

BETHLEHEM CITY COUNCIL MEETING

10 East Church Street - Town Hall

Bethlehem, Pennsylvania

Tuesday, October 6, 2020 – 7:00 PM

INVOCATION

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Grace Crampsie Smith, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 7.

2. APPROVAL OF MINUTES

August 18, 2020.

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

Armory Construction

Diana Rodriguez, 315 Rauch Street, explained that the construction for the Armory has started and as neighbors we are very close. We would like to know why the construction plans are not easy to access and we would like to know why they are not available online or at least just accessible for everyone. Right now there is the process which is difficult, you have to ask for a special request and wait to see if we are allowed to see the plans. We have to go there personally and this is discriminating people that have health and mobility issues or simply people who are working during the day. We want to make sure the plans they proposed are actually going to be followed because this will not be the first time in the City of Bethlehem where developers do not follow exactly the plans that they propose. Ms. Rodriguez noted as a consequence neighbors are stuck living with whatever excess steps they decide to take. We would like to know why these plans are not for public access and easy access. She is also extremely concerned to the damage that this construction can do to this historical neighborhood and especially our homes that are more than 100 years old and they have been shaking during this construction. She is terrified for the immediate and future implications of this vibration to our homes. This could do some serious damage to the foundations, the walls and the pipes that are extremely old. As a resident of this city she wonders who is watching for these neighbors. Is the city periodically checking the foundations and the surrounding pipes of the houses around this construction site now and for the next couple of years to make sure that there is no damage done? Once the construction is done and the developers leave we are going to be the ones who will have to take care of these things on our own. Ms. Rodriguez already knows that they are supposed to be taking the steps to protect and make sure that none of these things happen but at the end of the day all these houses have been shaking. In addition she is concerned about the health issues that this is creating since the construction time yesterday there has been a cloud of construction dust which is aggravating people's respiratory problems and this is concerning during this COVID-19 time. They have done

absolutely nothing to control or reduce the dust that is going into our homes. Ms. Rodriguez stated she is asthmatic so this really affected her yesterday. Right now this is the life that these neighbors of the city have, we are living pretty much in a war zone, our homes are shaking, we have the noise and our air quality is terrible. The developer wants to make a profit but she is holding the city responsible because you are the people we trust and elected to represent and protect our interests. Right now our quality of life is so horrible that we feel we have been sold to the developer. She understands this may not be an immediate concern for the people sitting at this meeting because none of you have to deal with the stress we are going through but she is sure all of you have families and imagine trying to get your kids to sleep and you feel like an explosion will tear up your house. Your windows are shaking and you are trying to step outside and you can barely breathe. This is the life that we have now. She is asking the city to take some measures to address some of these concerns.

President Waldron remarked he is not sure if anyone from the Administration has anything to add but clearly construction has started at the Armory which was a contentious project when it came through Planning and came before Council. President Waldron informed he lives a block away from this and he has not been directly affected by some of the concerns that the neighbors have, but they are legitimate ones. We did get an email that was forwarded and Ms. Negrón sent that to Mayor Donchez that was from Mary Toulouse that had in it the neighbor's concerns. It is challenging when some of the properties are so close to each other what the solution would be to make sure that you can develop your city in a way that encourages people to come here and live here, at the same time honoring the people who live in the community and make sure they are comfortable and feel safe in their own homes. He would expect that the city would be on top of having inspectors there and what that process might be looking forward.

Mayor Donchez noted he just received a text from Alicia Karner, Director of Community and Economic Development saying that the city was out today inspecting the site and they will also be out tomorrow to monitor the construction. They also did do a reach out to the Rodriguez family.

President Waldron acknowledged Ms. Rodriguez did have a few points as far as trying to find the plans. She was alluding to the right-to-know information in order to get that information. He knows that can be a little tricky to navigate but if someone from the Administration is able to reach out to her to get that information so she can get what she feels she needs, that would be helpful. As far as monitoring the process he thinks there is a potential for damage to be done there because that property is so close to people's homes, whether that is foundations moving or plaster walls cracking and then what the process is in order to make sure those issues are taking care of as well. There needs to be a dialogue moving back and forth between members of the neighborhood as well as the developer and the city so that everybody working together can feel that things are going as smoothly as possible. Also there is still the understanding that this is not something that will be easily achieved.

Mayor Donchez related he will discuss this with Ms. Karner tomorrow. He reiterated that she had said that the city will be out there tomorrow.

President Waldron remarked he just received a message from Mr. Vidoni that the YouTube stream went out so it had to be restarted so there might be a second YouTube video that is paired directly next to the original City Council Meeting. Switch over to that one and make

sure that they slide ahead so they are viewing the stream live, the second YouTube stream. Just like everyone we are working through our glitches here whether it is in our personal or professional lives. He thinks everyone is doing the best they can to try to adapt to the new circumstances we have.

Jeff Pooley, 331 Prospect Avenue, stated he wanted to echo what Diana Rodriguez, who is his neighbor had spoken about with the shaking of our old houses and the cloud of dust that has been emitted from the construction site. More specifically he was just hoping to have a question answered about getting the plans or at least an overview image of the plans so we could check to make sure that the construction site is adhering to what was approved by the Zoning Hearing Board and the other appropriate bodies. When he requested this to the City's Planning Department the reply he received was that he would need to file a right-to-know request through an attorney. He wrote back because was curious that something approved by the various public bodies, the plans that were displayed in recorded meetings, like the Zoning Hearing Board, that he was able to see in the past at City Hall would require a right-to-know request. This just struck him as being a kind of piece of red tape that would take everyone's time and not in the spirit of the openness which the city should and typically does operate. Mr. Pooley wanted to specifically ask about that, whether in fact publicly approved plans like the Armory redevelopment require a right-to-know request to obtain plans. He wanted to echo again the comments of his neighbor Ms. Rodriguez about the shaking and the dust that has been emitted.

President Waldron would say to his knowledge a lawyer is not required to file a right-to-know request, you can do that yourself. He thinks that would be the easiest way to get that information. He believes that Ms. Karner or someone from her office will be reaching out to Ms. Rodriguez tomorrow and maybe Mr. Pooley could be involved in that conversation as well to get the information he needs and then have a dialogue moving forward about potential issues that maybe come up through the development of the site.

Mr. Pooley queried if there is required a right-to-know request for a publicly approved plan.

President Waldron stated he would think so but he is not an expert on that. He believes that Ms. Karner or someone from her office would be able to answer that but his initial thought would be yes, it would be something that would be required and is something that you would be able to do on your own without the help of an attorney.

Mr. Pooley thanked President Waldron for his service in this difficult time.

Judith Ross, 317 Rauch Street, remarked she is standing on her porch looking out over beautiful Bethlehem and she wants to talk about construction taking place. This construction is shaking her house because of this; there are a lot of machines pounding. She is worried for the safety of her home because this land her home was a sand pit years ago and she does not know how stable it is and her home is very old, it was built around 1900. She does not want her home to fall down and she needs to let Council know there may be some instability here that needs to be determined by the folks that are doing the building. Ms. Ross believes Council needs to know what is going on.

President Waldron would imagine that is no one's intention in the project.

Ms. Ross remarked that is no one's intention but something is happening so she wanted to draw this to Council's attention.

President Waldron announced a few of her neighbors also called in this evening, Diana Rodriguez as well as Jeff Pooley. He added that a member from the Community and Economic Development Department will be making contact with them tomorrow so possibly you can be included in those conversations as far as what the process will be for the neighbors so they can be a part of the project in a positive way so their voices are being heard.

Ms. Ross appreciates that and added that you want to hear our voices and not our lawyer's voices so she is happy to share there is something wrong.

President Waldron stated he will make sure that her name is also included as a point of contact for tomorrow with those conversations.

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. *Intermunicipal Liquor License Transfer – Two Farms, Inc. d/b/a Royal Farms – 2355 Avenue A*

The Clerk read a communication dated August 28, 2020 from Attorney Jonathan A. Jordan representing Two Farms, Inc. d/b/a Royal Farms requesting approval of an Intermunicipal Liquor License transfer of Pennsylvania Retail Restaurant Liquor License R-12146 previously issued to Louie's Restaurant, 2071 31st Street SW, Allentown, PA 18103 to Two Farms, Inc. d/b/a Royal Farms for use at restaurant facilities within the City of Bethlehem to be located at 2355 Avenue A, Bethlehem, Pennsylvania, 18017.

Scheduling Public Hearing

Mr. Callahan and Mr. Colón moved to schedule a Public Hearing on Tuesday, October 20, 2020 at 7:00 PM in Town Hall.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt and Mr. Waldron, 7. The Motion passed.

President Waldron stated a Public Hearing has been scheduled for Tuesday, October 20, 2020 at 7:00 PM in Town Hall. The meeting will be live streamed on YouTube on the City of Bethlehem Council YouTube channel and instructions for making public comment by phone will be posted on the City Council Meeting webpage.

B. Interim Chief of Police – Firearm Purchase - DiLuzio

The Clerk read a memorandum dated September 21, 2020 from Scott Meixell, Interim Chief of Police with an attached resolution and agreement for the purchase of a duty weapon by a retired Officer of the Police Department. Pursuant to the Third Class City Code, Retired Officers may purchase their duty firearms at fair market value.

President Waldron stated Resolution 10 B is on the agenda.

C. Director of Budget and Finance –Recommendation of Award – Tri-State Financial Group, LLC – Business Privilege & Mercantile Tax Collection

The Clerk read a memorandum dated September 23, 2020 from Mark W. Sivak, Director of Budget and Finance recommending a contract with Tri-State Financial Group, LLC for business privilege and mercantile tax collection. The term of the contract is three years with option to renew for three additional one-year periods. The cost is \$195,000 for three years.

President Waldron stated Resolution 10 C is on the agenda.

D. Business Administrator – Request for Grant – Lehigh/Northampton Local Share Program – Improvements to Golf Course

The Clerk read a memorandum dated September 29, 2020 from Eric R. Evans, Business Administrator with a proposed resolution in support of a grant application for the Lehigh/Northampton Local Share Program offered through the PA Department of Community and Economic Development. The grant amount would be \$162,035 and the use would be improvements at the City's municipal golf course.

President Waldron stated Resolution 10 D is on the agenda.

E. Director of Budget and Finance – 2020 Pension State Aid Allocation

The Clerk read a memorandum dated September 29, 2020 from Mark W. Sivak, Director of Budget and Finance advising that a direct deposit for Pension State Aid in the amount of \$4,012,924.11 was received on September 29, 2020 and has been allocated as noted in the memo.

President Waldron stated Resolution 10 E is on the agenda.

F. Recreation Director – Use Permit Agreement – St. Luke's University Health Network – Earl E. Schaffer Ice Rink – Delong Sport Camps

The Clerk read a memorandum dated September 30, 2020 from Jodi Evans, Recreation Director with an attached Resolution and Associated Use Permit Agreement. The Permittee is St. Luke's Health Network and the event is the Delong Sport Camps at the Earl E. Schaffer Ice Rink during the months of June, July, and August for the years 2021 to 2023.

President Waldron stated Resolution 10 F is on the agenda.

G. *Director of Public Works – Recommendation of Award – Grace Industries, Inc. – W. Broad Storm Sewer Replacement*

The Clerk read a memorandum from dated September 30, 2020 from Michael Alkhal, Director of Public Works recommending a contract with Grace Industries, Inc. for W. Broad Storm Sewer Replacement. The term of the contract is 30 days. The cost is \$161,043.90 and there are no renewals.

President Waldron stated Resolution 10 G is on the agenda.

H. *Director of Public Works – Recommendation of Award – Armour & Sons Electric, Inc. (Electrical Contractor) & Mohawk Contracting & Development, LLC (Site Contractor) – Traffic Signal Upgrades*

The Clerk read a memorandum from dated October 1, 2020 from Michael Alkhal, Director of Public Works recommending a contract with Armour & Sons Electric, Inc. (Electrical Contractor) & Mohawk Contracting & Development, LLC (Site Contractor) for work related to 14 traffic signal upgrades. The term of the contract runs 60 days to substantial completion and 90 days to final completion. The Armour Electric work will cost \$97,997 and the Mohawk Construction work will cost \$77,357.75.

President Waldron stated Resolution 10 H is on the agenda.

7. REPORTS

A. *President of Council*

Committee of the Whole Meeting

President Waldron stated Council met this evening for a Committee of the Whole Meeting at 6:00 pm in Town Hall. The Administration presented the proposed 2021-2025 Capital Improvement Program. The meeting was for informational purposes only.

B. *Mayor*

1. *Administrative Order – Michelle Kott – Chief of Police*

Mayor Donchez noted this is an exciting and historic night for the City of Bethlehem.

Mayor Donchez appointed Michelle Kott as Chief of Police, effective as of October 6, 2020. Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-159 to confirm the appointment.

Mayor Donchez noted that Ms. Kott is at this meeting and is happy to answer any questions.

Mr. Colón announced he will be supporting this appointment tonight. He congratulates Officer soon to be appointed Chief Kott on this appointment. This year with all the attention that

has been shown to police nationwide and here in the City of Bethlehem, he has been in the room with Ms. Kott several times as she has led numerous community presentations and been part of many initiatives, even predating some of this year's events. We jumped in a frozen river once for a polar plunge for charity. Ms. Kott has always been a constant professional and someone who he has appreciated her thoughtfulness, transparency, and engagement in the work that has been put forward on a lot of different levels, especially since this summer. Going through her resume all 8-13 pages that had been forwarded to us, he cannot think of a time in his professional career where he saw someone who was a qualified for a position based on experiences coming through the ranks of the department over the last 16 or so years and finding time to pursue the education and complete the educational pursuits. Mr. Colón looks forward to seeing what initiatives she has to bring forward. He is sure she has many ideas and will not ask her to go through all of them now and hold her to them but as someone who has been in the command staff for the last few years he is sure there are things she looks forward to bringing to the table. We look forward to it. Anyway that he as a Member of Council can support some of those initiatives whether being another member of the community or as his role on Council he is happy to do that. He will say thank you, it is an old cliché that first responders run towards problems while everyone else runs away from problems. We have had conversations at length time and time again for the last few years that our applications are down a little bit in terms of a number of individuals looking to become police officers, especially in Bethlehem and surrounding municipalities. The spotlight is on all police departments and with these different conversations we have had and the Chief of Police being the face of the department, it is often times not an admirable position but again he commends Ms. Kott not just for what she has already done but the responsibility that she has decided to take on with the department. Mr. Colón could not think of anyone more qualified to do so. She has his full support and he wishes her all the best as our new Chief of Police, congratulations.

Ms. Crampsie Smith explained she is elated also to go to support Captain Kott to become our new Police Chief and first female Police Chief. She is a great fit, is well qualified and most importantly she has great perspective for this position. At the press conference she said that it is really important to remember that people just want to be heard and that really is great perspective, because that is the essence of human interaction, people want to be heard and respected and treated with dignity. Ms. Crampsie Smith wishes her tremendous luck and success in this role. Ms. Crampsie Smith added having lived for 21 year with a Police Chief she knows it has its daily and almost constant challenges. To top it off Ms. Crampsie Smith recently discovered that soon to be Police Chief Kott actually went to the same high school as she and is a fellow coal cracker, so that is just icing on the cake. Good luck and thank you.

Ms. Negrón thanked the Mayor for making this appointment and thank you for especially including former Chief Colón in the search because he is someone that she admires with his background. She echoes what Councilwoman Crampsie Smith and Councilman Colón had mentioned about this is not a good time to even be a police officer, it is a tough time and to be the leader more so. Through the last few months we have been in constant contact with Captain Kott and she has heard from so many members in the community and everybody was impressed in her way and her manner. When we look at her resume and it is just impressive. She is proud and in honor of our former Supreme Court Judge Ruth Bader Ginsburg she will definitely be supporting this appointment.

Mr. Reynolds joined all of the words of encouragement and support that his colleagues have given to Officer Kott, soon to be Police Chief. He would agree that one thing we have heard from her in the last year or two is an understanding of the type of conversation that the community wants to have, the type of conversation that people on Council want to have. She understands the frustration that a lot of people feel but also the potential, hope, and capability of what we are able to do if we talk and listen to these issues in a different manner. Just listening to the Captain talk about these different issues over the past year or two he is confident that she understands where people are coming from and what they are looking for in law enforcement. Law enforcement and authority in general in 2020 and beyond is going to look a little bit different than it has in the past. He has a few questions for the soon to be Chief as far as our Community Engagement Initiative but he will wait for his report for those. Mr. Reynolds will obviously be supporting her proudly tonight.

Dr. Van Wirt wanted to say congratulations to Captain Kott and she knows that the Bethlehem Police Department is in good hands and she looks forward to her work in the future. She added that she will be supporting this tonight.

Mr. Callahan also wanted to echo the comments made here tonight made by his fellow Council Members. He was very impressed by the presentation Captain Kott made for us not too long ago. He congratulates her and wishes her all the success in her new job. It is a great appointment by the Mayor and he looks forward working with her. Mr. Callahan totally supports her nomination to this position and again congratulations.

President Waldron remarked last year he and Mr. Colón had an opportunity to sit down with Captain Kott for a while on a private presentation in which he walked away from that room thinking that she could be the next Chief of Police. He did not think it would happen in the way that it did but he is glad that she is stepping into this role and he believes she will be tremendous at it. President Waldron wishes her the best and he can speak for all of Council to say that we look forward to working with you.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

Police Chief Michelle Kott stated to Mayor Donchez and Council thank you so much for this great honor. She is humbled to have this opportunity to serve the community and the men and women of the Bethlehem Police Department, she will not let you down. It is a challenging time right now as Councilman Colón said but through challenge comes real change and she is ready to get started. Thank you so much for all of your support and she looks forward to working with all of you.

2021 Budget

Mayor Donchez informed he and Mr. Evans have begun meeting with various department heads regarding the 2021 budget. The budget will be released Thursday, November 5, 2020 and probably will do some YouTube or live streaming with the releasing the budget, more information will follow on this.

Playground/Lehigh County Ballot Box in City Hall/Lehigh University COVID testing

Mayor Donchez pointed out they did open the new playground at Webster and the Greenway and he wanted to thank the DCNR for a grant and the Department of Community and Economic Development and Jodi Evans did a great job. It is a great asset for south Bethlehem and is right behind the old Bethlehem Catholic High School. He added that Lehigh County will be installing a voting box in City Hall tomorrow morning at 7:30 am. This will be for the people who live in west Bethlehem and Lehigh County. He thanked Executive Phil Armstrong and Amy Zanelli and Grace Crampsie Smith for their input here to get Executive Armstrong to install a voting box here in Bethlehem City Hall. Mayor Donchez mentioned that Lehigh University began an active COVID testing of their student body today and we will get some updated numbers but as of this afternoon we have 75 positives and once we get the full scale of what the tests show he will have Kristen Wenrich, Health Director send a memo out to City Council with an update.

President Waldron queried if 75 students were tested positive.

Mayor Donchez stated that is correct, they have 75 positive cases.

President Waldron asked if Mayor Donchez knows how many were tested.

Mayor Donchez stated he does not know.

President Waldron remarked when that information is sent out to us please include that so we have an idea of what the test rate looked like.

7 C. *Councilman Reynolds - Community Engagement Initiative*

Mr. Reynolds stated he wanted to give an update on the Community Engagement Initiative and the first thing has to do is thank the City Clerk's Office and thank Mr. Vidoni and Ms. Kelechava for their work here going forward, it is very much appreciated. Many times even if we have regular interaction with our office, sometimes we underestimate the amount of work that goes into doing things that we think are simple. He has been around here for a while and he has a good understanding of how much work something will take and then Mr. Vidoni or Ms. Kelechava or Mr. Spirk reminds him that we also need to do this, this and this. He wanted to thank Mr. Vidoni for his hard work here especially. One of the things he talked about a few meetings ago was the idea of the Community Engagement Initiative and he thought we could have moving forward two types of meetings in our initiative. The one would be a city run traditional meeting whether or not Public Safety or the Administration requested one we will be having, a Committee of the Whole Meeting that we will be having at the end of October that are generated by City Hall and government. The other type of meeting or conversation is similar to the type we have been attending in the community in the past several months that have to do with these issues that we have spending time talking about, whether or not social justice or systemic racism, the link between these issues and the involvement of the police department. He stated also just the different influence that these issues have on individual's lives. One of the things he came up with was the idea that every month City Council will put together a list of these events that are going on in the community. We did it the first time this month where the City Clerk sent out an email a few weeks ago asking Members of Council to add different events that they knew about in the community to a list that would then be passed

around to City Council. Mr. Reynolds has talked to the Mayor recently and the Mayor has agreed and we have to work out the details, once we have a list of these community events on a month to month basis that we would find a way to put that out through the City's communication channels. It might be the website or the other communication channels we have. The process is as there are community events that we know about that have to do with these conversations we all want to be a part of that we will send them to the City Clerk's office by a certain date. Why are we doing it like this? It is because we cannot put the City Clerk in a position where people call him and say they want an event listed and then he has to make a decision on whether or not we should include this event. Between the seven of us we are pretty connected to the community and we have a good idea of what is going on. Mr. Reynolds believes that the best kind of process for this to be fair to Mr. Vidoni is that as these events come up whether or not they are put on by the Hispanic Center or the Community Action Committee or different neighborhood groups or New Bethany Ministries or Churches is that we will forward that information to the City Clerk and they will then be able to put together a list with links that we will then work with the Administration to be able to put those events out through our city communication channels to allow for people in the community and also City Hall employees to be part of these conversations. That leads to his next point. He had the pleasure of speaking to Police Chief Kott last week about how he thought the one thing that a lot of these community conversations have been going on and will continue to go on, what they could use is real involvement from the Bethlehem Police Department. The Chief has always been more than willing to participate in as many conversations as possible, get out to as many of these things as possible. If this is going to work and if we are going to expand conversations we need to find a way to get not just the Chief there but other police officers, it does not need to be a lot but he thinks it needs to show the community that these issues people are talking about, we look at counting 1 to 10 and we get to 10 then the police get involved but 1 through 9 are really important with influencing police involvement in our community in a lot of ways. Mr. Reynolds noted it is important for our police department to be involved and understand these conversations, not just getting training a few times a year but actually going out and listening to people in the community. He was very impressed with the Chief's confidence and intention on sharing that vision. Mr. Reynolds wanted to give the Chief an opportunity to comment on that idea about the belief that we are able to get more of our police department involved in these community conversations in the coming weeks and months.

Police Chief Kott stated absolutely, that is the way are going to build that relationship, it is through positive non-enforcement contact. Not only will it help strengthen that bond between our officers and the community but it is also going to build that equity, build that legitimacy and it will help our officers remember why they became officers in the first place. Our officers want to get out into the community, they want to help community members and that is what our community is asking for. Chief Kott added it is easy to try to think up what exactly the public wants but it is time we listen not only to our community members but to our officers who want more community engagement. She absolutely agrees with Councilman Reynolds, it cannot be just the same one or two faces going to these community events. That is not going to help build that relationship back. We need to have it from a top to bottom approach to have all members of the department engaged in community policing. Chief Kott is very confident that the men and women of the Bethlehem Police Department want to take part in this.

Mr. Reynolds noted that is fantastic and he appreciates her openness in this and her confidence. He will only speak to himself, when he became a teacher and he has been teaching high school for a while, it is one thing when we were given articles to read or someone is presenting about

the issues of equity or our own experience but it is a whole other thing when he has been able to have conversations with students and parents and community members to understand their different experiences that many families have with the same institutions he takes for granted. It has been an eye opener and it has not always been easy, it has taken a lot of self-reflection and how he defines himself as a teacher. One thing he has come to understand is that only by putting himself in those conversations is he able to get a better understanding of where the community is coming from. He appreciates the Chief's interest in sharing that vision. Mr. Reynolds noted to his fellow Council Members that the City Clerk's Office gets busy so as these different events come up as you know they are going on if at all possible try to get these to Mr. Vidoni or Ms. Kelechava as soon as possible to make their lives a little bit easier. This will be a work in progress, it will not be perfect the first month in how we share this information but he does know we have a top notch City Clerk staff and he knows with his conversation with the Mayor the other day, they will work with us on getting this list of events out. He will encourage all Members of Council to get to as many of these conversations as possible.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

- A. *Bill No. 23-2020 – Zoning Map Amendment – 2105 Creek Road – RR Rural Residential Zoning District to R-RC Residential Retirement Complex Zoning District*

The Clerk read Bill No. 23-2020 – Zoning Map Amendment – 2105 Creek Road – RR Rural Residential Zoning District to R-RC Residential Retirement Complex Zoning District, sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE AMENDING PART 13 OF THE CODIFIED
ORDINANCES OF THE CITY OF BETHLEHEM, PENNSYLVANIA,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE OF THE
CITY OF BETHLEHEM, PENNSYLVANIA, BY AMENDING
THE CITY ZONING MAP

President Waldron related this project came to Council with some pretty strong recommendations from both our City Planning Commission as well as the Lehigh Valley Planning Commission who weighed in heavy against this project. It would be his consideration to take those recommendations and not support this project for the exact reasons that were laid out in those two bodies.

Voting NAY: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. Bill No. 23-2020 failed by a vote of 0-7 and there will be no Second Reading or no further votes on this ordinance.

10. RESOLUTIONS

- A. *Approve Lease Agreement – Proposed Small Cell Wireless Lease with New Cingular Wireless PCS, LLC d/b/a AT&T Mobility*

Ms. Grace Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-160 that authorized to execute a Lease Agreement with New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, for the installation of small cell wireless facilities on City-owned or operated poles.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

B. Approve BPD – Firearm Purchase – DiLuzio

Ms. Crampsie Smith and Mr. Waldron sponsored Resolution No. 2020-161 that authorized an agreement to effectuate the transfer of the City issued handgun assigned to Mark DiLuzio, Retired City Police Officer.

Ms. Negrón remarked we have done this before but the year 2020 feels a little different and she has a few questions about the process. She asked how much the cost of a gun is right now because this resolution says the price is \$300 dollars.

President Waldron can say the market value of a Glock #19 would be higher than the \$300 dollars. The thought is that there is a decreased value because it is used as a service weapon which means it may not have been fired in the line of duty but it is used through thousands of rounds on the gun range. So it would have a diminished value versus a new model of that exact gun. The fact that it is used, it has a decreased value. He believes this is the standard rate, the \$300 that we have passed maybe a half a dozen times in recent memory including this year and last year.

Ms. Negrón knew that but how often are guns replaced, what is the life of a gun for a police officer as opposed to a civilian because it goes to the range more often and is shot more often.

Chief Kott explained there are a lot of variables that would go into that, depending on how often it is used. We do have armors that take care and service the officer's firearms but usually when a firearm is issued to an officer it is good for their career.

Ms. Negrón remarked he had this gun that we are selling to him and had it for 30 some years.

Chief Kott noted when he initially started at the Bethlehem Police Department they have one particular type of firearm that was changed, she is not sure if they utilized revolvers at that time but they upgraded to something else and then a few years ago, she would have to check the date but we switched to our current model. Once it is issued it is usually a number of years, if there are not malfunctions or any type of issue with it.

Ms. Negrón remarked we want to make sure they are safe to be used by an officer. Have we ever denied the purchase of a gun to a police officer?

President Waldron stated not since these resolutions have been coming to use in the past couple of years now.

Ms. Negrón informed she does not mean on the City Council table but at the Administration level, if someone requested to buy their firearm and they were denied.

President Waldron explained these resolutions just starting coming to us, previously the sale of the firearm happened internally without Council review. This process is a newer one, but he would imagine not.

Ms. Negrón noted she has spoken to a few officers and she knows at some point the officer's had inscripted the badge number and is that still happening so they have the matching gun with their badge.

Chief Kott stated at one time the serial number, every firearm has a serial number on it, our handguns and the serial number contains an officer's badge number.

Ms. Negrón asked if that is still happening.

Chief Kott informed to her knowledge, yes.

Ms. Negrón related so when you retire you can purchase your gun which also has your badge number.

Chief Kott stated it is an option available to that officer that is retiring.

Ms. Negrón understands that is of great significance for somebody that used their gun for so long. She would like us to think about the expenses and what we are doing with it. She pointed out that 50 some have retired in the last 5 years and we have not gotten 50 resolutions in the last 5 years. What happened to those that did not buy it and what happened to the gun.

Chief Kott stated we maintain that in our armory and as long as it is functional and that there are no issues with that firearm it would be reissued to an officer that is hired.

Ms. Negrón continued to say those that we have sold already then we need to purchase new guns when we hire new ones, with the 50 that retired we would have to purchase 50 new guns.

Chief Kott informed we would have firearms in supply, a certain number of those so we would not have to wait to get any in. But theoretically yes, if that supply dwindles then we would have to get more if we hired more officers.

Ms. Negrón just thinks that in 2020 with so many incidents that happen across the nation and to her she feels it closer because people that look like her have been killed by one of those guns. So it is something she would like us to think about. She knows the memory is a part of this. She spoke with many officers and they helped her understand some of this but she also wants to look at the budget and the cost. Are we really doing something that makes sense if their guns could have been saved and given to the officers that we need to hire? She just wanted to put that out there and perhaps she can have a conversation with the Chief later on about this to see how this can be different in the future.

Mr. Callahan is assuming that price is being sold to the retiree is the market rate of a used handgun.

Chief Kott stated that is correct.

Mr. Callahan does not know why this was brought up tonight. He is a little appalled at Councilwoman Negrón's comments about the use of a gun in murders and things like that. Chief DiLuzio served our city honorably for 25 years and we have all on Council voted for dozens and dozens of guns to be sold to the retiring officers as a memento and they are paying the market price of it. To question it now to him is disgusting that she would even bring this up at a time like this when he is leaving our department after all those years of service and make the comments she just made.

Mr. Reynolds informed he had the City Clerk look this up and 2018 was the first year we voted on the firearm sale and he believes at that point in the last 2 years we had voted on 19 or 20 of these. It is also something he has brought up before. The difficult part on this one is that this is the first time we are selling one since June and he believes it is the first time we are selling one since March or April before a lot of the conversations across this country. If you go back and look at other City Council Meetings a year ago or two years ago one of the things he asked former Chief DiLuzio to do was that if we are going to sell these guns that have a symbolic value of a government selling a police officer their weapon that we should take the proceeds and we should put them towards anti-gun violence or some type of community engagement. Mr. Reynolds brought this up to the Chief two years ago and no budget line item was created. He did not come back and have any conversations and say anything about it. He seemed to say it was a good idea but nothing necessarily happened. Mr. Reynolds understands from a practical point of view we want our new police officers to have new weapons and ones that are reliable. But if we are going to be selling police their gun when they retire that it is a situation where we should be taking that money and we should be putting it towards things that we can be proud of. He noted that 19 times in the last two years times \$300 dollars is \$5,700 dollars so it is not a ton of money. When he looks through the agenda, it just feels different now than it has in the past. It is not necessarily a situation where we need to vote no but he would ask the Chief if she would entertain moving forward coming up with a use of these funds that we could look to and say that this money is going towards some type of anti-gun violence in the community or community engagement.

Chief Kott stressed she will look into this. She will look at the numbers exactly how many were sold, how we got that price and where exactly that money goes. She will report back to Council in the future.

Mr. Reynolds informed this is important to mention this is the first resolution like this we have had since June 2020 and it is also something that we have brought up before as far as the message it is sending. He thinks it has the potential because it is the Chief to appear that it is something else and he does not want to vote against this tonight, what he wants going forward is that we understand the symbolic value of guns and the police. This is the first meeting for Police Chief Kott so she has been only in for about 25 minutes so he does not want to put her on the spot. But he does echo some of the concerns of Councilwoman Negrón about this and symbolic value of it.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

C. *Approve Contract – Tri-State Financial Group, LLC – Business Privilege & Mercantile Tax Collection*

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-162 that authorized to execute an agreement with Tri-State Financial Group, LLC for Business Privilege and Mercantile Tax Collection.

President Waldron asked Mr. Evans if there are any changes he would want to point out on this contract versus previous contracts with Tri-State.

Mr. Evans informed no changes, this is just an extension. The term did run out. They are efficient and effective and we use this along with the Bethlehem Area School District. This \$195,000 is for 3 years and represents our half. The school district also uses them for their portion. So we are happy with them and propose renewing them.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

D. *Approve Local Share Program Grant – Improvements to Golf Course*

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-163 that authorized the grant application for the Lehigh/Northampton Counties Local Share Grant Program to improve the Bethlehem Municipal Golf Course that is approved and that the Mayor and Controller of the City of Bethlehem are authorized to provide the necessary assurances and certifications to the P.A. Department of Community and Economic Development for the grant execution and implementation.

Dr. Van Wirt remarked when this item came up on this agenda she was concerned because as we know our golf course is part of an Enterprise Fund and the idea behind this is that this is an entity that is self-supporting and that they are able to cover their expenditures with their revenues. This is a significant amount of cash; we are talking about a request for \$162,035 dollars. Even outside the idea of infusing more cash into an entity that is supposed to be able to be liquid on its own she had concerns about the use of this grant at this time. Dr. Van Wirt wanted to make sure that she knew exactly what she was talking about so with some help she did a little research on these grants. She wanted to refresh herself and anyone on Council who many not be familiar with these grants and particular the public on what is the purpose of these. There are three eligible uses for this specific grant. Number one is projects that are in the public interest, projects that improve quality of life and the effected communities. Number two is community improvement projects which are projects that improve or create civil, cultural, or recreational activities or facilities which she assumes this would fall under. Number three is economic development projects which are projects that promote local economic activity and create and/or retain jobs. There are some restrictions but they are not much, it is a pretty easy program to qualify for. Then she just wanted to go back over when we have spent these funds before and what have we used it on. Dr. Van Wirt stated her idea in looking at this is are we using these funds to the best of the ability for the time we have, and so that it benefits the majority of the

citizens of Bethlehem. She has concerns that spending this money on the golf course benefits just a tiny proportion of the citizens of Bethlehem. So in terms of within the last decade in 2011 we bought a new fire engine and that benefits all the citizens of Bethlehem. In 2011 we bought a new ambulance and that is the same thing. In 2011 we did the loop transportation program to encourage residents, visitors, and commuters to use the shuttle. In 2013 we bought a police transport vehicle, in 2013 we did a fire department hazmat vehicle and then in 2018 we did 2 grants to the golf course. Dr. Van Wirt is asking Council at this time and fellow citizens if this is the wisest use for this money at this moment in time when so many of our citizens are hurting and suffering. We have been able through Northampton County with the CARES grants funds and through the schools to be able to target some temporary internet access. She is open to any other proposals that help the majority of the citizens of Bethlehem but she proposes to look at how we take money like this and put it towards finding how to provide universal broadband access to the citizens of Bethlehem. If that is not your thing that is fine but let us talk about how to use this money in a way which will benefit all the citizens of Bethlehem. Dr. Van Wirt does not think the golf course is it so she would ask her Council Members how we can use this money better and as a result she cannot support this tonight.

Mr. Reynolds queried about the process for this particular grant to the Administration as far as we applied for this and how this was determined or if this was something that money was able to be moved from.

Mr. Evans stated the Administration will always continue to review all grant opportunities as we talked earlier tonight at the Committee of the Whole Meeting with the 5 year Capital Plan. There are a number of opportunities that have different types of eligible uses from CDBG which is \$1 million dollars a year to use in different segments and census areas or DCNR and DCED and this is an LSA grant. We talk about Liquid Fuels or Recreation funds. Between the different grants there are eligible uses for each type of grant. The Administration's job is to attempt to match priorities, there are current priorities which continue to be fluid and never advancing and never moving forward to the appropriate grants or funding opportunities. Mr. Evans stated the LSA as was mentioned is specific to tourism, recreation, and when we looked at the Illick's Mill corridor we look at what types of grant funding that have been available in the last several years and Lehigh Little League at the top helps and serves a small segment of the community, certainly not the majority. He does not think that any grant or a few grants serve all and everybody. Each grant is going to have a target use and that is driven by eligible uses and current priorities in an attempt to spread it out realizing very few reaches everybody. Last year Council voted on this, Lehigh Little League received grants to do some work on their scoreboards. Moving down Illick's Mill road the recycling, the performance grant allowed us to buy a front end loader and moving down the Memorial Pool, a certain segment and again not a priority but was over \$1 million dollars. Relatively speaking this is a small amount when we talk about the golf course; it goes along with Lehigh Little League, the recycling center and Memorial Pool. It is something we want to invest in. We are talking about thousands and thousands of citizens that use it, we know this year by the numbers again it is doing very well. But much like the little league, recycling or the pool assistance for the community and the health and well-being of the community and the users that do use it, we felt this grant was a small amount. A few years ago this Council voted to support a \$225,000 dollar grant and there were two applications knowing we would only receive one, we were told and followed those directions to apply for two. One was crossed off, the Monroe County grant, that was not used. The one that was pursued was the Northampton/Lehigh County one. The request for \$225,000 dollars was only

awarded at \$75,000. At that time different money was moved and the District Attorney used some and the National Museum of Industrial History used some. Mr. Evans noted this goes back to the administrative priority initiatives knowing there are a lot of them, some are smaller and some are bigger. The health grant we have now which will be coming to the Finance Committee shortly is over \$3.5 million dollars and one of the issues with that is that there is so much money coming in with tight timelines and a limited number of eligible uses and also the capacity of our ability to move that money out and apply. That is something we are working through now. The CARES grant is also through Northampton and Lehigh County and we are attempting to do the highest and best use for that. Mr. Evans explained broadband is out there but that is a much larger project, this is a request for \$165,000 dollars. For any type of broadband to extend, that would be a larger project with longer in term and longer scope. While he would agree with that something like that would be much larger in scope, this is for a smaller project and for equipment specific to the golf course and is an investment to the city where a number of citizens do use it and enjoy it daily and throughout the season.

Mr. Reynolds does think that Dr. Van Wirt has a legitimate point here as far as the planning is concerned for broadband. He does understand that the county through CARES funding was able to solve that problem in the short term. We have this resolution in front of us now so this is a situation where he understands about what the golf course brings to the City of Bethlehem but it is a legitimate issue to bring up. We are not looking at how much money we need to fix the broadband issue, we just need to start by studying the broadband issue and studying about where the holes are and where this is a problem going forward. Mr. Reynolds noted that might not be with this particular money. The fact that we are applying for this grant, he does understand but he does think it is a legitimate situation for us to take a look at how we are planning this. He knows the Mayor has participated in conversations with Superintendent Dr. Roy. The CARES money that Northampton County was able to deliver is going to give us the short term answer but this needs to be a priority for us over the longer term. If we did not believe that before the pandemic, we certainly believe that now after the pandemic. It is not us going back and reapplying for this particular situation but he does agree with Dr. Van Wirt that his needs to be looked into. We study a lot of things, we put together a plan for a Climate Action Plan, Northside 2027, the Pedestrian Bridge, but we do need to get this broadband issue on that same path. It does not mean we need to do this tomorrow but we do need to do this as soon as possible because this is an issue in the future.

Ms. Negrón stated she agrees with both of her colleagues. This will not go away anytime soon, these students are struggling and families are struggling. This is an issue that should be on the top. She agrees that we have done many studies and that is the first step and we need to do it, we cannot wait any longer. Dr. Van Wirt had mentioned that the golf course is supposed to be self-sufficient and we have already allocated lots of money to the golf course. People are happy about that but we really need to think about how we are continuing looking for funding and grants and what is the real need of our community. We need to be able to serve the need of our community.

Mr. Callahan asked Mr. Evans if he knows the amount of grants we received for Memorial Pool.

Mr. Evans believes there is a combination of 3 and they were all state grants and the total was around \$1.5 million.

Mr. Callahan asked if we know how many people use the golf course every year versus the pool.

Mr. Evans remarked he does have attendance numbers on a spreadsheet but did not look at this summer with them closed but he has put in those metrics most recently. He knows in revenues it is typically \$140,000 but how that breakdown is with season passes and day to day he does not know.

Mr. Callahan asked if that is for the pool or the golf course.

Mr. Evans noted the golf course revenue is about \$1.4 million so it is about 10 times in revenue of what a pool is. How that equates to people and season passes he does not have that data but he could get that. He has that on a spreadsheet from last year in 2019, attendance in each pool when we were tracking through the years and getting attendance daily in each of the 4 and sometimes 5 pools. We were trying to track trends for planning purposes.

Mr. Callahan remarked he would like to see what the numbers are as far as the amount of usage between the pool and the golf course. Off the top of his head he would assume that the golf course is used a lot more than the pool is by city residents. He knows all three high schools use the golf course also for their home courses, Bethlehem Catholic, Freedom, and Liberty High Schools. He does not think that could be said for the pool. There was over \$1.2 million dollars in grants that went to the pool and that is all part of the recreation program for the City of Bethlehem which he is totally in favor of especially in this day and age with all the kids on computers and with all the Zoom meetings. It is very important that we keep our recreational facilities up to par and he will be in favor of this small amount of money for the golf course.

Mr. Evans remarked we have been talking about broadband and the Mayor has had that initiative and we have had a number of talks with Northampton County. This is a larger issue. The grant we are talking about, this application comes up every year and it was actually due over the summer because of COVID it was postponed. They postponed the window from through September and October so in a matter of weeks this application for this year is closed. When you talk about broadband he will state that this is a much larger conversation that includes the big piece of the Bethlehem Area School District as well as Northampton County and the City of Bethlehem working in conjunction. It is a big time of scope in order to even prepare for something like that which would involve the players that are required. The Bethlehem Area School District does a huge part of serving the community and serving the students. If it is not this it would not be that instead, meaning it they would need a lot more time to prepare what needs to go into that type of grant to get that group together that is required. We can continue to search the funding opportunities and we have been working through a number of meetings with those groups including Universities. It is apples to oranges with what we are talking with this particular grant in front of us versus a broadband which would be much larger in scope but also of high critical importance, he would agree.

Ms. Crampsie Smith remarked that was one of her questions, where are we at with the timeframe here. Is it even too late to consider diverting these funds to another project and that answers her question? She agrees with all the comments tonight, she sees all sides of the issue. Being a school counselor she thinks that we definitely need to take a priority to try to get broadband into the community. Fortunately she knows for her students now the county is

providing waivers so anyone who does not have internet can get internet. The problem is that those people that fall through the cracks because that is only for students who do not have a contract with an internet provider now and she knows many families having lost jobs are struggling to maintain their existing contracts with internet providers. That definitely needs to be a priority. She also believes that recreation is a priority. While she does agree with Dr. Van Wirt about this being an Enterprise and self-sufficient she does think it is a good thing and does a lot of positive for the community. They do have a program for at risk children in golfing which is great and providing the golf course for the local high schools is also a good thing. Ms. Crampsie Smith does know a lot of people who do benefit and do enjoy the golf course, especially people who have worked all their lives and are now retired within the community. It is just a balancing act when we look at the pool and she looks at the individuals that use the pool all the time. We just need to keep our minds open so we can offer the best resources with our limited funds for all in the community and not lose sight of all those different groups that have different interest's recreation wise. She will support this but she hopes and asks that the Administration look to prioritize a broadband. Also, when we have these kinds of grants that we maybe have more of a heads up as far as what other options are available that we could earmark this money for.

Dr. Van Wirt asked Mr. Evans that in her research on this she understood that this money is not committed at this point in time. She also understood that there is an entity out there that is specifically set up to help cities like ours who are making the initial steps into looking at what does Universal Broadband mean for a city. It is money that would go towards those initial baby steps and if this money is not committed we could look to them to help guide us on how to use it better. She also would point out that the CARE money is what is funding all of this support from the county to citizens or kids who do not have broadband access before. When the CARES money dries up the internet access will dry up but that does not necessarily mean that the kids are going to not be at home without internet to attend school. We have a looming problem and she is asking that we use this money in a way to make the initial steps forward to look at what it means, how can we do it and what kind of support is out there for us.

President Waldron remarked that when Dr. Van Wirt was speaking she was cutting in and out which just proves the point that Bethlehem needs an investment in broadband.

Dr. Van Wirt noted her question is that she understood that this money was not committed and it is not too late to say that we want to use it for something else. Is she incorrect?

Mr. Evans stated no, the window was over the summer. Each grant has a beginning when it opens up and the due date when the grants are due. This was over the summer and because of COVID they extended it but there is about 30 days left in order to do it. The reality of the situation is that it is a much more strategic plan to put a grant together for broadband. Even if we did that to write a check for \$165,000 he would not feel comfortable until we had more of a conversation about it. He would not feel comfortable putting a plan like that together until he had time to collaborate with the school district, the county and come together in 30 days during budget season, there is only so much capacity with time. It would take more time to develop this and get the people to write the grant which would likely be him in the middle of the budget season. We cannot just do this as a stand-alone as a city, we need the time and attention from the district and a number of internal meetings. It is a much more complex issue to put this together in grant form for a study with the 30 days this is due, even less than that because it would have to come back to Council within 2 weeks for the approval. Next time we meet is October 20, 2020

and after that the due date is there. The timeline in this is short. It came to his attention this was available and fact that it was 2 years ago it seemed to be a fit down on the recreation corridor and the investment that has been made in the community. It is a small amount and it seemed to be a good fit. He does not argue at all against broadband, he supports that but in the meetings he has sat in they have been long, extensive, great discussions but knowing the long term it is a longer path with more money and time and more collaboration between the key players than just something can be done in 2 weeks without those kinds of meetings.

Dr. Van Wirt commented she understands this is due in November but she also understands that COVID has created a complete new urgency in how we do things in the city. She would say that this is one of these situations that arises to the importance of figuring out how to do it better. That is why she is saying she thinks this does rise to that level where we can divert these resources put our heads down and make it work. She thinks we are there and the need is there.

Mr. Callahan believes that Dr. Van Wirt had requested \$50,000 dollars in grant money for a study for a pedestrian bridge over the Lehigh and maybe we could divert that money. He is all for broadband also and if it is so important maybe we could take the \$50,000 dollars for the bridge.

President Waldron thinks the point here is just a difference in priorities. The golf course has been turned around in recent years due to the efforts specifically of Mr. Evans and the crew he assembled at the golf course. What once was something that needed a lot of attention is now on a good trajectory and hopefully this grant is something that pushes it further along that path. At the same time he does not think that broadband is something that should be considered a secondary priority especially in our current time of need for access for every home in the city. Clearly the golf course serves not only city residents but people throughout the region where our conversation about broadband is tailored to more at risk families who need access and need support from their city. He would encourage the Administration to help re-prioritize and reinvigorate some of those conversations of what we can do temporarily in the short term through maybe working with the county and the school district and the CARES act. But also what is our long term solution because it is not as if we will have any less need for broadband in 2021 than we did this year. He will be supporting this resolution his evening and he hopes we can continue the conversations in the future about broadband access for all.

Mr. Evan pointed out that he has learned a lot this year before everything happened; our ability to get together with the district as much as we were it was rolling pretty good. It is very complex, we rolled out issues and had Service Electric in and RCN in and the Universities in and the county and their role and the issue of the students with the cross of city lines into the townships and with Fountain Hill and Hanover that all really makes this complex. We are working through these but this will take time. The purchase of the vouchers is short term but to deliver into some houses and not blanket everybody because sometimes people already have it and do not need it so how do you get to some and not others that became a real problem. We are working through a longer term solution. Dr. Roy as well as Mayor Donchez, we had several really good discussions in the office. This is not being ignored or put back on the burner but it is just not an easy fix. Our IT department gave us a lot of great feedback about what was doable. At this time it is just very expensive to do, what exactly the city and district initially wanted to do.

We are trying to find alternatives that can be sustainable not only to individuals but also to the city. He is 100% with that priority.

Mr. Reynolds stated that is great and what we need here in the coming months or some point soon is a study that looks at the different options with the potential of 5 G coming into neighborhoods and potential for us to sell space on our light poles which we own to partner with people to create an organic mesh network. There are many capabilities but just like everything else, we have studies with the Parking Authority, studies with Northside 2027. Often times they provide us with the opportunity to take a look at all of the different options. He believes that the capacity of the Administration, school district and with the county right now is that he would respectfully say they have a lot on their plate. Bringing in somebody to look at those potential options that have worked in other cities is a good idea. It is working with our Climate Action Plan, it worked with Northside 2027. Maybe we can hopefully find a way to pay for this sooner rather than later. When we did the study, the communication survey and we saw that 1,500 people answered that survey in English and 7 answered in Spanish and you look at our census data and it is 20% of our population that does not have internet access. It is not just important for the school district, which it is but it is also important for other things. We invested a lot of money and time into that app for city services and if people do not have computer access they cannot report things in their neighborhood like potholes then that becomes a systemic problem. Mr. Reynolds knows that the Administration has a lot of work to do with this pandemic and a challenging budget. He does believe while this grant is not the place to do it, one way that would solve this is if we could see that effort being put forth as far as finding money to be able to do that study and look at the options. Mr. Evans is completely correct; it is a complicated and difficult situation. Generally when we do that we can find a few dollars to study the issue then we can have those options going forward.

Mr. Callahan asked if the grant for the feasibility study on the pedestrian bridge money is movable.

Mr. Evans stated he is trying to remember if that money was in the Capital Plan or in the operating budget.

Mr. Callahan informed he believes we got some money from the county also.

Mr. Evans stated yes and that was a grant for a specific purpose. Once you receive a grant for a specific purpose that is pretty much it. He noted it would take a bit of time to move it to another deemed eligible use. You could propose an amendment, some grants allow it and some do not. The time runs out sometimes, once it is awarded and not spent it reverts back. Again, there are many grants that come rolling through.

Mr. Callahan wondered if we would have to ask permission from the county then to move the money from the pedestrian bridge study to the broadband study.

Mr. Evans remarked that came from the county with the support of Executive McClure. There was the Northampton grant and a match, so there were two pieces that made up the total.

Mr. Callahan believes during our budget season last year City Council also put in \$50,000 dollars for that study. He thinks that with the climate we are in with COVID and the pressure it

is putting on our budget, to throw \$150,000 dollars of money into a pedestrian bridge study at this time is not feasible especially when you consider that a pedestrian bridge would cost millions of dollars. Some of the estimates he heard were up to \$8 or \$9 million dollars for the pedestrian bridge over the Lehigh River because it also has to bridge over the railroad area on the south side. Honestly with the budget pressures on us right now he does not see us coming out of this for another year or two. He does agree with Dr. Van Wirt and Mr. Reynolds that broadband is an important issue. Mr. Callahan noted he teaches at Northeast Middle School and he deals with those kids every day. He was on Zoom meetings all day Monday with those kids so he agrees that broadband needs to be addressed at some point. If we cannot move this money because of time constraints, hopefully we can do it and possibly we can ask the County Executive to use that money that was allotted for the pedestrian and bike bridge over to the south side and over the Lehigh.

President Waldron explained the grants for the pedestrian bridge did pass Council unanimously and the idea of moving that money is a non-starter.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Mr. Reynolds, and Mr. Waldron, 5. Voting NAY: Ms. Negrón, and Dr. Van Wirt, 2. The Resolution passed 5-2.

E. Approve 2020 Pension State Aid Allocations

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-164 that authorized the appropriate City officials to allocate \$4,012,924.11 of the 2020 General Municipal Pension System State Aid among the City's pension plans as set forth in the body of the resolution.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

F. Approve Use Permit Agreement – St. Luke's University Health Network – Earl E. Schaffer Ice Rink – St. Luke's Delong Sports Camps

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-165 that authorized to execute a Use Permit Agreement with St. Luke's Health Network. The event is the Delong Sport Camps at the Earl E. Schaffer Ice Rink during the months of June, July, and August for the years 2021 to 2023.

Ms. Crampsie Smith wondered about the cost of this camp and who the audience is and if this would be a pricey camp and if they will be paying rent to the city and if there may be scholarships to the students who are at risk or low income. Having had children that are student athletes she saw many of their teammates who spent a lot of money for camps like this. There is value in this but we need to balance it because there are children who cannot afford these things.

Mr. Evans does not have all the answers right now. The Ice Rink is a large rink and it is even bigger when the ice melts and you see how much space is available. Years ago our Recreation Department started to use that asset. It sits alone, when the ice melts it is used by the Book Fair which raises money for great causes followed by the Boutique at the Rink that fills the place up and raises money for a great cause. When it empties out it sits empty. Years ago the Recreation department attempted to start camps there. There is a cabin inside where they can

store their goods and there is an open area and you are out of the sun even on hot days. By midday you can go across the parking lot which your advisors to the Memorial Pool. So it seemed to be a great thing and for a number of years could not get it going. There were different things that we could not afford, our Recreation Department is surprisingly small, there are 3 full time people and then they hire for the season whether it is the ice skating rink or the pool. So hiring a lot of kids never caught on so after some time that was shut down. The opportunity came up again this summer with what is proven to be a great partner, St. Luke's Hospital. We have two great hospital systems; St. Luke's has been active through the schools for some time. They approached and the Recreation Director Jodi Evans met with a representative from St. Luke's who wants to offer a program this summer because of COVID regulations and all the schools were shut down inside he felt that they could set up something with the hospitals oversight and all the CDC guidelines. The Health Bureau was involved, brought in to work on a plan that could deliver a safe program. Mr. Evans stated it was designed for young athletes of different sports and different outside training that they could not do inside. It was very well received with a great crowd every day. They want to expand on that and reach out farther and bring in speakers as well as conditioning and different things that a hospital can do and bring in their expertise to our table. This is a partnership, we each give a little and get a little and hopefully at the end of the day a lot of youth in the community win. They do pay rent. Normally it would sit open. There is a standard rent if you would ever want to rent a pavilion, they are approved at budget time, whether you want to rent a pavilion or rent the ice rink in the winter time, it is used in the winter time but in summer it is much more less because there is not a lot of demand. Since that camp shut down years ago it sat dormant so St. Luke's saw this opportunity and wants to deliver these resources the staffing and they do the cleaning to serve the youth of the community and they are paying the rent that is prescribed through the city ordinance. He believes it is about \$100 a day which is not a lot but it is an open structure. Right now this is a right of first refusal which allows them to use it. They had a great year because of the pandemic. We will both reevaluate in the spring and this puts the ability to do that in place. The brochure will come out later and he will share that as to what pricing will look like. It is a vision based upon what happened this summer. The specific programing is not set and the pricing is not set. The idea of offering scholarships is good and he has found that St. Luke's is a good supporter of those types of avenues. They would be open to it. We think this will be a great partnership and this sets up the framework to go build their program.

Ms. Crampsie Smith agrees, she is all about recreation and sports for students. She will support this but she hopes we can encourage St. Luke's to offer scholarships. She does know when her kids were involved in sports parents were paying hundreds and thousands of dollars a year for these kinds of programs. Then there were other children whose families could not afford it. That is a whole equity issue.

Mr. Evans agrees and added that they are a non-profit and one of their missions is to give back to the community. We do understand that they have staffing and this was very popular this summer. If it does grow and that revenue comes in then they can spread out and offer opportunities to additional students and keep pricing a low as possible or provide scholarships.

Mr. Reynolds believes there was a reduced rate for student athletes that were going there that go to school in a district that has a relationship with St. Luke's, that being the Bethlehem Area School District. These kids were able to pay a reduced rate if he remembers correctly. Because of St. Luke's involvement with those schools they were able to have a connection as far as having

some of the coaches there during the pandemic related stuff with having St. Luke's there with following protocol. When he remembers seeing the brochure it was something like \$60 dollars for 2 months or \$40 dollars if you went to one of those schools. He does not know if those coaches would pay for those kids who may not afford it, he is not sure. He does know that relationship with the Bethlehem Area School District led to reduced amounts for some students.

Mr. Evans added that the Booster Clubs in the respective schools also work to create the funding, yes that is correct. In the end we believe this is a great opportunity to maximize something we cannot do with the limited capacity we have to bring this kind of expertise that a hospital can do as well as their staffing with the outreach they can do. We look forward to this being successful starting next summer.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

G. Approve Contract – Grace Industries, Inc. – W. Broad Storm Sewer Replacement

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-166 that authorized to execute an agreement with Grace Industries, Inc. for the W. Broad Storm Sewer Replacement.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

H. Approve Contract – Armour & Sons Electric, Inc. & Mohawk Contracting & Development, LLC – Traffic Signal Upgrades

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-167 that authorized to execute an agreement with Armour & Sons Electric, Inc. and Mohawk Contracting & Development, LLC for work related to 14 traffic signal upgrades.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

Motion – Considering Resolutions 10 I through 10K as a group – Certificates of Appropriateness

Ms. Negrón and Mr. Callahan moved to consider Resolutions 10 I through 10 K as a group.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Motion passed.

I. Certificate of Appropriateness – 4 West Fourth Street (La Lupita)

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-168 that granted a Certificate of Appropriateness to install new panels for existing light boxes at 4 West Fourth Street (La Lupita).

J. Certificate of Appropriateness – 312 East Third Street (Hi-Pot)

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-169 that granted a Certificate of Appropriateness to install a new sign at 312 East Third Street, Suite #101 (Hi-Pot).

K. *Certificate of Appropriateness – 333 West Fourth Street (New Bethany Ministries)*

Ms. Crampsie Smith and Ms. Negrón sponsored Resolution No. 2020-170 that granted a Certificate of Appropriateness to replace existing signs on the residential buildings owned and operated by New Bethany Ministries at 333 West Fourth Street.

Voting AYE on Resolutions 10 I through 10 K: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolutions passed.

11. NEW BUSINESS

Human Relations Commission

Mr. Colón remarked about a conversation we had previously as it relates to the Human Relations Commission and the Wage Equality Ordinance that had been proposed. The Human Relations Commission met at the end of September. We had 7 of the 9 members present. He thanks Councilwoman Van Wirt and City Council Solicitor John Spirk for joining us. He will put this together in a memo from the HRC once he has the chance to go through the minutes that were taken. Just to keep everyone up to speed because we did have the conversation last time. The HRC pretty much reiterated its opinion of the last time of not getting behind the proposed ordinance that would amend the ordinance that does establish the HRC. We had received a memo from Loren Speziale, the previous Chair of the HRC a year and a half ago and a lot of those same points were discussed again and reiterated at the HRC meeting in September. He will put the thoughts of the HRC in a memorandum that he will give to the Clerk's Office so they can distribute it to everyone.

COVID testing at Lehigh University

Ms. Crampsie Smith noted that Mayor Donchez had mentioned about the COVID testing at Lehigh University and she brings this up because she had some concerns addressed to her by residents that live in the Moravian College area regarding the testing and the protocol. She wondered if Mayor Donchez knew what the protocol was at Lehigh and if they did random testing or did they test every student. She had spoken to Health Director Kristen Wenrich and she has been very responsive to the issue. The problem is that the residents around Moravian have concerns that maybe only students that are symptomatic are being tested and she knows there is an issue with testing available and that is another concern. She does see the students wearing masks, so that is a plus and she does see them social distancing but she wanted to make it public that there are concerns and she wondered if we can look at having continuity and consistency between the two colleges in our city as far as testing and the way they are handling COVID. She is not sure if that is appropriate or not but that would put the residents that live within the colleges at ease.

Mayor Donchez informed he can have Ms. Wenrich issue a report to Members of City Council. She has been working closely with Lehigh and closely with Northampton Community College and Moravian College and they are following all the guidelines of the CDC. The testing

at Lehigh was going to be Freshman mostly and random sampling of students that live in town. The number of 75 that he gave will probably be higher tomorrow when we get more of a final report. That information will be provided to Council.

Ms. Crampsie Smith asked if they tested all the Freshman at Lehigh University or just the students that were symptomatic or was there random testing.

Mayor Donchez believes they have tested all the Freshman class on a random basis, he does speak to President John Simon weekly and he was encouraging him to do more testing for the town students. They were going to incorporate that to today's testing on a random sample. Mayor Donchez does think that most of the Freshman that are on campus have been tested several times.

Ms. Crampsie Smith noted the residents near Moravian College probably have more concerns with the students that are in the town and living off campus and she is glad that Mayor Donchez encouraged those students to be tested. That is where the concern lies because they are their neighbors and some of residents are elderly and have a higher level of concern regarding the virus.

Climate Action Plan Meeting

Mr. Reynolds reminded tomorrow we will be having our next public Climate Action Plan Meeting. There are actually two of them; you could either attend the one from 12:00 to 1:30 or 5:30 to 7:00. Both of those meetings are virtual and are the same meeting by which the consultant will go over the same information. He had a chance a few days ago to look at the draft of the strategies and the goals and priorities that the committee had put together. He noted it is impressive and their goal is to have us release that plan in the first couple of months of 2022. We are all busy with things going on but if you have an opportunity to attend one of the two meetings you would be impressed. The list of organizations that are participating between Lehigh University, Bethlehem Area School District, ArtsQuest, Health networks, Moravian, Committee Action Committee, the Chamber, and the Environmental Action Committee, this is basically everyone in our community. They are coming together with their own ideas about sustainability. If you want to register for either one you can do it through the City's website and various places on social media. It will be a big crowd and you will see impressive work done.

Community Engagement Initiative/GoToMeeting

Ms. Negrón thanked Councilman Reynolds for moving forward with sharing information about the Community Engagement Initiative. She was glad to hear that he has had conversations with the Administration and that they are also moving forward to make this live. It was exciting to hear Chief Kott sounding so excited about making sure that the Police Department is more inclusive, and that officers will be a part of that. She will actually push a little harder and say that this could be seen as not just for police officers but for all of us as an opportunities for training. We should think about this and add to this list of cultural diversity inclusion that we all should be seeking to be part of. Ms. Negrón is excited and is looking forward to seeing many of you and police officers especially to be part of this Community Engagement Initiative. For a while we are going to be virtual due to COVID and this is a great opportunity because it does not mean we need to drive somewhere and find parking and find the time, you can work from the comfort of

your home or wherever you are. She is hopeful that not just the Administration and members of the police department and also Members of Council and the community in general will engage their opportunities. The Bethlehem Library has done amazing work through the last few months. The Hispanic Center has the one this month but there are many opportunities like the YWCA, Touchstone Theater and they are all talking about it. We need to be a part of that conversation so she was excited to hear that. The other thing is a question for the Administration or President Waldron, she does not know if this is really working out with doing the YouTube. She gets concerned when people get kicked out. She thinks back to the GoToMeeting that we did together at the Public Safety Meeting where we were able to engage people. She believes that this has been stable. She is just thinking out loud if we should consider doing a GoToMeeting like we did with the Public Safety Meeting where people can be part of this conversation in a more connected way and in a structure that is strong and safe. It can be recorded like we did and can be placed on the website.

Parklets

Mr. Callahan asked when the parklets will be taken down or removed for the restaurants.

Mayor Donchez explained they have not made a final decision on that but they will probably go at least through the first weekend in November and then he will sit down with Mr. Alkhal, Ms. Karner, and Mr. Evans and evaluate what our projections are with the weather. We certainly will try to assist businesses as long as possible but the weather will become an issue. We will probably go through at least through the first week in November and then sit down and evaluate and make a decision.

Mr. Callahan stressed he really appreciates that. He has talked to numerous restaurant owners on Main Street and Broad Street and all of them are appreciative of what the city did and the Bethlehem Parking Authority, the program was successful. As he had spoken to Mayor Donchez a few months ago he thinks this is something we should be doing on an annual basis.

Mayor Donchez remarked that is his plan, he thinks it is great for the city and it brings a lot of vibrancy downtown. His intention is to do this again next year.

Mr. Callahan added he knows there is the concern of having inclement weather with snow and getting those parklets removed before then but is there any consideration that we can keep those out there to help these restaurants and businesses out, he would truly appreciate it and they would also.

Human Resources and Environmental Committee

Mr. Callahan remarked that Mr. Vidoni had sent out three additional dates for his Human Resources and Environmental Committee to meet for the wage equity ordinance. He had gotten back to Mr. Vidoni on the dates that were good for him. He asked if Councilwoman Negrón or Councilwoman Van Wirt get back to him on those dates yet.

Mr. Vidoni stated he does not have confirmations on that specific round of dates.

Mr. Callahan asked Councilwoman Negrón and Councilwoman Van Wirt if those dates work for them. A memo was sent on September 21, 2020 asking if they could do October 13, 15, or the 27, 2020 and he wondered if any of those dates work.

Dr. Van Wirt informed she is sorry but because Mr. Callahan did not attend the Human Relations Committee Meeting she assumed this was not an important priority for him.

Mr. Callahan related as Dr. Van Wirt will remember Lehigh County Commissioner Zanelli had talked about the fact that within a year by the time that the ordinance would get passed the counties would have their own committees. He was not planning on going to the city HRC Meeting anyway because he is not sure what their complaint is but it is like us sending something to zoning or planning and the zoning and planning department committees do not want to deal with it but that is their job. They do not get the right to tell us what we should be sending to them. This is a human relations issue and is very important. He is sure you would agree that wage equality for women in the City of Bethlehem is very important. He only assumes that the two of you would support that. Again, we do not have to send it to the City's Human Relations Commission. Their only concern the first time was that they thought it would be thousands of cases and that has been debunked. Even if they do not want to we still have the right as a City Council to send it to their commission, they do not get to tell us what we would like to do. If we feel like it is that important of an issue we could send it to them. According to County Commissioner Zanelli they will be having their committee up and running by the time our ordinance gets to them. If you remember our ordinance to protect women's wage equality will not be effective for one year after we vote on it.

Dr. Van Wirt remarked if it was that important you should have showed up at the Human Relations Commission Meeting and advocated for your ordinance. Without you being there and advocating for something that was so important there was nobody there to coordinate and answer their questions and answer their concerns and collaborate to figure out a way to move it forward. Without you being there that was not going to happen. She is not going to engage in a dialogue with you back and forth about it. That is what happened.

Mr. Callahan asked if she is in support of the ordinance.

Dr. Van Wirt reiterated she will not engage in a dialogue about this with you, this is not the appropriate time.

Mr. Callahan asked if she was at the Human Relations Commission Meeting.

Dr. Van Wirt stated she attended the entire long meeting.

Mr. Callahan asked if she brought up the fact that she was in support of the ordinance.

Dr. Van Wirt stated again, she will not argue with Mr. Callahan about this. She was the only one even speaking in support of the ordinance. You were not there.

Mr. Callahan wanted to get back to the point, we need to schedule a Human Resources and Environmental Meeting so we can pass the ordinance and then send it to the county HRC committees which County Commissioner Zanelli is working on as we speak. He would

appreciate if Mr. Vidoni could send out another round of dates. It would be fair to say that if you do not want to meet then he would be in favor of at the next meeting asking Council to bring it to full Council. He does not know why this is such a difficult thing, this is a great ordinance and all the women groups in the Lehigh Valley are in favor of it. He does not know why Dr. Van Wirt is making that face but Councilwoman Crampsie Smith is also in favor of it and he thinks everybody on Council should have the right to vote on this. If she does not want to in committee then we should just bring this to full Council and let full Council at least discuss it and vote on it. He then asked Mr. Vidoni to make one last attempt to send out some more additional dates and if they again refuse to answer or reply to any of the dates then what we need to do is ask Council to bring it out of committee so we can discuss it.

Mr. Vidoni informed he will send out a new round of dates although it is getting very tight in Town Hall so they may be more disbursed than the last round of dates and maybe go into November or December.

Mr. Callahan stated that is fine, thank you.

Parking Authority Update at Next Council Meeting

President Waldron explained he was in communication with the Director of the Parking Authority, Steve Fernstrom about coming before Council and giving a bit of an update about the state of two garages that have been talked about recently between Walnut and Polk and what those statuses are and what the Parking Authority's plans are in the near future for those two. He added also as well as just a general update and he agreed to join us at the next Council Meeting to give an update and answer some questions from Council. That should be on the agenda for the next meeting, two weeks from tonight.

12. ADJOURNMENT

The meeting was adjourned at 9:16 pm.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk