School and around the City. He urged the City to get more crossing guards if they can. And, he complained about speeding.

More support for one-way traffic

Jan David Sabin of 920 Sassafras Street said he has been in the transportation industry for 45 years. He was happy when Linden and Center streets were made one-way many years ago. He said these are vital routes for moving traffic including emergency vehicles and local deliveries. He believes restoring two-way traffic to these streets would be a terrible mistake.

Regional Cooperation

Matthew Tuerk of 46 S. 16th Street and the Mayor of Allentown, offered appreciation to Council Members and Mayor Reynolds' administration for continued cooperation with Allentown and other municipalities in the region. He urged City Council to continue to support an administration that understands the value of regional cooperation. Many of the issues facing Allentown also are faced by Bethlehem. From his background in working for a regional economic

development corporation, he knows that bringing jobs to the region pays off for all of the local municipalities. He also urged continued cooperation in working together on affordable housing, health, and dirt bikes. He called the regional collaboration an investment in which everyone wins.

Compliment paid to Council

Stephen Antalics of 737 Ridge Street observed that City Council's attention and reaction to public comment over the years has changed. Some past Council members appeared to be disinterested or confrontational with the public, but he said he has been impressed by members of this Council. They look at him, some take notes of what is said, and there has been an appreciation for the history of the South Side. He believes these are positive signs that he hopes will continue and indicate a Council that is interested in what the public has to say. It is commendable and appreciated.

Historical perspective

Bill Scheirer of 1890 Eaton Avenue offered a piece of historic trivia. He said the first person to instill one-way streets was Julius Caesar. "We all know what happened to him."

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. *Police Chief – Resolution – Adoption of George- Friends of Bethlehem Mounted Police*

The Clerk read a memorandum dated March 30, 2022 from Police Chief Michelle Kott recommending a Resolution for Adoption of "George" – Mounted Unit Equine to the Friends of the Bethlehem Mounted Police. "George" was purchased in 2009 with federal funding through the Edward Byrne Memorial Justice Assistance Grant. Per grant guidelines, the transfer will commence at a fair market value of \$500.00.

President Colón stated Resolution 10 E is on the agenda.

B. *Police Chief – Firearm Purchase - Lazur*

The Clerk read a memorandum dated April 12, 2022 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 Resolution 10 F is on the agenda.

C. *Police Chief – Firearm Purchase – Cooper*

The Clerk read a memorandum dated April 12, 2022 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 Resolution 10 G is on the agenda.

D. *Director of Public Works – Recommendation of Award – Armour and Sons Electric, Inc. – EC Traffic Signal Upgrades*

The Clerk read a memorandum dated April 13, 2022 from Michael Alkhal, Director of Public Works, recommending a contract with Armour and Sons Electric, Inc. for EC Traffic Signal Upgrades. The term runs until December 31, 2022. The cost is \$97,997.00. There are no renewals.

President Colón stated Resolution 10 H is on the agenda.

E. *Director of Public Works – Recommendation of Award – Mohawk Contracting & Development, LLC – GC Traffic Signal Upgrades*

The Clerk read a memorandum dated April 13, 2022 from Michael Alkhal, Director of Public Works, recommending a contract with Mohawk Contracting & Development, LLC for GC Traffic Signal Upgrades. The term runs until December 31, 2022. The cost is \$77,357.00. There are no renewals.

President Colón stated Resolution 10 I is on the agenda.

F. *Police Chief – Records Destruction Resolution*

The Clerk read a memorandum dated April 13, 2022 from Police Chief Michelle Kott requesting Council to consider a Resolution for the Destruction of Records from the Police Department. The Police Chief has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Colón stated the Resolution can be placed on the May 3, 2022 Council agenda.

G. *Deputy Director Economic Development – Redevelopment Assistance Capital Program (RACP) Grants – Resolutions – Goodman Building and LVHN-Muhlenberg*

The Clerk read a memorandum dated April 13, 2022 from Alicia Miller Karner, Deputy Director of Community and Economic Development, to which is attached two required Resolutions for administration of the Redevelopment Assistance Capital Program for the purposes of assisting Collaboration 3, LLC with the Goodman Building project in the amount of

\$1,500,000.00 and LVHN, Inc. and LVH-Muhlenberg with the LVH-Muhlenberg Intensive Care Unit project in the amount of \$1,000,000.00.

President Colón stated Resolutions 10 J and 10 K are on the agenda.

- H. *City Solicitor – Use Permit Agreement Amendment – ArtsQuest – Musikfest, 2022, 2023, and 2024 – Payrow Plaza*

The Clerk read a memorandum dated April 13, 2022 from Solicitor John F. Spirk, Jr. with an attached Resolution and associated Third Amendment to Use Permit Agreement. The Permittee is ArtsQuest and the event is Musikfest for 2022, 2023, and 2024. The Third Amendment to Use Permit Agreement covers Festival Sites, Streets, and such other agreements and documents as are deemed necessary by the City Solicitor.

President Colón stated Resolution 10 L is on the agenda.

- I. *City Solicitor – Use Permit Agreement – ArtsQuest – Kentucky Derby Watch Party*

The Clerk read a memorandum dated April 13, 2022 from Solicitor John F. Spirk, Jr. with an attached Resolution and associated Use Permit Agreement for Public Property. The Permittee is ArtsQuest and the event is the 2022 Kentucky Derby Watch Party. From 2 pm to 8:30 pm on May 7, 2022 and covers 1st Street from Founders Way to the eastern terminus.

President Colón stated Resolution 10 M is on the agenda.

7. *REPORTS*

- A. *President of Council*

- B. *Mayor*

Allentown Mayor Matthew Tuerk

Mayor Reynolds thanked Mayor Tuerk for his appearance tonight. He said the two mayors talk a lot about the issues faced by both cities including homelessness and affordable housing. The problems are regional and the solutions are regional as well. The ability to make progress will depend on the ability to work together as a region and work outside of the City.

1. *Administrative Order – Diana Hodgson – Board of Historical and Architectural Review*

Mayor Reynolds reappointed Diana Hodgson to the Board of Historical and Architectural Review, effective until January of 2027. Dr. Enix and Mr. Colón sponsored Resolution No. 2022-068 to confirm the reappointment.

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

2. *Administrative Order – Nik Nikolov – Board of Historical and Architectural Review*

Mayor Reynolds appointed Nik Nikolov to the Board of Historical and Architectural Review, effective until January of 2025. Dr. Enix and Mr. Colón sponsored Resolution No. 2022-069 to confirm the appointment.

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

3. *Administrative Order – Connie Postupack - Board of Historical and Architectural Review*

Mayor Reynolds reappointed Connie Postupack to the Board of Historical and Architectural Review, effective until July of 2024. Dr. Enix and Mr. Colón sponsored Resolution No. 2022-070 to confirm the reappointment.

Ms. Wilhelm thanked the Administration for supplying resumes for the candidates. She said they are helpful in knowing the background and experience of those being appointed.

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

We Build Bethlehem/Deputy Community Development Director

Mayor Reynolds also spoke about the Pandemic Recovery Platform, We Build Bethlehem. It is now up and running. He will be talking more about this in the future, but this is a platform that will show progress on a lot of different initiatives the City is using. It went live on April 7. They will be contacting Council Members and institutions to promote awareness to get the message out to as many people in the City as possible. He encouraged people to vote and offer opinions as to where dollars should be spent as well as time and staff priorities.

Mayor Reynolds also announced the hiring of the new Deputy Community Development Director position. The position was created to help to lead the pandemic recovery and focus on issues including affordable housing and homelessness and really look at how the most vulnerable citizens were affected by the pandemic and how, as a City, we need to create a systemic recovery. This person will be focused on pandemic recovery, affordable housing, North Side 2027, South Side Tomorrow, homelessness. They will start in a few weeks and he announced that Sara Satullo, who is leaving lehighvalleylive.com, will fill the role.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 07-2022 – Guaranty of Bethlehem Authority Bonds to Refinance Series of 2014 Guaranteed Water Revenue Bonds*

The Clerk read Bill No. 07-2022 – Guaranty of Bethlehem Authority Bonds to Refinance Series of 2014 Guaranteed Water Revenue Bonds sponsored by Ms. Leon and Mr. Colón and titled:

AN ORDINANCE

OF THE COUNCIL OF THE CITY OF BETHLEHEM, LEHIGH AND NORTHAMPTON COUNTIES, PENNSYLVANIA (THE "CITY"), DETERMINING TO INCUR DEBT IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000¹; DETERMINING THAT SUCH DEBT SHALL BE INCURRED AS LEASE RENTAL DEBT TO BE EVIDENCED BY A SERIES OR SUBSERIES OF GUARANTEED WATER REVENUE BONDS, SERIES OF 2022 OR SUCH OTHER DESIGNATION AS MAY BE APPROPRIATE, TO BE AUTHORIZED AND TO BE ISSUED BY BETHLEHEM AUTHORITY (THE "AUTHORITY"); BRIEFLY DESCRIBING THE PROJECTS FOR WHICH SAID DEBT IS TO BE INCURRED AND SPECIFYING THE REALISTIC AND REMAINING USEFUL LIVES OF SAID PROJECT FINANCED AND REFINANCED THEREBY; AUTHORIZING AND DIRECTING THE MAYOR, THE PRESIDENT OF THE COUNCIL, THE CITY CONTROLLER, THE CITY TREASURER, THE BUSINESS ADMINISTRATOR OR THE CITY CLERK OF THE CITY TO PREPARE, VERIFY AND FILE, AS APPLICABLE, THE DEBT STATEMENT AND OTHER APPROPRIATE DOCUMENTS REQUIRED BY THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 PA. C.S. § 8001 ET SEQ., AS AMENDED AND SUPPLEMENTED, AND, UPON RECEIPT OF APPROVAL OF THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO EXECUTE, ATTEST, ACKNOWLEDGE AND DELIVER, AS APPROPRIATE, (I) A NINTH SUPPLEMENTAL CONTRACT AND LEASE, BETWEEN THE AUTHORITY, AS LESSOR, AND THE CITY, AS LESSEE, SUPPLEMENTING A CONTRACT AND LEASE, DATED AS OF JANUARY 1, 1992, AS HERETOFORE AMENDED AND SUPPLEMENTED, BETWEEN SAID AUTHORITY, AS LESSOR, AND THE CITY, AS LESSEE, AND (II) A GUARANTY AGREEMENT WITH RESPECT TO AFORESAID BONDS; APPROVING THE FORMS OF SAID NINTH SUPPLEMENTAL CONTRACT AND LEASE AND SAID GUARANTY AGREEMENT; CONSENTING TO THE ASSIGNMENT OF SAID NINTH SUPPLEMENTAL CONTRACT AND LEASE BY THE AUTHORITY, AS SECURITY, TO THE BANK OF NEW YORK MELLON, AS TRUSTEE UNDER A TRUST INDENTURE, DATED AS OF JANUARY 1, 1992, AS HERETOFORE SUPPLEMENTED AND AMENDED, AND AS FURTHER SUPPLEMENTED AND AMENDED BY A SEVENTH SUPPLEMENTAL TRUST INDENTURE, AND AUTHORIZING DELIVERY OF SAID GUARANTY AGREEMENT TO SAID TRUSTEE; SPECIFYING THE MAXIMUM LEASE RENTALS TO BE PAID BY THE CITY PURSUANT TO SAID NINTH SUPPLEMENTAL CONTRACT AND LEASE AND THE SOURCE OF PAYMENT OF SUCH LEASE RENTALS; GUARANTEEING PAYMENT OF THE PRINCIPAL OF AND INTEREST ON AFORESAID BONDS AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO; SPECIFYING THE MAXIMUM AMOUNT OF THE GUARANTY OBLIGATIONS OF THE CITY PURSUANT TO SUCH GUARANTY AGREEMENT; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY WITH RESPECT TO THE GUARANTY AGREEMENT; AND PROVIDING FOR PROPER OFFICERS OF THE CITY TO TAKE ALL OTHER REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION WITH SAID PROJECT, SAID NINTH SUPPLEMENTAL CONTRACT AND LEASE, AND SAID GUARANTY AGREEMENT.

Voting AYE: Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, and Mr. Colón, 7. Bill No. 07-2022 now known as Ordinance No. 2022-07 was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 08-2022 – Amend Article 1701 – Adopt the 2018 version of the Pennsylvania Uniform Construction Code*

The Clerk read Bill No. 08-2022 – Adopt the 2018 version of the Pennsylvania Uniform Construction Code sponsored by Dr. Enix and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 1701 OF THE CODIFIED ORDINANCES
ENTITLED PENNSYLVANIA UNIFORM CONSTRUCTION CODE,
BY ADOPTING THE 2018 PENNSYLVANIA UNIFORM
CONSTRUCTION CODE

Voting AYE: Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, and Mr. Colón, 7. Bill No. 08-2022 was passed on First Reading.

B. *Bill No. 09-2022 – Amendments to Article 157 – Civil Service Board*

The Clerk read Bill No. 09-2022 – Amendments to Article 157 – Civil Service Board, sponsored by Dr. Enix and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 157 OF THE CODIFIED ORDINANCES OF
THE CITY OF BETHLEHEM, TITLED
“CIVIL SERVICE BOARD”

Ms. Crampsie Smith wondered the purpose of deleting the Civil Service Board from Section 5, Subsection 1 leaving the only option for an aggrieved employee to request a hearing before City Council.

Assistant City Solicitor Matthew Deschler informed the State Civil Service Statute offers options of going before City Council or the Civil Service Board. The default is for City Council to hear the grievance unless City Council would designate the Civil Service Board to hear grievances, which it has not. It clarifies the language in this case to simply say that the grievance shall be heard by City Council. There are substantive reasons for that. If a grievance is presented to City Council, the Council’s solicitor can advise them at no added cost. However, if the grievance went before the Civil Service Board, outside counsel might need to be hired at additional expense because Attorney Deschler typically represents that board, which would likely create a conflict of interest. He added that the City is not inundated with these requests. The

collective bargaining option is generally the more attractive route. It is rare that City Council would hear grievances. Attorney Deschler agreed with Ms. Crampsie Smith's summation that it appeared that this action was just cleaning up the language rather than a major change.

President Colón stated that he had initial concern when he read the proposed changes, so he contacted Attorney Deschler and Human Resources Director Michelle Cichocki. She said there are only a small number filed per year. President Colón could not recall one coming to Council in his time and agreed that most use the collective bargaining option.

Council Solicitor Brian Panella agreed that tonight's action effectively just cleaned up the language. He agreed with Attorney Deschler's assessment.

Voting AYE: Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, and Mr. Colón, 7. Bill No. 09-2022 was passed on First Reading.

C. *Bill No. 10-2022 – Amend Article 1733 – International Property Maintenance Code*

The Clerk read Bill No. 10-2022 – Amend Article 1733 – International Property Maintenance Code, sponsored by Dr. Enix and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 1733 OF THE CODIFIED ORDINANCES OF THE
CITY OF BETHLEHEM, TITLED "INTERNATIONAL
PROPERTY MAINTENANCE CODE"

Voting AYE: Dr. Enix, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, and Mr. Colón, 7. Bill No. 10-2022 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Street Name Change – Skyline Drive*

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-071 that authorized that the street name of N. Easton Road, from Applebutter Road to the City line, is hereby changed to Skyline Drive.

President Colón asked Public Works Director Michael Alkhal if he has received any reaction from anyone who might be affected by the change.

Mr. Alkhal believed only five properties were affected. He was not aware of any raised concerns. He added that some already have been using the proposed designation.

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

B. *Approve Resolution – Street Name Change – Easton Road*

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-072 that authorized that the street name of S. Easton Road, between Cherry Lane and Ringhoffer Road, is hereby changed to Easton Road.

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

C. Approve Liquor License Transfer – Montclair Meat & Food Corp.

Dr. Enix and Mr. Colón sponsored Resolution 2022-073 that authorized approval for the proposed transfer of Pennsylvania restaurant liquor license no. R-14009 (currently held by Valley Pizza, Inc.) by Montclair Meat & Food Corp. to retail restaurant facilities within the City of Bethlehem to be located at 410 Montclair Avenue, Bethlehem, Pennsylvania.

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

D. Approve Records Destruction – Health Bureau

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-074 that authorized the disposition of Department of Community and Economic Development, Health Bureau records in accordance with the Municipal Records Manual.

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

E. Approve Resolution – Adoption of George – Friends of Bethlehem Mounted Police

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-075 that authorized the Bethlehem Police Department to sell one retired horse, “George,” to the Friends of Bethlehem Mounted Police, a 501(c)(3) nonprofit organization, pursuant to 11 Pa.C.S. § 12402.1 of the Third Class City Code to dispose of personal property by sale or otherwise.

Ms. Leon wished to offer George a happy retirement.

Ms. Kwiatek good-naturedly offered that the sentiment is covered in the resolution which read in part “he can relax and enjoy all that life has to offer.”

Dr. Van Wirt asked if George would be staying at the Mounted Patrol’s facility.

Chief Kott said she believed so.

Dr. Van Wirt asked if she could be notified if George is moved elsewhere.

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

F. Approve Firearm Purchase – Lazur

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-076 that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute an Agreement to effectuate the transfer of the City-issued handgun to Matthew Lazur, a retired City Police Officer, for \$300.

Voting AYE: Dr. Enix, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, and Mr. Colón, 6. Voting NAY: Ms. Kwiatek, 1. The Resolution passed.

G. Approve Firearm Purchase – Cooper

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-077 that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute an Agreement to effectuate the transfer of the City-issued handgun to Timothy Cooper, a retired City Police Officer, for \$300.00.

Mayor Reynolds said he wanted to follow up on a previous discussion about the sale of service weapons to retired officers. Chief Kott and the Law Bureau have researched what can be done with funds paid for the weapons. The research is not yet complete.

Voting AYE: Dr. Enix, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, and Mr. Colón, 6. Voting NAY: Ms. Kwiatek, 1. The Resolution passed.

H. Approve Contract – Armour & Sons Electric, Inc. – EC Traffic Signal Upgrades

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-078 that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute an agreement with Armour & Sons, Inc. for EC Traffic Signal Upgrades.

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

I. Approve Contract – Mohawk Contracting & Development, LLC – GC Traffic Signal Upgrades

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-079 that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute an agreement with Mohawk Contracting & Development, LLC for GC Traffic Signal Upgrades.

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

J. Approve Resolution – RACP – Goodman Building

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-080 that authorized and directed to execute all application forms necessary to apply for the \$1,500,000.00 grant which will be passed through the City of Bethlehem to Collaboration 3, LLC for the purpose of the Goodman Building project.

Ms. Kwiatek asked if she was correct in her belief that this process is an administrative “pass through” of funds. She wanted to be sure that the City was not required to match or pay a portion of the grant money. She was assured that was a correct interpretation.

Dr. Van Wirt agreed that she wanted the public to understand that the City acts as a pass-through and she asked Ms. Karner how these projects get selected to be supported by the City for the grants.

Ms. Karner said local legislators ask the City which projects it supports. Sometimes specific projects are recommended and sometimes more generic needs are offered in order to be more flexible. To be funded, you have to complete the Itemization Act. Applicants must submit a business plan, and then some consideration is given to the elected officials as to funding recommendations and prioritization. The City in a limited way then helps the applicant to complete the business plan. Time extensions are often granted. There are not normally strict deadlines.

Lastly, Dr. Van Wirt asked if applicants who owe the City for back taxes can be barred from participating.

Ms. Karner said the threshold is \$5,000.00 cumulatively. She said the City would not support applications of those above the threshold.

President Colón recognized that this can be a long process. He said the Goodman Building saga has gone on for many years beginning with a legal challenge. But, he is happy to see that this building will be rehabilitated and returned to the tax rolls and is really a welcome addition to the South Side.

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

K. Approve Resolution – RACP – LVHN - Muhlenberg

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-081 that authorized and directed to execute all application forms necessary to apply for the \$1,000,000.00 grant which will be passed through the City of Bethlehem to LVHN & LVH-Muhlenberg for the purpose of assisting with the LVH-Muhlenberg Intensive Care Unit project.

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

L. Approve Use Permit Agreement Amendment – Musikfest 2022, 2023, and 2024 – Payrow Plaza

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-082 that authorized the execution of the Third Amendment to Use Permit Agreement for Festival Sites and the Third Amendment to Use Permit Agreement for Streets between the City of Bethlehem and ArtsQuest for Musikfest 2022, Musikfest 2023, and Musikfest 2024.

Ms. Wilhem believes she speaks for many when she says that she is pleased about this decision. She believes that the plaza at City Hall should be a place where the community gathers regularly and that it should have energy. She stated the more that we can do to create gatherings on City Hall space, the better. She hopes this is the beginning of a new trend.

Ms. Leon is excited to see the return to Payrow Plaza as well. But, she wondered if this has been coordinated with the library. She was afraid that timing might overlap with library hours and might affect the quiet atmosphere at the library.

Mayor Reynolds said a conversation will be held with library officials. Musikfest does not start until later in the afternoon. Similarly, he did not want it to interfere with City Hall business.

President Colón said he was pleased to see the tradition return.

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

M. Approve Use Permit Agreement – ArtsQuest – Kentucky Derby Watch Party

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-083 that authorized the execution of a Use Permit Agreement between the City of Bethlehem and ArtsQuest, 1st Street from Founders Way to the eastern terminus, for the 2022 Kentucky Derby Watch Party for the time period of 2 pm to 8:30 pm on May 7, 2022, according to the Agreement.

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

N. Certificate of Appropriateness – 539 First Avenue

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-084 that granted a Certificate of Appropriateness to replace the existing roof shingles and install new synthetic roof underlayment, ice and water shield, ridge vent and drip edge at 539 First Avenue.

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

O. Certificate of Appropriateness – 55 West Market Street

Dr. Enix and Mr. Colón sponsored Resolution No. 2022-085 that granted a Certificate of Appropriateness to remove the old roof shingles and install ice and water shield, new synthetic roof underlayment, and white drip edge at 55 West Market Street.

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

11. NEW BUSINESS

Pedestrian Bridge Meeting

Dr. Van Wirt announced that tomorrow night is the final community meeting for the Bethlehem Pedestrian Bridge Project Feasibility Study. After much work by the community, the City and County funded a feasibility study and there has been a series of public meetings to learn what the public wants in terms of what this bridge should look like, location, elevations, and the concepts behind it, such as biking and pedestrian use. Tomorrow night is the final opportunity for public input.

Blighted Property Review Committee

Ms. Kwiatek reported that she attended the Blighted Property Review Committee earlier today. One property was moved forward in the process. About a dozen properties were removed from the list. She was pleased to see properties that were in poor condition turn into worthwhile projects, all with clean Certificates of Occupancy.

Edmund Healy

Mayor Reynolds recognized a tragedy that occurred to former Assistant Solicitor Edmund J. Healy, who lost his life recently while on a vacation. He said it has been a difficult situation for people at City Hall who worked closely with him who had a great deal of respect for him. He was truly somebody who cared about Attorney Healy. He wanted to publicly thank him for his service, to send condolences to his family and just felt the need to recognize him. He really cared about the City. He cared about getting it right. He cared about being thorough in his job, and the City is better off for it. He added, both to Mr. Healy and his family, we want to say thank you and our prayers are with his family during this difficult time.

President Colón added that he and some in his family got to know Mr. Healy and had a great deal of respect for him. His death was very unfortunate and unexpected. He hopes his family knows that we are thinking of them.

Opioid Substance Abuse

President Colón said he noticed on social media an opioid substance abuse survey that had been posted. He believes it is great in helping the Health Bureau get input any way that they can. He said there has been a lot in the news about Fentanyl and overdoses. He asked Chief Kott for her comments regarding the City's circumstances.

Chief Kott said that, unfortunately, the City's numbers are comparable to state and national statistics. Heroin is now the main drug of concern and that has led to more Fentanyl abuse. Many of the manufacturers of the illicit drugs are using Fentanyl because it's cheaper to put in combination with other types of drugs. It's being used in combination with cocaine and heroin. That seems to be a majority of what we're seeing locally. She added that the City is very fortunate to have a great resource in its Health Bureau. She mentioned the Naloxone program, which provides interested families medication for emergency treatment of a known or suspected opioid overdose. Other resources include Treatment Trends in the City to help addicts get clean. And, the HOST Program (Hospital Opioid Support Team) has a certified recovery specialist respond to the Emergency Room to try to get patients into treatment. In 2021, EMS used Narcan 33 times, police 48, and fire 20. In 2020, EMS used Narcan 59 times, police 47, and fire 20. This is

something that public safety is trying to work in unison to combat, but it is a very serious issue, she said.

President Colón observed that, based on the number of uses Chief Kott reported, that Narcan is used about once every three days by public safety personnel in the City, and that is a lot. He said that education and prevention are the keys to combating this epidemic. He wished the Police Department well in its efforts to arrest, prosecute, and deter the sale of it.

12. ADJOURNMENT

The meeting was adjourned at 8:46 p.m.

ATTEST:

Tad J. Miller
City Clerk