

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, November 21, 2023 – 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.

2. APPROVAL OF MINUTES

November 8, 2023

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

*Invocation/Parking Garage/Election Signs*

Resident Jim Follweiler said he has reviewed Resolution 2011-214 with amendments, Rules for Council, and believes City Council has been in violation since the sitting of this Council in January of 2022. Specifically, he believes that the Council President does not have the right to not follow these rules and has done so by amending the agenda without a vote to exclude to remove the Invocation. He requested that this element be reinstated. He said if Council wishes to amend the agenda, Council should propose an amendment, make its position public, and vote on the matter. Mr. Follweiler next addressed the Walnut Street Parking Garage. He said that residents were told for months that the timetable to demolish the garage and build its replacement was extremely tight and could not be delayed in order to ensure completion by Christmas 2025. Yet, the plan was not submitted to the Historic Architectural Review Board in November and this date is still unknown. He also said that Mayor Reynolds plans to delay this submission to Council until at least January. “What happened to the nonnegotiable rush”? he asked. He answered his own question by saying that this matter was pushed beyond the election to avoid potential fallout. He also alleged that the delay would see the seating of a “pro-Mayor Council” to support the project. Mr. Follweiler also asked whether the Parking Authority may issue construction contracts in advance of a project approval. He said this should be looked into. Lastly, he suggested that a one-page guidance memo be created for future candidates on candidates placing yard signs on public property. He said this year there was a change in a decades-long standing practice allowing campaign signs on public property for at least 30 days prior to an election. This year City workers repeatedly removed signs on public property, in one instance six or seven times. Traditionally, these were taken down once to cut the grass and left on the property for the candidates to re-erect. He said he was not affected because he placed few signs, but others were affected. He asked for a memo to instruct candidates on enforcement.

*Leaf Pick-up Concerns/Awaiting Storm Drain Installation*

Resident Mary Jo Makoul was concerned about leaf pick-up. She called the City and was told that pick-up would occur on November 16 or 17. Instead, pick-up was done on November 15. Leaves remain in the street because she relied on the stated dates and crews have not returned since. Additionally, when she watched the November 15 cleanup efforts, there were five workers but only two were working. She suggested looking into this use of manpower and supervision. She also said she is waiting for a storm drain to be added at Grandview Boulevard and Ritter Street.

*Assorted Concerns*

Resident Ed Rodriguez said a pattern of theft is emerging at Holy Family Apartments. He has reported to police and the property management company the theft of his medication. He also reported several rotting trees throughout the City. One location is by Rockland Park. He said several trees there are ready to fall. Mr. Rodriguez also complained about a bumpy roadway along Washington Avenue. Construction occurred along that street. He knows that resurfacing is coordinated with Public Works and that patience is sought, but he believes this has lasted too long and could cause serious damage to vehicles. Mr. Rodriguez again mentioned the need to slow traffic at West Broad and Linden Streets. He asked for more traffic enforcement. Mr. Rodriguez also asked for additional police monitoring of the Dumpsters in the Stefko Boulevard parking lot. The situation has improved, but illegal dumping still occurs.

*Reckless Driving*

Resident William Scheirer has complained of speeding and unsafe driving in the past and said his car recently was cut off once again. He said that more police enforcement would be the remedy, but the City is down about 20 officers limiting those efforts. He urged all to offer recruiting suggestions if they have them.

*Support for Purchase of Service Weapons*

Resident Stephen Antalics provided a hypothetical situation in which a person carrying a high-capacity assault weapon approaching a group was stopped by a retired police officer who used his service weapon to shoot the assailant before he could fire on the crowd. He next detailed a similar hypothetical scenario in which the same individual with the high-capacity assault weapon fired on the crowd killing several people, including a former police officer who had no weapon because he was not permitted by City Council to purchase it upon retirement. Mr. Antalics used these scenarios to encourage Council to vote based on the will of the people – which he believes is to allow retired officers to purchase their firearms – instead of voting based on personal opinion.

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

*City Budget*

Resident Jim Follweiler said that one day is insufficient for Council to consider this year's City Budget after the Mayor released his proposed \$113 million spending plan. The release was on November 14 and the first Budget Hearing was on November 15. He also asked that if the City's finances are in the best shape that they have been in a long time, why is there a proposed 2.6 percent tax increase in addition to a proposed 8 percent sewer rate increase. He questioned why there would be a tax increase considering the pandemic relief money being allocated this year and next. With the one-time federal funds being spent, will the City continue to support all of these expansive programs, he asked? He said that throughout this year and last year's budget discussions, there has not been an attempt to cut expenses. He urged Council to conduct a thorough review of this year's budget and to consider future implications.

*Best Candidate for the Job?*

Resident Stephen Antalics said a July 19, 2022 agenda item proposed appointing Gary Lader to a seat on the Historic Conservation Commission (HCC). However, this never reached a vote. Soon after, additional positions appeared on another Council agenda with two names, Todd Chambers and Laura Bly, also to be appointed to the HCC. It was speculated that Mr. Lader was not appointed because of a negative vote that he cast regarding a Certificate of Appropriateness, which was looked upon negatively by the Administration. Mr. Antalics further believes that Mr. Chambers' and Ms. Bly's names were removed from consideration after a "canvassing" of Council determined insufficient support prior to any public consideration. He believed these reasons to be a conflict of interest by one and negative comments about historic preservation versus business interests by the other. Mr. Antalics noted that two out of the three names are back on the agenda for consideration. One name, he said, we know is highly qualified and has served on the HCC for years. The question remains what has changed between many months ago and now regarding Mr. Chambers. Mr. Antalics believes the conflict-of-interest question still exists for Mr. Chambers yet there has been another high-quality candidate who has previously said she would serve on the HCC who has not been accepted.

*Mixed Reaction to Appointments*

Resident William Scheirer said there are many seats to be filled on the various boards and commissions. He urged the re-appointment of Mr. Lader and noted that he is an architect. He also noted that Mr. Chambers is also an architect, including the architect for the new Banana Factory. This project will include the leveling of a city block to make way for the new construction. "This is not the kind of association that you would like to see for someone who is going to be on the Historic Conservation Commission when their mission is to pay proper attention to the historic character of the City," he said.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director of Purchasing – Memo – 2023 Vehicle Auction*

The Clerk read a November 2, 2023 memorandum with an attached exhibit from Purchasing Director Sandra Steidel requesting approval to offer 12 vehicles for sale within the next 60 days at an upcoming auction. Ms. Steidel notes that procedures will be followed in accordance with Resolution 2009-95.

President Colón stated if Council had no objection to the property listed, the items could 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 December 5, 2023. He asked if any Member of Council would like to remove any item from the list and discuss it at the next City Council Meeting. Seeing none, he said it would be communicated to the Purchasing Director that City Council has no objections to auctioning the listed property.

B. *Director of Health – Memo – Health Budget Ordinance Amendment*

The Clerk read a November 10, 2023 memorandum with an attached Ordinance from Health Director Kristen Wenrich. Ms. Wenrich seeks a budget adjustment to the General Fund. \$18,200 would be added to City Health, Revenue Account No. 001A-30402 and added to City Health Expense Accounts 0302-42176 – AIDS Program and 0302-42180 – Safe & Healthy Communities in order to cover insurance payments billed to Health. The General Fund Budget will be increased from \$107,677,698 to \$107,695,898.

President Colón stated Ordinance 9 A is on the agenda.

C. *Chief of Police – Resolution – Firearm Purchase – Sergeant Miller*

The Clerk read a November 15, 2023 memorandum from Deputy Police Chief Scott Meixell 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 A is on the agenda.

D. *Director of Community and Economic Development – Resolution – LSA Statewide Grant for Greenway Trail Gap*

The Clerk read a November 15, 2023 memorandum with an attached Resolution from Laura Collins, Director of Community and Economic Development, seeking a Council Resolution of support of an application for a \$1 million Statewide Local Share Assessment grant. If received, the money would be used to acquire land owned by Norfolk Southern to further the goal of connecting the South Bethlehem Greenway to the Saucon Rail Trail.

President Colón stated Resolution 10 B is on the agenda.

E. Director of Community and Economic Development – 60 Southside Community Center  
Feasibility Study – Contract Proposal

The Clerk read a November 14, 2023 memorandum and proposed Resolution from Tiffany Wismer, DCED Business Manager, recommending a contract with Atkins Olshin Schade Architects + MASS Design Group of Philadelphia. The firms would study the feasibility of building a South Bethlehem community center. The amount of the contract is \$87,855. Work is to be completed by December 31, 2024. There are no renewals.

President Colón stated Resolution 10 C is on the agenda.

F. *Director of Community and Economic Development – Destruction of Records Memo  
Resolution – Building Codes*

The Clerk read a November 16, 2023 memorandum with an attached Resolution and exhibit from Chief Building Inspector Mike Simonson requesting the Destruction of Records from the Code Enforcement Bureau. Mr. Simonson 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 Resolution 10 D is on the agenda.

7. REPORTS

A. *President of Council*

President Colón thanked Director of Equity and Inclusion Janine Santoro for distributing a memorandum to City Council about the City's Human Relations Commission. He said he has been a member of the HRC for several years and several people have cycled on and off the Commission as professional commitments have changed. Several seats are available. Ms. Santoro has contacted community groups in an effort to gain interest to fill these openings. He said he is willing to discuss openings and the status of the Commission to those interested.

B. *Mayor*

*HRC Concerns Echoed*

The Mayor confirmed that he has spoken to Ms. Santoro on this subject. He added that they have discussed what the future of the HRC may be if it continues to lack members. He believed it was created about 12 years ago. Its mission was questioned. He believed it would be a body that would listen rather than being more proactive by speaking to businesses and conducting similar activities. The Mayor believed that some of these issues are talked about more commonly today. He wanted to speak about concerns of the HRC continuing because the mission still seems somewhat uncertain and the membership is dwindling in numbers. "There are barely enough members for it to function," he said. He encouraged anyone who knows of prospective members to contact the City.

*Climate Action Plan/Thanksgiving/Christmas Tree Lighting/Police Graduates*

Mayor Reynolds thanked those Council Members who participated in last week's Climate Action Plan meeting and Climate Challenge. He wished all a Happy Thanksgiving and reminded that the Christmas Tree Lighting Celebration will be at 5:00 PM on November 24. He also was pleased to announce that Bethlehem will have five police officers graduating on December 15 from the Police Academy. It is the goal to send five more candidates to the Academy in January. He believes another 10-12 will be added in 2024. These are efforts toward filling roster vacancies.

*B1. Administrative Order – Todd Chambers – Historical Conservation Commission (HCC)*

Mayor Reynolds appointed Todd Chambers to the Historic Conservation Commission effective through April of 2026. Ms. Wilhelm and Ms. Leon sponsored Resolution 2023-230 to confirm the appointment.

Ms. Leon said she had some questions about a related City Ordinance, Article 1714, before voting on either candidate. She asked Council Solicitor Brian Panella the legal difference between shall and should. The Article states that an HCC member shall publicly announce any conflict of interest in connection with HCC matters if they arise. She asked if they must divulge conflicts of interest.

Solicitor Panella said that shall means a direct command. Yes, they must.

Ms. Leon concluded that there is a "built-in mechanism" for a member to recuse themselves if a conflict arises.

Solicitor Panella said, "In certain circumstances, it would be a mandatory recusal. Their participation could actually nullify an entire action taken if they were to ignore that entire section."

Ms. Leon said she was looking at the makeup of the nine-member Commission and listened to one of their recent meetings. She was focused on who was on the Commission and their roles. Mr. Chambers would be the architect and Mr. Lader would represent the business interest on the South Side. She asked how a "business interest" is defined – whether it must be a physical store front or take some other form.

Solicitor Panella offered that Article 1714 has no specific definition for "business interest." He believes this could be a store front, landlord or anything in between.

Ms. Leon asked whether any other ordinance defines "business interest" and might supersede the authority.

Solicitor Panella found none.

Ms. Leon asked whether it would be beneficial to review Article 1714 or could Council be "painting itself into a corner" by defining "business interest" rather than leaving it general.

Solicitor Panella did not wish to comment as to the sufficiency of Article 1714 or any other at this time. Instead, he said it is Council's duty to enforce and interpret them.

Ms. Leon said she has been thinking about the "business interest" aspect and wondered the wisdom of allowing absentee landlords to fill this role. She also recognizes that there are nine seats on the Commission, so this might not be a danger with a larger board.

Ms. Crampsie Smith noted that both of the proposed appointees are architects. These are valuable talents to bring to the Commission, but she also noted that this could bring about some conflicts if their clients would come before the HCC. She asked whose responsibility it would be to identify the conflict.

Solicitor Panella said it begins as a self-policing responsibility. But there is an ultimate threat that if someone does not recuse themselves, any action taken could nullify a previous vote. It is curable, if something were returned to the Commission and that member would recuse themselves a second time around. He said this is very similar to the Ethics Ordinance that City Council approved last year.

Ms. Kwiatek said tonight we have heard of these intended appointments discussed separately, one having aspersions cast on his qualifications, training, and character. But when you look at them side by side, they are both architects, neither of whom live in the district areas. She noted three remaining vacancies that have certain requirements: a Mount Airy resident, a business interest, and a real estate broker. She added that Mr. Chambers has a history of serving nonprofits. As to the conflict-of-interest concern, Ms. Kwiatek said the Mr. Lader has recused himself multiple times. She added that she has known him through the neighborhood. Other HCC members have had to recuse themselves.

President Colón said the language regarding HCC requirements is a bit stronger than many ordinances. He noted that a member with a conflict may not participate in discussion, and the Commission can ask that member to step out of the room during discussion. He believes the language is strict. He does not know Mr. Chambers, but he has heard good comments about him.

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

*B2. Administrative Order – Gary A. Lader – Historical Conservation Commission (HCC)*

Mayor Reynolds re-appointed Gary A. Lader to the Historic Conservation Commission effective through May of 2026. Ms. Wilhelm and Ms. Leon sponsored Resolution 2023-231 to confirm the appointment.

President Colón thanked Mr. Lader for volunteering his time. It is much appreciated.

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

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 39-2023 – General Fund Adjustment – DCED – Choice Neighborhoods Planning Grant*

The Clerk read Bill No. 39-2023 – General Fund Adjustment – DCED – Choice Neighborhoods Planning Grant, 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 GENERAL FUND BUDGET.

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 39-2023, now known as Ordinance No. 37-2023, was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 40-2023 – Amend General Fund Budget – Health Budget*

The Clerk read Bill No. 40-2023 – Amend General Fund Budget – Health Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF  
LEHIGH AND NORTHAMPTON, COMMONWEALTH OF  
PENNSYLVANIA, AMENDING THE 2023 GENERAL FUND

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 40-2023 was passed on First Reading.

B. *Bill No. 41-2023 – Adopting the 2024 General Fund Budget*

The Clerk read Bill No. 41-2023 – Adopting the 2024 General Fund Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 41-2023 was passed on First Reading.

President Colón said there would be several 2024 Budget-related ordinances considered tonight. As is custom, tonight is the First Reading for these. Two readings are needed to enact the Bill into law. He noted that there will be at least two more budget hearings to review the complete City Budget. The Second Reading of all budget ordinances is scheduled to occur on December 19.



Voting on these ordinances tonight is procedural and not final. There will be adequate opportunity for additional review before December 19. There is also a dedicated night – December 12 – in which amendments proposed by Council would be reviewed if offered.

*C. Bill No. 42-2023 – Adopting the 2024 Water Fund Budget*

The Clerk read Bill No. 42-2023 – Adopting the 2024 Water Fund Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 42-2023 was passed on First Reading.

*D. Bill No. 43-2023 – Adopting the 2024 Sewer Fund Budget*

The Clerk read Bill No. 43-2023 – Adopting the 2024 Sewer Fund Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 43-2023 was passed on First Reading.

*E. Bill No. 44-2023 – Adopting the 2024 Golf Course Enterprise Fund Budget*

The Clerk read Bill No. 44-2023 – Adopting the 2024 Golf Course Enterprise Fund Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE GOLF COURSE ENTERPRISE FUND BUDGET FOR 2024

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 44-2023 was passed on First Reading.

*F. Bill No. 45-2023 – Adopting the 2024 Liquid Fuels Fund Budget*

The Clerk read Bill No. 45-2023 – Adopting the 2024 Liquid Fuels Fund Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
ADOPTING THE LIQUID FUELS FUND BUDGET FOR 2024

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 45-2023 was passed on First Reading.

*G. Bill No. 46-2023 – Adopting the 2024 Capital Budget for Non-Utilities*

The Clerk read Bill No. 46-2023 – Adopting the 2024 Capital Budget for Non-Utilities, sponsored by Ms. Wilhelm and Ms. Leon and titled:

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

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 46-2023 was passed on First Reading.

*H. Bill No. 47-2023 – Adopting the 2024 Capital Budget for Water Utilities*

The Clerk read Bill No. 47-2023 – Adopting the 2024 Capital Budget for Water Utilities, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
ADOPTING THE CAPITAL BUDGET FOR WATER UTILITIES FOR 2024

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 47-2023 was passed on First Reading.

*I. Bill No. 48-2023 – Adopting the 2024 Capital Budget for Sewer Utilities*

The Clerk read Bill No. 48-2023 – Adopting the 2024 Capital Budget for Sewer Utilities, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
ADOPTING THE CAPITAL BUDGET FOR SEWER UTILITIES FOR 2024

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 48-2023 was passed on First Reading.

*9 J. Bill No. 49-2023 – Adopting the 2024 CDBG Budget*

The Clerk read Bill No. 49-2023 – Adopting the 2024 CDBG Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
ADOPTING THE CDBG BUDGET FOR 2024

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 49-2023 was passed on First Reading.

*9 K. Bill No. 50-2023 – Adopting the 2024 Storm Water Fund Budget*

The Clerk read Bill No. 50-2023 – Adopting the 2024 Storm Water Fund Budget, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
ADOPTING THE STORM WATER FUND BUDGET FOR 2024

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 50-2023 was passed on First Reading.

*9 L. Bill No. 51-2023 – Adopting the 2024 Tax Rate for All City Purposes*

The Clerk read Bill No. 51-2023 – Adopting the 2024 Tax Rate for All City Purposes, sponsored by Ms. Wilhelm and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH  
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,  
ADOPTING THE TAX RATE FOR ALL CITY PURPOSES FOR 2024

President Colón pointed out that this ordinance deals with millage, which is one factor in the equation to determine tax bills. He said that many Lehigh Valley municipalities have a property tax rate greater than 20 percent of Bethlehem's. This is attractive to those who want to buy a house or business in this City. Despite a 2.6 percent proposed tax increase this year, he believes that Council and the Administration work hard to keep expenses and taxes low.

Voting AYE: Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, and Mr. Colón, 7. Bill No. 51-2023 was passed on First Reading.

10. RESOLUTIONS

*A. Approve Resolution – Firearm Purchase – Sergeant Moses Miller – Disposition of Police Firearm*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-232 that authorized that the Mayor and 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 Sergeant Moses Miller, a retired City Police Officer.

Ms. Kwiatek explained her stance to oppose these sales to retired officers. She made it clear that this vote has nothing to do with Sgt. Miller or his service to the City. She did not appreciate being "lectured in hypotheticals when in 15 minutes I could find a dozen instances of

former police officers killing their wives and then turning the gun on themselves, killing their neighbors, you know, it's unfortunately something that happens." She noted that this is not limited to police officers. But her point is that being a current or former police officer does not bestow a magical protection against making bad decisions involving guns. She does not want to add the opportunity to the rest of this equation.

Ms. Leon said that one of the things that she likes about this council is that there is a diversity of opinion. She knows that she and Ms. Kwiatek are on different sides on this issue, but she respects Ms. Kwiatek's differing opinion and conviction.

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

*B. Approve Resolution – LSA Statewide Grant for Greenway Trail Gap*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-233 that authorized that the Mayor and City Controller are authorized to execute all documents and agreements for the City of Bethlehem to hereby request a \$1 million Statewide Local Share Assessment grant to help acquire land to connect the South Bethlehem Greenway and the Saucon Rail Trail.

Dr. Van Wirt read in Mr. Alkhal's presentation that more than half of the funding has been obtained for the land. She asked how much more money is needed.

Mayor Reynolds said this is to be determined. He believed that Mr. Alkhal's information was an estimate, but it depends on negotiations. The City does not currently have enough.

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

*C. Approve Resolution – Contract – 2023 60 Southside Community Center Feasibility Study*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-234 that authorized to execute an Agreement and related documents as deemed necessary by the Solicitor with Atkins Olshin Schade Architects + MASS Design Group to perform a feasibility study to build a South Bethlehem community center.

Ms. Leon said she participated in some of the planning meetings. These were conducted with agencies such as the Boys and Girls Clubs present. Many firms were considered and the process was to recommend a consultant and to determine whether the plan to build a center is financially feasible. Ms. Leon said she respects DCED but this will be a fresh perspective to provide an account of all of the South Side recreation programs. She said if a center is feasible, she wants to do it well. But if it is not, she does not want to make promises that cannot be kept.

Ms. Crampsie Smith recalled that when she first joined Council she said there was a need for more resources and recreation activities especially for those on the South Side. She noted that for 40 years she has worked with teens and can see daily the difference that resources can make. However, she is more fiscally conservative, and she is particularly concerned about the amount of money the City is spending on consultants. She believes that \$90,000 is a lot of money. She

believes there are other ways to pull together this inventory of existing programming. Ms. Crampsie Smith said that she is all for a center that would benefit the community, but she is hesitant to allocate money that could be spent on the shelter toward consultants. She said that City staff may be stretched with other tasks, but there may be other ways to do this including college graduate and Ph.D. students. She suggested them studying what exists and what is lacking and then perhaps get an engineering firm or consultant to take the next steps.

Ms. Kwiatek asked Director of Economic and Community Development Laura Collins the source of the \$90,000.

Ms. Collins said the feasibility study would be paid for through Community Recovery Fund expenses.

Ms. Kwiatek believed that 12 firms submitted proposals. It was narrowed to six and then three finalists.

Ms. Collins agreed, adding there was a strong response from consultants.

Ms. Kwiatek said it appears there is some subcontracting planned including Taggart Associates and Allied Building. These are Bethlehem-based organizations, so we are not just looking at outside organizations telling us what to do.

Ms. Collins said that this was one of the strengths of the chosen proposal. She believes that local, trusted consultants add credibility to a project.

Ms. Kwiatek asked Ms. Collins her opinion of hiring a consultant versus asking college students to perform the work.

Ms. Collins said that one of the main questions involving this project is whether it is financially feasible. She believes that putting this assessment in the hands of an experienced firm rather than a graduate student was important. The same is true of the architectural aspect.

Ms. Kwiatek also observed that AOS, one of the recommended consultants, has done work for Lehigh University. She noted that Lehigh engaged AOS rather than one of its graduate students to perform this work. Ms. Kwiatek also assessed that this Administration has used consultants a great deal. It is understandable that some may look at those cost totals and believe that the money could be put toward actual construction. However, she believes that the results have been worth it. She said this is the type of groundwork that needs to be done and it does cost money. But it is an investment in the City. She added that if this consultant were to find that this project should not be built, then this would represent taking good money and avoiding a mistake of perhaps millions of dollars.

Ms. Collins added that this is especially important when applying for competitive grants. When there is a planning process followed by implementation, the implementation grant is much more likely to be received when a funding source sees that the planning process has been done.

Ms. Crampsie Smith wanted to clarify that she recognizes that results would not be the same when paying \$90,000 to a consultant compared to using a graduate student to make an

evaluation. But being “fiscally frugal” is important. She wanted to use community resources first before turning to a \$90,000 consultant. She also believed that citing Lehigh’s use of a consultant was unfair when comparing it to the City. Lehigh has many funding sources that the City does not.

Mayor Reynolds added that all departments pay people when external work is needed. He also said that the process of considering a recreation center has been very deliberate and was started about a year ago. The use of consultants to provide feasibility studies is to build confidence that a project is right for the City and is being done right. This is the process that was done for everything in recent times, including building SteelStacks and the Greenway. The homeless program and affordable housing study as well. Mayor Reynolds said he has seen other cities lose out on funding because they skipped the feasibility study. Not only is this expected when applying for funding, but he emphasized that it was a step that was laid out by the community partners who have helped to steer this project.

President Colón responded to resident Stephen Antalics raising his hand. Mr. Antalics asked, as a point of order, whether the Mayor should be commenting on a Resolution being considered by Council. President Colón said he gave the Mayor the floor.

President Colón next made his remarks. He reminded that the funding source is American Rescue Plan money. This ties into the budget. This is one of the items that was budgeted in the 2023 Budget and essentially was discussed around this time last year. He also said that this type of project was discussed in years past but did not proceed because of a lack of funding. The time is now right to at least study the project. He also thanked Ms. Leon for her involvement in this project as well as all of those who have helped.

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

*D. Certificate of Appropriateness – 17 East Church Street*

Ms. Wilhelm and Ms. Leon sponsored Resolution No. 2023-235 that granted a Certificate of Appropriateness for 17 East Church Street to install a new wood fence and replace wood siding.

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

*E. Certificate of Appropriateness – 38 West Market Street*

Ms. Wilhelm and Ms. Leon sponsored Resolution No. 2023-236 that granted a Certificate of Appropriateness for 38 West Market Street to remove and replace the existing slate roofing with GAF Slateline shingles, restore the existing chimney, and replace in-kind one gutter and downspout.

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

11. NEW BUSINESS

*Thanks for Budget Explanation*

Ms. Kwiatek thanked Business Administrator Eric Evans and Budget Director Linnea Lazarchak for a helpful meeting in City Hall yesterday explaining the budget.

*Invitation Sought/Happy Thanksgiving*

President Colón also asked Police Chief Kott if Council could be invited to attend when new officers are sworn in. He wished all a Happy Thanksgiving.

12. ADJOURNMENT

The meeting was adjourned 8:37 PM.

ATTEST:

Tad J. Miller  
City Clerk