

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, June 6, 2023 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

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

CITATIONS

Honoring Captain Deven Knoll

President Colón read the Citation for Captain Deven Knoll on the occasion of his retirement from the Fire Department after over 37 years of service. The Members of Council applauded Captain Knoll who was in attendance and wished him well in his retirement. Captain Knoll said it has been his pleasure to serve the people of Bethlehem.

Honoring James Zaun

President Colón read the Citation for James Zaun on the occasion of his retirement from the Public Works Department after over 30 years of service. The Members of Council applauded Mr. Zaun who was in attendance and wished him well in his retirement. Mr. Zaun also said that it was his pleasure to serve the City and make it a better place to live.

Honoring Officer Charles Weigold

President Colón read the Citation for Officer Charles Weigold on the occasion of his retirement from the Police Department after over 21 years of service and stated the Citation will be mailed to him.

Executive Session

President Colón announced that Council will hold an Executive Session at 5:30 PM on Tuesday, June 20, 2023 to discuss personnel matters.

2. APPROVAL OF MINUTES

May 17, 2023

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

Intersection Recommendations

Resident Paul Fondl again urged the City to make safety improvements to the intersection of West Broad Street, Hanover Avenue and Eaton Avenue. This is already a dangerous intersection that would only be made worse if the proposed Hanover Apartments complex becomes a reality. He knows that there were warning signs, but one sign was knocked down during an auto accident and it has not been replaced. He added that warnings on the macadam reading "slow" should be repainted. Mr. Fondl provided handouts indicating his suggested improvements. He also suggested re-engineering the intersection to provide a round-about to more safely handle traffic.

No-confidence Vote

Brian Salabsky, President of Fire Fighters Local 735, said the union's relationship with Fire Chief Warren Achey over the past few years has been declining. He said he has tried to address concerns directly with Chief Achey, City Administration, and the Mayor. These attempts have been met with excuses, he said. Mr. Salabsky said he has no other choice than to bring these issues before Council. On May 15 and 18, the 95 members overwhelmingly voted "no confidence" in Chief Achey with 88 members supporting this action, four members supporting the chief, and three members not participating in the vote. The decisions came as a result of frustration due to the Chief's lack of effective leadership, poor communication, absent plans, and a threatening work environment, Mr. Salabsky said. This included Chief Achey working from a list of applicants that had expired. There would not have been sufficient time for a new list to have been created for candidates to begin Allentown's academy program. Mr. Salabsky added that all grievances submitted to the Chief have been denied "because he does not want to deal with them." No Chief in the past has denied all submitted grievances. Mr. Salabsky also charged that the Chief has resorted to telling firefighters on occasion that he would authorize fewer overtime shifts or disband special teams. He also alleged that individuals have been retaliated against after filing grievances. Some members were even afraid to show up for the no-confidence vote for fear of retaliation. A morale problem and toxic work environment are present because of poor leadership. After losing a firefighter who joined the Allentown department, the union conducted a climate survey. In April 2023, 85 percent of the membership participated. Results included that 98 percent of respondents agreed there is a morale issue. Asked if the Chief provides a positive work environment, 95 percent disagreed. The poor morale is an "infectious plague that affects focus, dedication, and motivation to be at our best." The membership is calling for a leader who is willing to work with the rank-and-file rather than separating himself from the department.

Suggestions to Remove Labels

Resident Arthur Curatola recommended that City job applicants not be asked to disclose their ethnicity. He called this "an opening for racism." Mr. Curatola also suggested eliminating political party affiliation for those running for City offices. He said the important thing is that a person can do the job, not which political party they support.

Thanks for Street Sweeping/Other Concerns Raised

Resident Angela Mitchell thanked the City for street sweeping along Cherokee Street. She also recommended adding stop signs for cross streets to Cherokee at Dakota and 4th Streets, and

Delaware Avenue and 3rd Street. She also recommended that a speed bump be placed in the middle of the 400 block. Ms. Mitchell reported that a mattress has been dumped on the Hill-to-Hill Bridge and that a large garbage disposal receptacle has been left in front of 502 Pawnee Street for about two months.

Still Seeking Solution

Alex Hirsch reported that his efforts to again participate in the Residential Permit Parking program have reached 324 days. He continues to seek help in finding a solution.

Lehigh's New Strategic Plan

Lehigh University President Joseph Helble announced Lehigh's new Strategic Plan, which was released earlier today. The plan is built on three key goals: to innovate, to forge partnerships with the local community, and to be even more outcomes-focused. There are 10 underlying initiatives with highlights of fostering belonging, cultivating partnerships and strengthening community. The plan will be further developed throughout the summer, but many of Mr. Helble's stated highlights suggested working with the community.

Discuss Population Size

Resident William Scheirer noted the Lehigh Valley Planning Commission's projection that 100,000 more people will move to the Lehigh Valley by the year 2050. Mr. Scheirer said that some may ask how we can build enough housing to accommodate the portion of these additional people who will live in Bethlehem. He said that Bethlehem might attract about 25,000 of these people, raising the City's population to about 100,000. Mr. Scheirer said the Zoning Ordinance is not "chiseled in stone" and "can be adjusted as the people of Bethlehem see fit." The Comprehensive Plan was last updated about a dozen years ago. It should be updated and be a guide for a change. This would help, but he said the real question is "whether or not we, the people of Bethlehem, want to see our city change in this way." At least some of the small-city character would be lost if the population were to rise to 100,000. The City may gain activity and excitement, but would increase in negatives such as noise, the decreased view of sky, and the decreased movement in the streets. Additionally, restricting growth would no doubt push rent prices higher only making the affordable housing issue even worse. No matter what the answer, Mr. Scheirer urged the City to discuss the issue of population size before the "migrants and developers decide it for us."

Remembering D-Day

Resident Mary Jo Makoul asked those present to join her in a moment of silence to recognize the 79th anniversary of D-Day, the date of the Invasion of Normandy during World War II, and all of those who sacrificed for us to be here tonight.

Thanks to the City

Resident Teresa Kloiber apologized for an inaccurate statement she made during a recent Council meeting related to the proposed Hanover Apartments. She did not realize that the City is

opposing the plan and that Assistant Solicitor Matthew Deschler is working in the City's interests, which align with neighbors. She appreciates those efforts.

Lehigh's Stance/Call for Transparency Explained

Resident Stephen Antalics recalled that a past President of Lehigh University stated that Lehigh had nothing to do with the City. The university was simply there to educate students. "Based on what I heard this evening, that's quite a departure," he said, referring to President Helble's remarks. Mr. Antalics switched topics to say that he believed he was the subject of comments made by a Council Member May 23 generally concerning transparency. Mr. Antalics said he has searched agendas and found that 25 Mayoral appointments to boards and commissions were listed in recent years. Twenty-one were acted upon for various boards except for historical boards. There were four of these. In all four cases, these were never read at meetings, but were removed from the agenda and no one on Council ever asked why. However, he has asked why several times and no one will answer. He further asked how the Administration gained knowledge that these four candidates would not be supported. Mr. Antalics said this is the public's business and these discussions should be going on at public meetings. This is what he means when he says there is a lack of transparency. Mr. Antalics added that membership on historic boards is critical because these boards affect development.

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

Urges Partnerships for Affordable Housing

Resident Linda Robertson has had a longtime concern for affordable housing in Bethlehem and the Lehigh Valley. She referred to the rezoning of 119 Technology Drive item on tonight's agenda. She noted the planned sculpture garden and other amenities, but said she would have been more impressed if the developer had offered to pledge providing 25 apartments below market rate because they believe in income equality. She said that regardless of the decision tonight, this will not be the last time that Council faces this issue. She encouraged Council to review open housing stock and consider bidding on available open land that may come up for sale. Ms. Robertson urged the City to work toward creating partnership with groups such as churches, the Housing Opportunity Movement, Community Action Committee of the Lehigh Valley, Habitat for Humanity and others.

Appeal for Rezoning

Mathias Fenstermacher, one of the principal partners at Serfass Development, summarized highlights of issues involving their request to rezone 119 Technology Drive. Housing, as far as availability and affordability, is a national problem, including in Bethlehem. He said they have provided five studies that show that more housing results in lower housing costs. They also have provided examples of how they monitor and adjust their housing prices according to competition. He acknowledged that jobs are important, but the Lehigh Valley unemployment rate is at its lowest since 1976. Instead, housing is the No. 1 issue facing this area. Additionally, industrial uses remain available on the South Side. Two buildings alone in LVIP VII are nearly the same size as what is offered in the IQE building and are available now. Another 2.5 square miles for industrial use still remain. Mr. Fenstermacher said that existing industrial uses are

grandfathered for 119 Technology Drive. In the event that a surprise buyer would come forward proposing an industrial use prior to ground breaking, Serfass would entertain the possibility of pivoting to maintain the use. Mr. Fenstermacher said this location would be appropriate for rezoning because it is one that could handle a denser redevelopment. Adjacent parking is available, and construction would not impact an existing neighborhood. He renewed a previous commitment to auction equipment inside the existing facility and donate proceeds to affordable housing efforts at a minimum of \$100,000. Mr. Fenstermacher noted that the Mayor's Office has provided written support for the project. The City's Planning Commission and the Lehigh Valley Planning Commission also supported the plan. He added that the City's Comprehensive Plan lays out this parcel for rezoning.

Profit Versus Planning

Resident William Scheirer discussed the price of 119 Technology Drive. He said he heard that it sold for roughly \$6.5 million, a decrease from the asking price of \$9 million. He suggested that if the price were further reduced, the property might be purchased by another business, possibly a semiconductor firm that could use an existing clean room. He said this is another instance where profit comes into conflict with planning. Mr. Scheirer acknowledged that there is a housing shortage, but the bigger issue as he sees it is how big do we want Bethlehem to be?

Stability Factor Needed

Resident Stephen Antalics referred to the May 23, 2023 Community Development Committee meeting and said there was a procedure to which he took offense. He was displeased that Public Comment was held at the beginning. He said this usually is permitted after presentations so that those present can react to what is said during the meeting. Mr. Antalics now reacted to a statement that evening that "people are going to come to Bethlehem and you can't stop them." He called this dangerous. He said rent prices will be beyond the reach of South Side residents. Occupants will instead come from surrounding metropolitan areas where the cost of living is extremely high and take advantage of the lower cost of living here. That will make them transients. He referred to past studies that said the core of the community should be single-family homes owned by the residents to maintain a stability factor. When you look at the South Side, you do not have this. You see student housing. The proposed higher end units would add more transients to the transient student population. "That is the last thing you want if you want a stable community," he said. If you permit industry to occupy the space, you are creating good-paying jobs.

Building Condition Outlined

Alex Ceruzzi said he has worked for IQE for more than 22 years and addressed the condition of the building itself. He said the building is "pretty dilapidated." It is not fit to be a semiconductor plant and was cobbled together in five phases. IQE is moving its facility to North Carolina. Mr. Ceruzzi said it is likely that the building would have to be razed rather than reused. There is a lot of hazardous waste on the site, and this disposal would be costly.

5. OLD BUSINESS

A. Members of Council

- B. Tabled Items
- C. Unfinished Business

6. COMMUNICATIONS

A. *Director of Public Works – Budget Adjustment – 2023 Non-Utility Capital Budget – Saucon Park*

The Clerk read a memorandum dated May 18, 2023 and proposed Ordinance from Public Works Director Michael Alkhal requesting a budget transfer of \$200,000 in the 2023 Capital Budget for Non-Utilities. The adjustment is needed to reflect the federal funds that are received in advance from the Covid-19 Pandemic Response Grant. Funds will be used to repair the Saucon Park pavilions, retaining walls, and replace damaged playground equipment.

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

B. *Community and Economic Development Business Manager – Recommendation of Award – Scantek Infomanagement Solutions – Digitizing Files*

The Clerk read a memorandum dated May 18, 2023 with an attached Resolution from Tiffany Wismer, DCED Business Manager, recommending an agreement with Scantek Infomanagement Solutions. The cost is \$86,613 for two phases to be conducted in 2023 with the potential of a third phase costing \$80,107 in 2024. The work to be performed is record scanning, indexing, and providing digital images and metadata for upload to the City's computer system. The estimated completion date is June 30, 2024.

President Colón stated Resolution 10 A is on the agenda.

C. *Director of Public Works – Recommendation of Award – WSP – Climate Action Plan Support*

The Clerk read a memorandum dated May 26, 2023 from Public Works Director Michael Alkhal recommending an agreement with WSP of Bethlehem. The cost is \$36,522 to assist the City with the planning and implementation of the Climate Action Plan. The contract shall run through 2023. There are no renewals.

President Colón stated Resolution 10 B is on the agenda.

D. *Director of Water and Sewer Resources – Budget Adjustment – 2023 Capital Budget for Sewer Utilities – Funding Sewer Capital Projects*

The Clerk read a memorandum dated May 31, 2023 from Edward Boscola, Director of Water and Sewer Resources, with an attached proposed Ordinance. The memorandum requests adjustments totaling \$2,020,000 within the Sewer Capital Fund budget.

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

E. *Director of Water and Sewer Resources – Budget Adjustment – 2023 Sewer Fund Budget – Funding Sewer Capital Projects*

The Clerk read a memorandum dated May 31, 2023 from Edward Boscola, Director of Water and Sewer Resources, with an attached proposed Ordinance. The memorandum requests adjustments totaling \$2,020,000 within the total Sewer Fund budget.

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

F. City Solicitor – Use Permit Agreement – ArtsQuest – 2023 Independence Day Celebration

The Clerk read a memorandum dated May 31, 2023 from City Solicitor John F. Spirk, Jr., with an attached Resolution and Associated Use Permit Agreement. The Permittee is ArtsQuest and the event is the 2023 Independence Day Celebration. The Agreement is from 12:00 Noon to 11:30 PM on July 4. The Agreement covers 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st and 2nd Streets.

President Colón stated Resolution 10 C is on the agenda.

G. City Solicitor – Use Permit Agreement – ArtsQuest – 2023 Sabor Latin Festival

The Clerk read a memorandum dated May 31, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is ArtsQuest and the event is the 2023 Sabor Latin Festival. The Agreement is from 12:00 Noon June 23 until 1:00 AM on June 24 and from 1:00 PM June 24 until 1:00 AM on June 25. The Agreement covers 1st Street from Founders Way to the eastern terminus.

President Colón stated Resolution 10 D is on the agenda.

H. City Solicitor – Use Permit Agreement – ArtsQuest – 2023 One Earth Reggaefest

The Clerk read a memorandum dated May 31, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is ArtsQuest and the event is the 2023 One Earth Reggaefest. The Agreement is from 10:00 AM on July 1 through 2:00 AM on July 2. The Agreement covers 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st and 2nd Streets.

President Colón stated Resolution 10 E is on the agenda.

I. City Solicitor – Use Permit Agreement – Rebellious Dreams Fund – Rebel Fest Event

The Clerk read a memorandum dated May 31, 2023 from City Solicitor John F. Spirk, Jr. with an attached Resolution and Associated Use Permit Agreement. The Permittee is the Rebellious Dreams Fund and the event is Rebel Fest. The Agreement is from 7:00 AM until 11:00 PM on June 24 with a rain date period of 7:00 AM until 11:00 PM on July 15. The Agreement covers the Daniel E. Rice Memorial Plaza field area.

President Colón stated Resolution 10 F is on the agenda.

J. Director of Water and Sewer Resources – Recommendation of Award – CMG of Easton, Inc. – WWTP Main Control Building Renovations – General Construction Contract

The Clerk read a memorandum dated June 1, 2023 with an attached resolution from Edward Boscola, Director of Water & Sewer Resources, recommending an Agreement with CMG of Easton, Inc. The cost is \$985,430 and the project consists of renovation to the existing laboratory, former process space, offices and locker rooms at the Waste Water Treatment Plant. Substantial completion is expected within 360 days of the Notice to Proceed, and final completion is expected within 420 days of the Notice to Proceed. There are no renewals.

President Colón stated Resolution 10 G is on the agenda.

- K. *Director of Water and Sewer Resources – Recommendation of Award – Integrity Mechanical, Inc. – WWTP Main Control Building Renovations – Mechanical Construction Contract*

The Clerk read a memorandum dated June 1, 2023 with an attached Resolution from Edward Boscola, Director of Water & Sewer Resources, recommending an Agreement with Integrity Mechanical, Inc. The cost is \$399,420 for renovating all mechanical components associated with HVAC at specified areas of the Waste Water Treatment Plant. Substantial completion is expected within 360 days of the Notice to Proceed, and final completion is expected within 420 days of the Notice to Proceed. There are no renewals.

President Colón stated Resolution 10 H is on the agenda.

- L. *Director of Water and Sewer Resources – Recommendation of Award – Integrity Mechanical, Inc. – WWTP Main Control Building Renovations – Plumbing Construction Contract*

The Clerk read a memorandum dated June 1, 2023 with an attached Resolution from Edward Boscola, Director of Water & Sewer Resources, recommending an Agreement with Integrity Mechanical, Inc. The cost is \$248,810 for renovating all plumbing components at specified areas of the Waste Water Treatment Plant. Substantial completion is expected within 360 days of the Notice to Proceed, and final completion is expected within 420 days of the Notice to Proceed. There are no renewals.

President Colón stated Resolution 10 I is on the agenda.

- M. *Director of Water and Sewer Resources – Recommendation of Award – FIS, LLC – WWTP Main Control Building Renovations – Electrical Construction Contract*

The Clerk read a memorandum dated June 1, 2023 with an attached Resolution from Edward Boscola, Director of Water & Sewer Resources, recommending an Agreement with FIS, LLC. The cost is \$285,406 for renovating all electrical components at specified areas of the Waste Water Treatment Plant. Substantial completion is expected within 360 days of the Notice to Proceed, and final completion is expected within 420 days of the Notice to Proceed. There are no renewals.

President Colón stated Resolution 10 J is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Michael Colón – Bethlehem Human Relations Commission*

Mayor Reynolds reappointed Michael Colón to the Bethlehem Human Relations Commission effective through March, 2026. Dr. Enix and Ms. Leon sponsored Resolution No. 2023-106 to confirm the reappointment.

President Colón thanked the Mayor for the reappointment. He said his time serving the HRC predates his time serving on City Council. He said there has been some recent turnover on the Commission and encouraged anyone interested to contact a Council Member.

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

Lehigh Event/Due Recognition

Mayor Reynolds also recognized the presence of Lehigh University President Helble and some from his administration. He noted that Lehigh on Saturday held its successful South Side Sale.

The Mayor also commended Ms. Makoul's earlier suggested moment of silence to commemorate D-Day. He added that there have been several recent Memorial Day events. Recurring comments have indicated that Bethlehem takes these events seriously.

Pool Season/Police Graduations/Sister City Progress

Mayor Reynolds announced that City pools will open beginning Friday. Stark Pool will open Saturday. Renovations there are being completed. These renovations were approved a few months ago by Council. It is additionally exciting that pools are fully staffed, especially considering the difficulty that some surrounding municipalities have had in getting workers. The Mayor credited hard work by the Recreation and Public Works departments to prepare the pools and staff them. Recruiting through the schools paid off.

On Friday, Police Chief Michelle Kott and Mayor Reynolds will attend the graduation ceremonies including six new City police officers.

He also announced that Director of Equity and Inclusion Janine Santoro last week held a Sister City Event at the Hispanic Center. Progress is being made toward organizing a Sister City program with a city in Puerto Rico.

Welcoming Appeal

Mayor Reynolds noted some recent pride events that he has attended. One of the recurring themes is how welcome people feel in the City of Bethlehem and how they feel supported here no matter how long they have been here whether they are from multi-generational families who have lived here to those whose families moved here within the past

few years. He encouraged people to be careful with their language. We want to be welcoming to everyone within our city.

Housing Efforts

Mayor Reynolds related this philosophy to housing and outlined efforts made during the past 17 months since he and the new Council were sworn into office. In the past year, the Affordable Housing Strategy has been undertaken. This has included several meetings so far. Results of this study are expected to be released in the next month or two. \$5 million in American Rescue Funds have been allocated in this year's budget toward related efforts. This study will help the City understand how it can best spend resources to maximize this money to meet the needs. At the same time, this is a Lehigh Valley issue. He has been meeting with the mayors of Allentown and Easton to address the regional needs. He called this the No. 1 issue facing the private and public sector. Mayor Reynolds said that Bethlehem is not a closed community only open to future generations of those living here now. It will take future solutions about zoning, housing, and affordability to meet the needs. He wants Bethlehem's reputation to continue to be that of a city in which there is a place for you. That is the identity of our city.

C. Community Development Committee (Dr. Van Wirt)

Dr. Van Wirt said the Committee met on May 23 to discuss the zoning map amendment proposed for 119 Technology Drive from IR to CB. The Committee voted to place this matter on tonight's Council agenda for First Reading.

D. Public Safety Committee (Ms. Leon)

Ms. Leon said this Committee met earlier this evening. The Committee received information from the Police Department concerning potential participation in a Human Trafficking Task Force including a Memorandum of Understanding Resolution. The Committee voted 2-1 to send this matter to full Council at a date to be determined. The Committee also received information on the CAT Yield to Pedestrian Initiative.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 21 - 2023 - Amending and Restating Article 1703 Titled Requirements and Qualifications to Obtain Licensing to Perform Electrical Work within the City of Bethlehem*

The Clerk read Bill No. 21-2023 - Amending and Restating Article 1703 Titled Requirements and Qualifications to Obtain Licensing to Perform Electrical Work within the City of Bethlehem, sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA,
AMENDING AND RESTATING ARTICLE 1703 OF THE CODIFIED

ORDINANCES OF THE CITY OF BETHLEHEM, TITLED "REQUIREMENTS
AND QUALIFICATIONS TO OBTAIN LICENSING TO PERFORM ELECTRICAL
WORK WITHIN THE CITY OF BETHLEHEM"

Ms. Kwiatek noted that this appeared to be mostly updating and tightening the ordinances to align with today's standards. However, she also noticed that in this ordinance involving electrical work, there is mention of holding an electrician's license in escrow for five years. She said that seems long.

Michael Simonson, Chief Building Inspector and Chief Code Official for the Code Enforcement and Housing Office, said that this does not necessarily mean that an electrician is not working during the period and skills might be diminished. They just might not be using their Master Electrical License. They might go to work for another company for example. Five years is actually the industry standard for an escrow period.

Ms. Crampsie Smith noted that a requirement is being eliminated for continuing education credits.

Mr. Simonson said that is correct and there will not be a requirement to replace it. The new ordinance will reflect that national standard. There is a reciprocal agreement with Allentown and Reading. These cities do not require the continuing education, so it was becoming increasingly difficult for some of the contractor to cross over into the other municipalities. This standardizes requirements.

Ms. Crampsie Smith said she understood the point, but with changes in standards, she wondered whether not requiring recent education was safe.

Mr. Simonson said that City inspectors continue to do final review of work performed, so substandard work should be caught if it were to occur.

Ms. Crampsie Smith asked whether anyone working as an apprentice or students building a project for a vo-tech would be prohibited from doing work.

Mr. Simonson said that the standards only apply to the permit holder. An apprentice, for example, could work with supervision.

Ms. Crampsie Smith noted that the Electrician Examining Board will be abolished. She asked about oversight.

Mr. Simonson said his office will be responsible. Tests would be conducted by a third party. The applicant would then bring the passing score to the City, which would review it, proper identification, and proper insurance in order for them to receive their license. The City also has an appeals board, if licensing concerns arise.

Ms. Crampsie Smith asked if it is the same for an electrician or a plumber for someone to obtain a permit. She noted language reads that a Master Electrician can pull an electrical permit. She asked whether it would take a Master Plumber to pull a plumbing permit.

Mr. Simonson the language between the two is mirrored.

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 21-2023 was passed on First Reading.

B. *Bill No. 22- 2023 – Amending and Restating Article 1705 Titled Requirements and Qualifications to Obtain Licensing to Perform Plumbing Work within the City of Bethlehem*

The Clerk read Bill No. 22-2023 – Amending and Restating Article 170 Titled Requirements and Qualifications to Obtain Licensing to Perform Plumbing Work within the City of Bethlehem, sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND RESTATING ARTICLE 1705 OF THE CODIFIED ORDINANCES OF THE CITY OF BETHLEHEM, TITLED “REQUIREMENTS AND QUALIFICATIONS TO OBTAIN LICENSING TO PERFORM PLUMBING WORK WITHIN THE CITY OF BETHLEHEM”

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 22-2023 was passed on First Reading.

C. *Bill No. 23- 2023 – Amending Article 1731 Titled Inspections*

The Clerk read Bill No. 23-2023 – Amending Article 1731 Titled Inspections, sponsored by Dr. Enix and Ms. Leon and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ARTICLE 1731 OF THE CODIFIED ORDINANCES OF THE CITY OF BETHLEHEM, TITLED “INSPECTIONS”

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 23-2023 was passed on First Reading.

D. *Bill No. 24- 2023 – Amend 2023 Non-Utility Capital Budget – Saucon Park Pavilions*

The Clerk read Bill No. 24-2023 – Amend 2023 Non-Utility Capital Budget, sponsored by Dr. Enix and Ms. Leon and titled:

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

Mr. Kwiatek asked Mr. Alkhal to outline the work that will be done with the money that has been allocated.

Mr. Alkhal said flooding in Saucon Park damaged sections of the retaining walls along the Monocacy Creek as well as two pavilions. There was significant washout of the screening underneath these pavilions, and some walking paths were damaged. Appropriate repair or replacement will occur, the creek banks will be fortified, and concrete floors are being contemplated under the pavilions.

President Colón asked the source of this \$200,000 cost.

Business Administrator Eric Evans said a state grant. He said there is no City match required.

Ms. Leon thanked Mr. Alkhal and Mr. Evans for updating Council Members on the work being done at this park and explaining the circumstances of the damage. She wanted the community to know that this is a park that is open for their use and that repairs are on the way.

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 24-2023 was passed on First Reading.

E. *Bill No. 25- 2023 – Amend 2023 Capital Budget for Sewer Utilities – Funding Sewer Capital Projects*

The Clerk read Bill No. 25-2023 – Amend 2023 Capital Budget for Sewer Utilities, sponsored by Dr. Enix and Ms. Leon and titled:

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

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 25-2023 was passed on First Reading.

F. *Bill No. 26- 2023 – Amend 2023 Sewer Fund Budget – Funding Sewer Capital Projects*

The Clerk read Bill No. 26-2023 – Amend 2023 Sewer Fund Budget, sponsored by Dr. Enix and Ms. Leon and titled:

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

Voting AYE: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 26-2023 was passed on First Reading.

G. *Bill No. 19- 2023 – Zoning Map Ordinance – 119 Technology Drive – IR to CB*

The Clerk read Bill No. 19-2023 – Zoning Map Amendment – 119 Technology Drive – IR to CB, sponsored by Dr. Enix and Ms. Leon 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

Ms. Crampsie Smith wanted to make clear that she is not opposed to renting or to rentals. She sees the need for some to rent and has at times been a tenant herself. However, as a counselor, she sees an important need for balance in her life. As a City Council Member, she tries to promote balance for the City. Her concern is the lack of balance of housing options. Over the past five to six years, approximately 85 percent of development in Bethlehem has been in rental apartments. She is hearing from constituents that they do not want this imbalance. They do not want a city of primarily rental apartments. She cited Harvard's Joint Center for Housing Studies in reporting that the asking price of the median U.S. rental has reached \$2,000 a month, a record high. This prevents renters from ever getting off the treadmill. Ms. Crampsie Smith said she supports an inclusive Bethlehem, but rezoning should not be taken lightly. "Do we rezone a parcel for rental apartments that the average person living in this city cannot likely afford or do we promote a balance by maintaining the current zoning to promote the development of high-tech jobs in a specially designed building that was built with taxpayer funds with the purpose of promoting high-tech careers in Bethlehem?" In the interest of balance and sentiments from constituents, she said she will be voting no.

Dr. Enix said we need to think perhaps 10 years ahead when it comes to jobs. We also need to think globally. We have all of the assets and resources to be designated as a technology hub and we also have the educational institutions to develop our work force. Bethlehem also is well situated to interact with major metropolitan areas. We can make history again as this city did with steel. This particular location has tremendous technological possibilities still left in its life. Dr. Enix visited the site. Instead of seeing obsolete, she saw possibilities. She does not doubt the housing need. However, the answer is not to build more housing on every vacant lot. We need to think critically. "Are we really solving the problem or are we just displacing the next generation of locals?" she asked.

Ms. Kwiatek asked the Administration to respond to some representations made earlier in the meeting by Mr. Fenstermacher. She asked whether the characterization that the Administration was fully behind this zoning map change was accurate.

Director of Community and Economic Development Laura Collins said the Administration supported the plan when it went before the City's Planning Commission. It still done. She added that the Administration still sees adding housing stock as being extremely important. Ms. Collins also believes that adding housing supply, even if it is rental housing, is helpful to the overall housing situation. But, she noted that Council now has information about this property that has emerged since the plan went before the Planning Commission, and she believes those will all be things that Council will take into consideration.

Ms. Kwiatek next asked whether the Administration's opinion has changed given the additional information that has come to light.

Mayor Reynolds said he also believes that adding housing supply will drive down rent prices. He said the No. 1 goal is to see the property get reused. The Administration does not want to see the property go vacant. He reminded that the City does not own this property. The applicant came forth with the zoning change proposal. Mayor Reynolds believed that Planning and Zoning Director Darlene Heller's comments that the proposed zoning change would be an appropriate use of the property, but he acknowledged that Council wants to balance whatever could be there versus how this proposal fits into the housing supply conversation as well. Whatever Council and the property owners decide, the City would look to see every opportunity for the property to be reused before anything else goes forward. In the end, we are consistent with the idea that we want to see more housing supply. But, the first thing we should do is to reutilize the property. There has been some information that there may be some people interested in doing that throughout the Lehigh Valley, but that is ultimately the conversation as to whether that is a risk worth taking as far as City Council is concerned.

Ms. Kwiatek also asked Mr. Ceruzzi to return to the microphone for some clarification. She asked him what his position is with IQE.

Mr. Ceruzzi said he is the general manager and is authorized to speak on behalf of IQE. Some workers are being moved to North Carolina. The company can no longer make money manufacturing semiconductors in Bethlehem. As general manager, Mr. Ceruzzi runs the facility.

Ms. Kwiatek noted that some have told Council that this facility could be reused including its small clean rooms. Companies could potentially come in - likely with upgrades necessary - and reuse this building, although others have said this facility is not attractive because larger clean rooms are today's standard. She said she is trying to sort out the reality or the circumstances under which this building might be useful to one business but not another.

Mr. Ceruzzi said that a number of semiconductor and gas companies have viewed the building, but did not wish to buy it. A lot would have to be done to the building. "Everything is old in the building," he said. IQE expanded over the years, so the building was built in five phases. "Things are kind of hooked up all over the place. It's not constructed for a really high-powered semiconductor plant," he said. It would take a lot of money for a new buyer to set up the plant the way it would need to be.

Dr. Van Wirt said it is important to note that there are two good options for this property. This is good for the City. This is a great place for housing. Dr. Van Wirt also believes that any housing will help to drive down prices. This is also a good location for housing because it pulls away some of the pressure from the historic core and there is low impact on the neighborhood. However, Dr. Van Wirt said her thinking has changed a bit through her understanding of Bethlehem's potential to become a greater, stronger tech hub and an innovation hub with a better understanding of the Chips Act, which provides funds to support the domestic production of semiconductors and authorizes various programs and activities of the federal science agencies. That may not influence this building, but it could influence other areas. She observed that there are private business dealings that Council does not know about and should not know about. It is best, then, for Council to simply ask what is the best use of this land and what might be feasible

here. She concludes that the residential use would be a great project, but with the potential use of the Chips Act, she believed that it is most appropriate to give a tech hub a chance to grow on this property is the best option. It deserves that chance because “it can have a profound and long-lasting impact on this community, on our state, and on our country.” She added that if development as a tech property does not come to pass within a year or whatever a reasonable period is determined to be, then she hoped that a developer would come forward with a residential plan.

Ms. Wilhelm again stated that she is a renter and the belief that all added housing can drive down housing prices. When this proposal came to light weeks ago, she said that she believed it was a positive project. Those feelings have not changed. She admitted that she at first favored the residential project over what maintaining the zoning classification as redevelopment for tech use appeared to be a longshot. However, she said that she now understands there is interest in this property from a semiconductor business. This appears to be a reality, which has changed her thinking. “By rezoning now, we negate this possibility from happening,” she said. “This is our opportunity to give that opportunity a chance. ... We’re looking at the possibility of something extremely valuable happening in that space.” Ms. Wilhelm said that she hopes that conversations about the possibilities of developing the riverfront and continuing good development partnerships with the City that the residential proposal created will continue.

Ms. Leon said she liked the residential proposal. She also appreciated a willingness by the developer to contribute toward affordable housing efforts. Still, she has heard from many residents who do not favor the rezoning and she intends to represent those wishes by voting against the rezoning.

President Colón said he was not in favor of the rezoning throughout the process, and his position has not changed. For him, this does not come down to the proposed residential use. He believes the IR zoning is most appropriate. He does not believe that the threshold has been met to change the zoning. He also noted that Council has not been uninviting to apartment projects. But, he would like for more time to be given to see whether this parcel can get an owner with an IR use.

Ms. Kwiatek agreed that two great options exist. She said she is not opposed to apartments and welcomes new people to Bethlehem. She agreed with those who spoke before her that this really comes down to giving this property a chance and a bit more time to see if larger possibilities exist with the current zoning classification.

Voting AYE, 0. NAY: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. Bill No. 19-2023 failed.

10. RESOLUTIONS

A. *Approve Contract – Scantek Infomanagement Solutions – Digitizing Files*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-107 that authorized to execute an agreement with Scantek Infomanagement Solutions for record scanning, indexing, and providing digital images and metadata for upload on the City’s computer system.

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

B. Approve Contract – WSP – Climate Action Plan Support

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-108 that authorized to execute an agreement with WSP to assist the City with the planning and implementation of the Climate Action Plan during 2023.

Dr. Van Wirt asked what this support would entail.

Mr. Alkhal said a contract has been in place with WSP for consultant services on an as-needed basis. Various committees meet in working toward objectives laid out in the Climate Action Plan. WSP is used on an as-needed basis to augment the committee efforts as well as the City staff. Some examples of efforts include research into the electrification of the City's vehicle fleet and efficiencies that might be gained for City buildings.

Mayor Reynolds said that WSP also recommends grant sources and partnerships. The Mayor said that after another year, the City likely will be to determine whether to again contract with WSP or use the money toward hiring a Sustainability Director. Mayor Reynolds said the consultant is able to offer broad advice as to what other cities are doing and which grants are worth the City's while in which to apply. He said that only \$40,000 of the \$60,000 budget was used last year.

Ms. Crampsie Smith noted the amount sought this year is \$36,000. She was assured that this would be a maximum for 2023. Ms. Crampsie Smith noted that the City has a grant writer and suggested using this consulting money next year toward hiring the previously mentioned Sustainability Director.

Mayor Reynolds said that WSP has been honest with the City in advising when it can help and under what circumstances it might be best in turning this over to a Sustainability Director. He said the timing comes down to when it makes strategic sense to switch over to hiring a Sustainability Director. This may be a discussion at budget time.

Ms. Crampsie Smith suggested that grant money might be available to pay for a Sustainability Director or a similar position. Since the City already employs a grant writer, she asked that this matter be researched.

Mayor Reynolds said this can be looked into, but past experience has shown that it can be difficult to keep people in jobs that may not have consistent work. However, it is anticipated that a Sustainability Officer position will be a full-time position.

Ms. Wilhelm commended WSP. She said her experience in working with them in any committee that she has been associated with has been very positive. They have provided valuable information and expertise. They are active and providing a great resource to the Climate Action Plan.

Ms. Kwiatek agreed.

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

C. *Approve UPA – ArtsQuest – 2023 Independence Day Celebration*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-109 that authorized to execute a Use Permit Agreement with ArtsQuest for the 2023 Independence Day Celebration.

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

D. *Approve UPA – ArtsQuest – 2023 Sabor Latin Festival*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-110 that authorized to execute a Use Permit Agreement with ArtsQuest for the Sabor Latin Festival.

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

E. *Approve UPA – ArtsQuest – 2023 One Earth Reggaefest*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-111 that authorized to execute a Use Permit Agreement with ArtsQuest for the 2023 One Earth Reggaefest.

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

F. *Approve UPA – Rebellious Dreams Fund – Rebel Fest Event*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-112 that authorized to execute a Use Permit Agreement with the Rebellious Dreams Fund for the Rebel Fest Event.

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

G. *Approve Contract – CMG of Easton, Inc. – WWTP Renovations – General Construction*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-113 that authorized to execute an agreement with CMG of Easton, Inc. for the WWTP Renovations – General Construction.

Noting that there is \$2 million involved, Dr. Van Wirt asked Mr. Boscola to outline the intended renovations.

Mr. Boscola said the four contracts that are the subject of agenda Items 10 G through 10 J are all related to the same project to upgrade various aspects at the Waste Water Treatment Plant. This has been a longstanding goal to renovate the spaces there for the operators and the maintenance workers. This is where offices, locker rooms, laboratory, bathrooms and more. Conditions are as they have been for decades. Workers deserve to have better conditions. This will provide new furniture, lab equipment, heating and ventilation equipment, electrical lighting, locker facilities, and bathrooms. Some money toward this has been previously approved and

there is about \$12 million in the Sewer Operating Fund that has been accrued over time that is there to be used for capital expenditures. We do not have to borrow any money. Mr. Boscola said the work would be done in phases. Operations need to continue, so work will occur in one area and those operations will be temporarily moved to another. This will take about a year. Mr. Boscola said the plant was built in the 1950s. Several of these spaces to be renovated still look like the 1950s.

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

H. Approve Contract –Integrity Mechanical Inc. – WWTP Renovations –Mechanical Construction

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-114 that authorized to execute an agreement with Integrity Mechanical, Inc. for the WWTP Renovations – Mechanical Construction.

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

I. Approve Contract –Integrity Mechanical Inc. – WWTP Renovations – Plumbing Construction

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-115 that authorized to execute an agreement with Integrity Mechanical, Inc. for the WWTP Renovations – Plumbing Construction.

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

J. Approve Contract – FIS, LLC – WWTP Renovations – Electrical Construction

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-116 that authorized to execute an agreement with FIS, LLC for the WWTP Renovations – Electrical Construction.

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

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

Ms. Wilhelm made a motion, seconded by Dr. Enix, to consider Resolutions 10 K through 10 L as a group.

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

K. Certificate of Appropriateness – 322 East Third Street

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-117 that granted a Certificate of Appropriateness to add lettering signage at 322 East Third Street.

L. *Certificate of Appropriateness – 1 East Fourth Street*

Dr. Enix and Ms. Leon sponsored Resolution No. 2023-118 that granted a Certificate of Appropriateness to replace existing signage with new, non-illuminated wall-mounted signs at 1 East Fourth Street.

Voting AYE on Resolutions 10 K through 10 L: Dr. Van Wirt, Ms. Wilhelm, Ms. Crampsie Smith, Dr. Enix, Ms. Kwiatek, Ms. Leon, and Mr. Colón, 7. The Resolutions passed.

11. NEW BUSINESS

Follow-up to Firefighters' Concerns

Ms. Crampsie Smith said that, without taking any sides but hearing the public input from the firefighters, it is important for the Administration to work with the Fire Department to try to address any concerns and conflict. She knows that all agree that these public safety workers are vital to the safety of the City. She hoped that any conflict could be worked out.

Mayor Reynolds believed the firefighters voted on May 18. On May 23, the Mayor met with Mr. Salabsky who was told that the Administration would review his concerns and set up a meeting. On May 24, a number of meeting dates were offered. A June 9 meeting date has been set.

SouthSide Sale

Ms. Leon acknowledged Kim Carrell-Smith and Carolina Hernandez for their great work on the SouthSide Sale. More than \$25,000 was raised this year and will go right back into South Side programs. Ms. Leon said she used to dread Lehigh's moveout week, but partnerships like this have changed this into a positive event.

12. ADJOURNMENT

The meeting was adjourned 9:18 PM.

ATTEST:

Tad J. Miller
City Clerk