

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, February 6, 2018 - 7:00 PM

INVOCATION

Minister Mable Humphrey, Grace Deliverance Baptist Church, offered the Invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Shawn M. Martell, Olga Negrón, J. William Reynolds and Adam R. Waldron, 6.

*Welcome to Boy Scout Troop 329/Cub Scout Pack 360*

President Waldron welcomed Boy Scout Troop 329 from Trinity U.C.C. and Cub Scout Pack 360 of Holy Cross Evangelical Lutheran Church who are in attendance tonight. He noted a few had the opportunity to meet with Councilman Colón this evening for the requirements for Citizenship in the Community Merit Badge. President Waldron welcomed them and thanked them for attending this meeting.

CITATION

*Citation Honoring Eric R. Evans*

President Waldron presented a Citation to Eric R. Evans on the occasion of appointment as Business Administrator and his retirement on City Council. The Members of Council and the audience applauded Mr. Evans and wished him continued success in his new appointment as Business Administrator.

*Friends of Johnston Presentation Honoring the 100<sup>th</sup> Anniversary of Bethlehem's First Mayor Archibald Johnston*

Victoria Bastidas, President of Friends of Johnston stated she is at this meeting to honor the 100<sup>th</sup> Anniversary of Bethlehem's First Mayor Archibald Johnston. She explained that Archibald Johnston concentrated on school and graduated when he was 15, and went to work with his father at the Bethlehem Iron Works for about five years. Upon graduation from Lehigh University he began to work at Bethlehem Steel as an engineer. Ms. Bastidas explained he became President of Bethlehem Steel when he was only 28 years old. At that time South Bethlehem did not have a clean water source. Archibald Johnston looked at that and was concerned. When the City decided to become a unified City, which meant South Bethlehem would come together with North Bethlehem to form our Bethlehem today, there were about 42 different ethnicities in the City at that time coming together, working together and making

Bethlehem Steel. Ms. Bastidas remarked with Archibald Johnston at the helm, Bethlehem Steel developed armor plating, and the big guns that we used in World War I and World War II. Our buildings and the Golden Gate Bridge were built with steel from Bethlehem. Ms. Bastidas continued to say that Archibald Johnston did not want to be the first Mayor of Bethlehem, he was somewhat of a quiet person, but 5,000 people sign a petition to have him become the first Mayor of Bethlehem, and he became Mayor in 1918. Back in the day the Steel smoke stacks produced smoke and you could not hang out laundry because of the amount of dirt. We did not have clean water or clean air, and men were dying working in the factories and women were left alone raising their children. She pointed out that Archibald Johnston decided he would do something about this. Ms. Bastidas then read from his first Mayoral address that he gave on a day just like today 100 years ago. "The municipal problem is primarily and essentially one of human welfare. Therefore a City government is something more than a mere business proposition. We are concerned as administrators with the task of securing internal peace, virtue and good order, safety of lives, property and reputation, health and longevity, education, comfort, convenience, and happiness for the inhabitants of our communities and relief of the poor. This applies to all alike naturalized citizens as well as those who have enjoyed the blessings and comforts of our civil and religious liberty who have not yet become citizens or cast their lot entirely with us. We are concerned administrators and you as citizens should be concerned to no less degree. We will do our utmost to perform our duty and will succeed to the degree in which we receive your cooperation and support. The duties assigned us; I repeat are yours no less than ours." Ms. Bastidas remarked the beauty of what we see today, the Council and this Mayor and all of the people who have come here today to talk about the concerns they have in their communities is an amazing thing. So this is a very important day and important year, the 100<sup>th</sup> anniversary and she hopes everyone remembers what he said. Ms. Bastidas noted on top of that Archibald Johnston does have a beautiful estate with 135 acres, a mansion, and a farm on Route 191 that is open to the public. That is one of the things he wanted to do, to make sure this is saved for future generations and everyone here is invited there. Ms. Bastidas thanked Council for the opportunity to speak tonight.

#### PUBLIC HEARING

Prior to the consideration of the regular Agenda items, President Waldron called to order a Public Hearing to receive public comments on three Zoning Ordinance Amendments. The first Ordinance is to amend the definition of a hotel within the City; the second Ordinance is to increase the maximum building coverage in the RT District; and the third Ordinance is to clarify first floor uses in the CB Central Business and CL Limited Commercial Districts.

#### *Communication 6A - Lehigh Valley Planning Commission - Zoning Ordinance Amendments - Various*

The Clerk read a memorandum dated January 26, 2018 from the Lehigh Valley Planning Commission stated they reviewed the proposed Zoning Ordinance Amendment at its January 23, 2018 meeting pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). The proposal amends the definitions for "Hotels" and "Personal Services," increases the maximum building coverage for residential uses in the RT Residential District, and adds regulations prohibiting office uses on the front street level of residential buildings in the Limited Commercial (CL) and Central Business (CB) districts. All amendments address matters of local concern.

Darlene Heller, Director of Planning and Zoning explained that each of these amendments came about for different reasons. The first is the definition of a hotel. The prior definition includes seven (7) rooms or more to qualify as a hotel use but it does not address six (6) or less. In the Zoning Ordinance we need to address every use, otherwise we are open to some challenge for interpretation. So the provision is made to change that down to one (1) unit. We would like to define one unit for transient visitors as a hotel use. As new uses come about we need to update the Ordinance to address and include those and this is an amendment to close that loophole in the definition. Ms. Heller stated the next amendment is increasing maximum building coverage in the RT Zoning District. In 2012 we adopted a completely new Zoning Ordinance and when we did that we eliminated the RM Zoning District which was our most dense Zoning District at that time. So everything that was previously zoned RM is now zoned RT, which is currently our most dense zoning district but the provisions for building coverage and other things were much more liberal in the RM Zoning District. What we are finding now is that there are plenty of building lots, especially smaller lots with row homes or twins where the buildings already exceed the maximum amount of building coverage. If a property owner wants to put on a small addition or put in a shed that all adds onto the permitted building coverage and they are exceeding what is permitted. Ms. Heller stated they find that there are a routine number of property owners that have had to go before the Zoning Hearing Board. Last year there were ten (10) zoning appeals that went to the Zoning Hearing Board for things specifically related to maximum building coverage in the RT zone. She explained that nine (9) of them were granted and if these provisions were in place or if the RM was in place they would not have needed to go to the Zoning Hearing Board at all. So it seems like a burden that is really not necessary. Ms. Heller noted they are proposing that the maximum building coverage be increased, not to the degree that it was originally or prior to 2012, but increased so that there is some flexibility for those property owners of smaller lots. The amendment includes the percentages from the current Ordinance and then shows the amendments in the proposed Ordinance. Basically it increases the provisions by 10% for most building uses. This just simplifies the provisions for owners of smaller lots; they do not need to go to the Zoning Hearing Board for routine appeals that typically are granted anyway. Ms. Heller continued with the third amendment which is a clarification of the first floor uses that we want to permit in CB, the Central Business District and CL which is Limited Commercial. The Central Business is our two downtowns. CL would be areas like East Fourth Street, East Broad Street, West Broad Street, Linden Street, commercial areas of that nature. When we created the Zoning Ordinance in 2012 we created a provision that you were not able to have residential uses on the first floor. We allowed residential uses but on the upper floors. What we want to do in the downtown in the commercial zones is have commercial areas where it is comfortable to walk, where you have storefronts, where you have things that are interesting to see, areas and uses that people can go do that include restaurants, retail stores, personal service uses. Ms. Heller noted what they are finding now is that the first floor uses that are going into those buildings sometimes are non-residential but they are not in keeping with the kinds of uses that we really want to promote. So maybe we have a construction headquarters office or some other professional office, other uses that are typically by appointment only and typically they would be on the upper floors. We still will allow them on upper floors in CB and CL but we do not want to promote them on the first floor. The language in this amendment is to be more specific about the kinds of uses we want to allow on the first floor in CB and CL. Ms. Heller stated they defined personal service uses, which we do define but it is tucked away in the Zoning Ordinance, so we are moving that up to the front so we are being clearer about what kinds of uses are defined as personal services. In the second section we list the residential uses that are permitted in CL and CB and in the second part of this we add a new footnote that states "such housing shall be located

in the same building as a principal retail, restaurant or personal service use that is on the front street level. An office use, professional or otherwise, shall not be permitted on the front street level." She noted that the current language says that it is any non-residential use on the first floor level and so we are changing that to read "building with a principal retail, restaurant or personal service use on the front street level." She added that office use, professional or otherwise shall not be permitted on the front street level. This requirement for front street level retail or service use shall not apply to buildings fronting on local streets, so on a side street it is really not as important to use but on a main street we would be only allowing those three types of uses, retail, restaurant or personal service. Ms. Heller explained there is a third section in the amendment because there is another section in the CB Zoning District with a footnote and that footnote states that the first floor of a structure must contain uses other than residential along the street frontage. So that we are consistent throughout the Ordinance we are going to change that so in the CB Zoning District the first floor of a structure must contain a retail, restaurant or personal service use along the street frontage. Ms. Heller communicated those are the three amendments before Council tonight.

Mr. Colón queried if our definition in the Zoning Ordinance impacts the collection of a hotel tax.

Ms. Heller does not think that it should and added that her understanding is that the hotel tax is collected on the use and not necessarily based on the definition of our Zoning Ordinance.

*Public Comment*

Bruce Haines, 63 West Church Street explained he wanted to clarify the answer to the previous question. The State definition for hotel tax is the same as our new definition which is one (1) room or more, you pay the State hotel tax and similarly with the County.

Bill Scheirer, 1890 Eaton Avenue, informed he supports the first and third of the amendments and not the second. This amendment will increase the maximum building coverage in any RT zone by 10 percentage points for every type of building. His understanding is that the purpose of this amendment is to reduce the number of appeals to the Zoning Hearing Board for decks and sheds. The overwhelming effect of this amendment, whether intended or not, is to make it easier for developers of apartment buildings to overwhelm RT neighborhoods, the amount would increase the lot coverage for multi-family dwellings by one third from 30% to 40%. Mr. Scheirer communicated that Bethlehem today is not the same as the Bethlehem he grew up in. That Bethlehem was a gritty manufacturing City. He noted there was even a book called Gritty Cities, about Bethlehem, Allentown and four other eastern Pennsylvania cities. Today's Bethlehem is not only cleaner, but is attracting attention as a quality place to live, not because of large apartment buildings but because of a relatively human scale, as sense of space, a more relaxed atmosphere that is found in other Cities its size and a touch of the atmosphere of a University town because of its institutions of higher learning. Mr. Scheirer explained overdevelopment will squander part of what makes Bethlehem special. But if you feel what Bethlehem needs is more and more density then approve this amendment but if you feel that this is overkill then vote to table until such time as the Administration provides an amendment much more closely tailored to the provision of decks and sheds.

President Waldron adjourned the Public Hearing at 7:28 pm.

2. APPROVAL OF MINUTES

The Minutes of January 16, 2018 were approved.

3. PUBLIC COMMENT (on any subject not being voted on this evening - 5 minutes time limit)

*Tree Problems*

Armstrong Millien, 1909 Renwick Street, informed he had a problem a few years ago with two trees. When he bought this home he had two trees where the roots were going into his sewer pipes. It cost him \$300 dollars twice to fix the pipe. His biggest concern is that his wife is allergic to trees. He has come to the City to explain this but they put a tree in his walkway and he asked them not to put any trees close to his door. He is at this meeting hoping to have this tree removed.

President Waldron explained that Council does not have the ability to help with this but he is sure someone from the Administration, Alicia Karner, Director of Community and Economic Development Department could speak to him after the meeting or Michael Alkhal, Director of Public Works.

*Police Department*

Stephen Antalics, 737 Ridge Street, mentioned he would like to speak about a personal incident that involves service in the community. He had a break in, and installed a burglar alarm and recently he forgot he had set it and when he got home it was dark and he could not get to the alarm fast enough and it went off. After so many beeps the agency calls the Police, which they did, but in the interim he was able to get to the agent and gave his code saying it was a false alarm. They said they would call the Police and ask them to cancel the call, which they did but as he proceeded to take things out of his car a patrol car pulled up. A Police Officer came into the back yard and asked if everything was okay. Mr. Antalics noted he was a little bit concerned because it looked like a two alarm with no break in so he explained to the officer that he was told by the agency that they told the Police it was a false alarm. The officer then said that we did get the call as a false alarm but we just want to make sure that everything is okay. Mr. Antalics thought about this and realized this was very thoughtful; they did not have to do that and in many Cities you do not get that kind of service. He mentions this because he thinks you may hear negative things about the Police, but in this case he does believe that Bethlehem's Police force is exemplary from that point of view. Mr. Antalics just wanted to share that so you understand that and added that the Police Officer's name was Officer Corsi and he was extremely polite and thoughtful and that is what you call City service.

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

*Vacation of Second Avenue*

John Marquette, 360 Conestoga Street stated he lives in the Conestoga Court Condominiums which is inside the historic district and is in the impacted area by the proposed

vacation of Second Avenue. He has come to ask Council to deny the street vacation. According to the Lehigh Valley Planning Commissions transportation improvement plan the Hill to Hill Bridge is scheduled for renovation or replacement. He added that PennDot has assigned a project number 93630 and according to the plan \$5,117,519 dollars in Federal and State funds will have been expended by the end of this fiscal year alone on engineering and other studies. Mr. Marquette noted that on December 12, 2017 Mayor Donchez issued a memo to the Zoning Hearing Board recommending the denial of the zoning variance for an Adams Advertising digital billboard on the east side of the Hill to Hill Bridge stating in The Morning Call "It is not a good location for the billboard." The Express-Times recorded on December 19, 2017 that the Mayor acknowledged that the bridge may be reconstructed or completely replaced in 2024 or 2025 and that article states "No final decision has been made on the bridge design but Donchez would like to see the lanes widened. Locating a new billboard in the potential expansion area is premature and irresponsible." A key component of the Hill to Hill Bridge on it's opening in 1924 was the Second Avenue ramp carrying traffic from the west side to Main Street. If the four traffic lanes across the Lehigh are lost to us during construction we still may be able to use the Second Avenue ramp to move traffic through our City. Losing the carrying capacity of Second Avenue and access to that existing ramp is also to quote the Mayor not quite in context but in Mr. Marquette's mind, premature and irresponsible. Whatever our City and regions engineering team are in fact planning, this is not the time to tie their hands by giving away public resources for the benefit of private parties. Our Mayor wisely recognized the preservation of right of way instead of allowing a new billboard. Mr. Marquette is asking Council to ensure we consider travel options once this project begins.

Mary Toulouse, 1528 West Market Street, explained she is speaking this evening as President of the Mount Airy Neighborhood Association. She would like to say that the Association is supportive of the redevelopment of the historic Floyd Simons Armory but is opposed to the current Peron proposal regarding the vacation of Second Avenue for the following reasons. Ms. Toulouse mentioned that there is no provision for the parking for the Armory. The absence of provisions for it in this proposal in fact amount to the seizure of the rightful assets of the historic Armory, the very building that this project was supposed to protect and to enhance. Instead, this proposal leaves the Armory exposed to demolition through neglect. Secondly, we believe that the street vacation put forth in the current plan does not adequately reflect the parking needs of the neighborhood. Ms. Toulouse would like to make the following suggestions. First, before considering the street vacations Council should commission an external study of parking and traffic in the neighborhood because of the highly unusual sighting with the developer by a City Administrator at the Zoning Hearing, a hearing where everyone hopes to get a fair shake. We do feel that there is a need for an unbiased external study. Secondly, Council should postpone any street vacation until a use for the Armory has been identified and substantiated. Peron currently has no substantive plan for reusing the building. It would be irresponsible to grant City land to a private developer now when any future use of the Armory will surely impose additional parking burdens on the site in the neighborhood. Moreover the City's most important leverage in this case is the City land, Second Avenue. By giving it up now Council may inadvertently permit the developer to let the historic building deteriorate to the point where Peron can propose demolition. Ms. Toulouse stated they have some suggestions. The first being to prevent a demolition by neglect scenario Council should require that the developer to place \$100,000 dollars in an escrow account to stabilize the Armory or to immediately make repairs to the roof and any other sources of water damage. We also suggest that Council should mandate in any eventual street vacation at least 14 spaces be reserved within

the vacated part of Second Avenue for exclusive parking, Armory parking use only. This figure is calculated on the conversion of the Armory into several apartments which was once proposed for the building and could be enforced by the City Parking Authority. Setting aside these 14 spots for the Armory would in fact raise the total of project parking needed to 137 spots and thus better reflects the real parking needs of the proposed Peron development. As suggested by feedback from several architects, cars from any of the new construction could be parked either under the building or behind the building simply by reconfiguring the sign and perhaps using the space that Peron has set aside in the back for a patio. As testified at the Zoning Hearing the Peron engineer said she had never been asked to come up with any alternative plans. It is time to ask for such a redesign. The Armory is located on Prospect Avenue in front of the house of the Burgess of West Bethlehem and in front of Historic West Side Moravian Church. It is located on the route of the wagon carrying the Liberty Bell as it went to Allentown to be hidden from the British during the American Revolution. The Armory is an integral part of the west side's path through history linking the burial grounds of the revolutionary soldiers on street to the east on First Avenue to the Mount Airy Historic District in steel executive mansions beginning at Eighth Avenue and continuing to Sixteenth Avenue. Ms. Toulouse expressed Council Members are the guardians of our historic heritage and the quality of life on the west side of Bethlehem. Please see that both of these are safeguarded and she hopes that we have given some suggestions that you can use.

Christine Roysdon, 421 Second Avenue, mentioned she had a few things to add to what Ms. Toulouse has spoken about. One is that she thinks one of the chief problems with the current plan is it's straying from what is currently a very accepted form of urban planning. The suggestion that parking should be in the back of an urban apartment complex and instead what we have is a strip mall in front of the proposed Armory apartment complex with all of the parking in front of the building and almost to the point where the apartments begin within four feet. Beyond that it occupies a good portion of what the City Council is giving the developer in terms of the street vacation. Beyond this parking lot is a sidewalk, a park and a planting strip and then 25 newly painted parking spaces that will be fully occupied not by the residents who are going to be displaced across the street from their parking along the boulevard spots but by new residents in the apartment buildings who will be short 24 spaces of what they need just to park near their own homes. We have a situation which a rather ugly strip mall style parking lot is being placed in front of a new urban building in an historic site. In front of it, there is the assumption that the parking spaces will be available not for residents of our City, not for the residents who have parking across the street but for residents of the apartment building because there are not enough spaces for them on the property. Ms. Roysdon pointed out that another suggestion that has been made is that this arrangement will improve walkability if the street is narrowed by the street vacation. There are many problems with this thinking. First, a narrowed street will not be safer for cyclists. They love Second Avenue because it is wide and gives them room to cruise down the street to get where they need to go. The apartment complex is supposed to be welcoming cyclists, but instead it will be not welcoming at all, it will be more dangerous for them. With a strip style parking lot and with all of the parking that will be required by the residents there will be a lot more traffic on that block. There will be some parking that is angled at the end of the street, a parking lot that empties out that is right in front of the building; it is not going to be a safe place as promised. Ms. Roysdon would for that reason alone ask that Council execute on the idea of a parking study of the neighborhood and think very carefully about whether the walkability impact is really what you believe that it might be and what is desirable. Ms. Roysdon stressed that Council should postpone any street vacation until after a likely appeal

to the Zoning Hearing Board is entered and decided. That is likely to happen and she thinks that would be putting the cart before the horse to make this decision without being aware of what goes on with that appeal. Finally, she has to admit that she is in a little bit of a state of shock about the RT District Zoning change that has been suggested for this evening. It appears to her that it would directly impact this particular situation with the Armory property and that it would impact our ability to stage an appeal. A change of this sort would definitely affect the amount of property that could be covered by this structure in the Armory lot and the timing is really very surprising and shocking to her. Ms. Roysdon is interested in a response to that.

John McGeehan, 375 Thirteenth Avenue, noted he came to this meeting to say he supports the Peron development situation. If he was on the Zoning Hearing Board back in 1920 when they put the Armory in he would not have put it in this area. He is not happy with the National Guard and Pennsylvania should have known better in putting an Armory in an area like Prospect Avenue, it does not make any sense. Now because of the sequester and things that are happening to our military, whether the National Guard or the Reserve, you are seeing some of this land come back to us. In its presence people on the Council now have to decide what they are going to do or not do with this situation. Mr. McGeehan is happy to see a developer come out of the City of Bethlehem and will be involved with this. They also have the credit and responsibility in their corporation to handle this during good and bad times. Mr. McGeehan has been a developer in Bethlehem and has developed on the west side and downtown. He knows that the Boards are tough and the people are supportive. He does think this has to be tweaked a little bit as far as parking, but he is in support of this and wishes the developer good luck and hopes that Council approves this.

Judith Joy Ross, 317 Rauch Street, explained that Rauch Street is behind the Armory going north and south. She lives in half of the yellow house, a half of a double and has lived there for 34 years. She stated she has a terrific view and sees her neighbors going in and out of their homes. It is a wonderful thing to have a great view and see human life going on at a safe distance. Ms. Ross has always enjoyed this neighborhood but with this construction without proper parking for this fine building that is being considered, the neighborhood will be wrecked. Ms. Ross is not objecting to the building, she is objecting to the fact that there is no plan for the Armory and for the parking of whoever goes into that building. She is asking that Council think about foregoing this plan right now until you do a study of parking and traffic. Ms. Ross mentioned Rauch Street is without sidewalks on one side and it goes from a two way street to a one way street and there will be many difficulties for her and her neighbors. She knows her neighbors will have a hard time getting into their homes and out of their homes and finally, there is something that was approved for parking at an angle on Second Avenue, but she is concerned someone will be killed trying to pull out from those spots.

Khristina Haddad, 346 Liberty Street, stated she is a professor of Political Science and she lives on the west side and loves living there. She did live in the historic district on the east side when she first moved into Bethlehem and married into an old Bethlehem family. She remarked she married the son of Margaret Dodson. It was a big move to move on the west side, but she now feels very invested in the west side. She can say there is a lot of anxiety on the west side in terms of how this project will affect our quality of life. She lived on the east side and now the west side because she walks and bicycles and is worried about Second Avenue, about the density and about people parking. She has a young daughter and they walk downtown and she is concerned with the traffic on that corner. Ms. Haddad would like to join several of the very well

researched and prepared requests to ask for a postponement until an unbiased external study can be done about traffic safety and the quality of pedestrian life after this development would have been completed. Those are serious concerns. She was sitting next to a neighbor before who mentioned that she would like to buy her home that she rents currently and now she is delaying that because she does not know the impact of this. Ms. Haddad would like people to consider carefully the quality of life issue that is related to scale and density and the character of the neighborhood. She moved to that neighborhood for a reason. She does not want to live in the suburbs, she does not want to live in the City, and she wants to live on the west side because it has character. If we abandon that character and the quality of life and safety, it will be a great loss for all of us. She noted particularly as a pedestrian, a mother, and also as a social scientist she really sees this development with considerable concern because it will alter something fundamental. Ms. Haddad thanked all of the people who spoke and had very researched arguments; they had many points made that she had not thought about. She understands that this development will go forward, but we need to be responsible about any aspect of this that regards public spaces, public movement and public safety.

John Callahan, 329 Bierys Bridge Road, stated he is at this meeting representing Peron Development. This project is not new to Council; we did have the opportunity back in August of 2016 to present a rather extensive review of the three concepts that were accepted by the Redevelopment Authority. He is happy to say that the concept that we are moving forward with is very consistent with one of the three concepts that was approved by City Council at that time when they approved our agreement with the Redevelopment Authority. Mr. Callahan added that any changes to the plan have been largely driven by responses and concerns we received from the community. Probably the most significant change from any of the three concepts that were supported by the RDA in the City back in 2016 has to do with the parking that we had originally proposed on Rauch Street. We had originally proposed 23 spaces on Rauch Street and we have eliminated those parking spaces and moved 13 of those spaces onto the property. So much has happened since he was last before Council. We have had an opportunity to have extensive meetings with Public Works in the design of Second Avenue, the new section of Second Avenue along with the City's Planning Bureau. We have received a 4-0 vote, unanimous support from the Planning Commission in recommendation of the street vacation based on the plans we presented and the concept that we have before you today. In addition, not only support of the street vacation but they also recommended to the Zoning Hearing Board that we be granted the special exception. We had extensive public comment and review at a Zoning Hearing Board and we received unanimous support by the Zoning Hearing Board for not only the special exception and the de minimis variances that we sought for the plan before you but also it also required the street vacation. Mr. Callahan wanted to remind everyone that all three of the concepts that we presented to Council back in 2016 contemplated the vacation of Second Avenue. We also received from the Planning Bureau a recommendation to Council and to the Planning Commission in support of the street vacation and Public Works has also recommended the street vacation to support this particular project. We have done a lot of work and have had a lot of meetings with the Administration and a lot of meetings with the neighbors. Mr. Callahan wanted to present this again to refresh everyone's memories. He has to take some ownership with the fact that as he was discussing this project with individual Council people and perhaps did not come out as clearly as he wished it could have at the Zoning Hearing Board is there is this notion that the Armory is not being redeveloped as part of our concept or even the proposal before you today. That is simply not accurate. So what he has before Council is that conceptually, if you think about the Armory you have the original drill hall, which was built in 1930, and you have

two out buildings, a garage that was built in 1938 and a garage that was built in 1968. What we are proposing and what we have approval currently from the Zoning Hearing Board is taking those two garages and redeveloping them in the form of six, one (1) bedroom apartments. That represents about 7,000 square feet of the Armory itself. He wanted to point out that total square footage of the Armory is about 27,000 square feet, so of 27,000 square feet of the entire Armory, 7,000 square feet will be the six one (1) bedrooms in the garages, but also the entire ground floor of the Armory is being proposed right now for amenity space, for a fitness room, for storage and internal support for the project itself, mechanical rooms, electrical rooms, etc. Mr. Callahan explained that represents another 10,000 square feet of the existing original drill hall space. So we have 7,000 and 10,000 square feet equaling 17,000 square feet of the 27,000 square feet of the Armory that is actually spoken for and contemplated to be rehabbed as a part of the proposal that is facilitated by the street vacation. If you do the math 63% of the Armory is being rehabbed as a part of this proposal and only 10,000 square feet, the drill hall space is not yet spoken for and we have plans to move forward with trying to find a user for that. What will happen is that there will be a shared parking arrangement which is contemplated in the Ordinance and accepted by the Planning Bureau to allow for that depending on that use. Mr. Callahan reminded that we are eliminating two non-conforming uses, bringing them back to the original residential use and that the street vacation, which is recommended by Public Works, is also recommended by the City's walkability expert, which will take Second Avenue from the wide section from a D street to a B street. So this will enhance walkability and have a traffic calming impact on the project and the neighborhood as a whole. We see this as an enhancement. Mr. Callahan expressed that he will answer any questions Council may have.

*911 Call*

Nicholas Girou, 32 East Washington Avenue, explained that he called 911, but there was no real emergency. He remarked he just did it by accident and an officer came out although there was no emergency and he got in trouble for it. He wonders if there could be a different emergency number that could be used.

President Waldron noted maybe he should talk to our Chief of Police Mark DiLuzio after the meeting.

*Vacation of Second Avenue*

Daiyana Rodriguez, 315 Rauch Street, commented on the issue of safety with the vacation of Second Avenue. She thinks safety has not been taken seriously with this project. She especially wanted to talk about Rauch Street, which is a street with no sidewalks, very straight with no visibility. We have two businesses where children are dropped off in this area and this will increase traffic so it will be dangerous. Ms. Rodriguez is asking that Council take this into consideration because those are the children of the neighborhood.

Gene Mater, 434 Second Avenue, mentioned earlier he was thinking he wanted to give John Callahan and his friends at Peron Development some credit because they had a good idea in many ways. When they were first planning developing this property it included having some sort of incubation site at the Armory which was a good idea that he presented last summer. That was the idea until the person who was going to partner on that backed out, no fault of Mr. Callahan. So they were left kind of holding the bag and it was an empty bag for months and

months. Mr. Mater stated he has been to most, if not all of these meetings, and if he missed any he talked to people who were at these meetings. This is the very first time he has heard mention the amenity space in the Armory. Here in the eleventh hour when they are asking you, after they have already managed to talk their way into eleven variances of zoning, they are saying they will make an amenity space which had been suggested by some of the neighbors. Mr. Mater queried if this is something to placate the people who are concerned and say we do not need any extra parking. That is a big concern about this unaddressed question regarding what you were going to do with the Armory. You have already scooted through and gotten away with thirty fewer parking spaces than zoning requires. Mr. Mater mentioned it seems to him that we need some time to find out whether this is accurate, and that is what they are going to do. Otherwise, he is not comfortable that this is really what is going to happen. Mr. Mater noted this is a company that has somehow talked everybody else into giving them eleven variances, maybe four or five are okay but not eleven variances. He is asking Council to at the very least put a hold on to really look at this and see what is going on. Mr. Mater is a little surprised and others here are also by this last minute change.

Bill Scheirer, 1890 Eaton Avenue, noted on the vacation of Filbert Street and Second Avenue you may be tempted to take a narrow view, as does the Zoning Hearing Board, and vote to approve on the grounds that the developer owns both sides of this single block of Filbert Street. Also on the grounds that narrowing Second Avenue will make it the same width as the block immediately to the north. But taking such a narrow view would mitigate and denigrate the singular role that you could and should play in planning for the City. The Zoning Hearing Board is supposed to follow the Ordinance that you approve and this goes for the Mayor and the Administration as well and the Planning Commission of course is purely advisory. It is incumbent upon you and critically necessary that you take a broader view of the importance of this project for the City. Mr. Scheirer explained in another words does the closing of these streets enable a project that is the best possible project for the City and particularly for this neighborhood. The City is composed of neighborhoods and if we do not protect them we may still have a City but we will not have a community. You may be concerned as I and many others are about the 24 cars that this project will put on the street adding to an already tightly parking situation, and the drill hall will put more cars on the street. You may be concerned as I and many others are that the west side ramp to the Hill to Hill Bridge will be demolished by PennDot in its renovation of the bridge and will therefore not be available for parking. Finally, you may be concerned as I and many others are that the project is so big that it will alter the essential character of the neighborhood which means according to your Ordinance that no variances should have been given and certainly not eleven of them. Mr. Scheirer expressed it is not easy to give a flat no to this developer and former Mayor and no to the current Administration. However, as has been mentioned tonight a traffic study would seem to be in order. Vote to close Filbert Street on the grounds that any developer of the Armory will own both sides of Filbert but vote to amend the Ordinance to remove the vacation of any part of Second Avenue at this time until the time that a revised project will be to the benefit of not only the City but also will not alter the essential character of this delightful urban neighborhood.

Stephen Antalics, 737 Ridge Street, mentioned he has not researched and has no knowledge of the issues that has been talked about but he feels a concern for them because these are people who have done intelligent research. These people are also expressing what is going to happen to their neighborhood. Mr. Antalics noted he would like to put on an historic precedent here that you may consider looking into. He suggests that all of you review a publication of

Bethlehem postcards of the old Bethlehem such as Third and New Street, Fourth Street, Third Street. The City had a very distinct flavor but that started to deteriorate. Number one, what could have been an historic building like the Reading Terminal; the old Farmer's Market on Third Street was torn down and replaced by a strip mall. Mr. Antalics added that two historic buildings on the corner of Third and New Streets were destroyed and a gas station was put in. People coming off of the Fahy Bridge into the south side have told him they are overwhelmed by this monstrosity at Third and New Streets and they will then be viewing a 10 story on Fourth Street. It has destroyed what was the historic sense of south side Bethlehem. So be careful, because you might be starting a process that deeply concerns these people on the west side. This could become the domino effect. Mr. Antalics noted that Ordinances did not save the south side so before you overlook the responsibility to these people who elected you he suggests you take deep concern for the love of their neighborhood and respect their wish to preserve that. Mr. Antalics expressed that Council should get the publication of postcards that is in the Library and look carefully at the south side historic pictures and go to those locations now and you will say "what happened." Please do not let this happen on the west side and respect these people's wishes.

Kari Keyock, 1024 West Market Street, stated she is at this meeting to speak on behalf of Peron Development. She has seen many different variations of this plan. Regarding concerns about safety in the street, so many times she has driven home on Second Avenue every day and there are cars coming down the wrong way on the wrong side of the street. Ms. Keyock believes that Mr. Callahan and Peron Development are doing everything they can for the safety in that area. She believes they are working hard at trying to figure out what is going to go in the Armory. They have a lot of good plans and just because something has not come in yet, she does believe that something will come in. Ms. Keyock expressed it is a shame that people do not trust what Peron is doing because Mr. Callahan has a lot of passion and cares a lot about the west side of Bethlehem.

Randi Mautz, 235 East Church Street, explained she has been in the historic district for about 20 years. She lived on the west side when she first moved to Bethlehem and she would like to thank Mr. Callahan because she does not think we have enough affordable housing for people that are downsizing. The Armory is an historic building and she believes this is a great idea. She continued to say taking those buildings and repurposing them into something we can enjoy only enhances the neighborhood. Ms. Mautz added that what Ms. Keyock said about that street is true; it is always difficult driving there with the divider in the middle. The Armory looks horrible 90% of the year, and it would be a shame not to pass something that would improve that property.

Cedric Jacques, 315 Rauch Street, noted he lives behind the Armory. He came to Bethlehem without knowing anybody except his wife and thanks to her he discovered a beautiful town on the west side. Mr. Jacques explained he is from France. He noted that if this town is supposed to be walkable, the people who had this Armory had a different project besides the Peron one and most of them were higher. When Mr. Callahan decided to talk to us in the neighborhood his first idea was a three story building and after that he went to a three and a half and now it is a four story building. He is wondering how high do we go now? He expressed that he has been to all of these meetings concerning this project. He has faith in this town; he came here to build his life and he has his house here. Mr. Jacques noted what he has discovered is that people elected are put in a position in this town that unfortunately do not care about what the population thinks. Mr. Jacques explained he is against this project. On the street of Second

Avenue do not forget one thing; you are going to reduce the parking spaces of these people. He can tell you that during Musikfest more cars will be on his street and there will be no parking spaces, no place for the sidewalk and no place for the kids to walk around. Mr. Jacques expressed during Celtic Fest and Musikfest every day the people in this building will have their guests visiting them and queried how many parking spaces will be available for the neighborhood. With all of these meetings people do not care about the fact that there is less parking because they do not live in this area, they are not concerned about that directly, which is wrong. Putting more units in this apartment building will increase the traffic in this area. Someone just said about an affordable place to live, it would be \$1,500 or \$1,400, if he recalls, and you think this is affordable. On the point of saying one unit apartment, there are more one unit apartments than two unit apartments. You want to tell me that these apartment will be full? Mr. Jacques stated what he will suggest is avoiding this Second Avenue project and reduce the number of units. He would like the City to at least review what they did, and not only for Second Avenue, but the neighborhood that is impacted by this project.

Elayne Polentes, 801 West Market Street, stated she is at this meeting in support of the Armory development. She thinks that Bethlehem needs more development with walkability to the downtown area. Not only will this improve the west side, but it will improve our downtown and attract businesses.

Michael Keyock, 1024 West Market Street, informed the he is also in favor of the Armory project. He is looking forward to the development happening there. He walks the downtown area weekly and bikes down that way and there are a lot of safety concerns. He saw many presentations before this to get the Zoning variances. Mr. Keyock believes this project is a good idea. It will help build up an area that is really rotting away right now.

5. OLD BUSINESS

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

6. COMMUNICATIONS

B. *Purchasing Director – Records Destruction Resolution*

The Clerk read a memorandum dated January 16, 2018 from Sandra Steidel, Director of Purchasing requesting Council to consider a Resolution for the Destruction of Records from the Purchasing Bureau listed on the attached exhibit. Ms. Steidel has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Waldron stated the Resolution can be placed on the February 20 agenda.

C. *Director of Community and Economic Development– Recommendation of Award – The Greater Lehigh Valley Chamber of Commerce*

The Clerk read a memorandum dated January 11, 2018 from Alicia Karner, Director of Community and Economic Development recommending a contract with The Greater Lehigh

Valley Chamber of Commerce for marketing. The term of the contract is January 1 through December 31, 2018. The fee for the contract is \$75,000.

President Waldron stated Resolution 10 C is on the agenda.

*D. Director of Public Works– Recommendation of Award – Construction Masters Services*

The Clerk read a memorandum dated January 18, 2018 from Michael Alkhal, Director of Public Works recommending an amendment to the contract with Construction Masters Services for the construction of a reinforced concrete staircase connecting the Greenway to Hobart Street and related work. The term of the contract is 90 days from the Notice to Proceed. The price increase is \$27,065.65.

President Waldron stated Resolution 10 D is on the agenda.

*E. Director of Water and Sewer Resources – Recommendation of Award –Hach Company*

The Clerk read a memorandum dated January 23, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Hach Company for a water information management system (WIMS). The term of the contract is from the Notice to Proceed until December 31, 2019. The contract renewal is every two years. The fee for the contract is \$84,568.

President Waldron stated Resolution 10 E is on the agenda.

*F. Director of Water and Sewer Resources – Resolution Request – PA Small Water and Sewer Project Grant*

The Clerk read a memorandum dated January 25, 2018 from Edward J. Boscola, Director of Water and Sewer Resources requesting a Resolution in support of an application to the Pennsylvania Department of Community and Economic Development for a PA Small Water and Sewer Project Grant that will be used to replace sections of sanitary sewer mains on Founders Way in Bethlehem and on Biafore Avenue in Hanover Township.

President Waldron stated Resolution 10 F is on the agenda.

*G. Director of Water and Sewer Resources – Recommendation of Award – Tank Engineering and Management Consultants, Inc.*

The Clerk read a memorandum dated January 24, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Tank Engineering and Management Consultants, Inc. for water storage tank inspections. The term of the contract is from the Notice to Proceed until August 31, 2018. The fee for the contract is \$21,800.

President Waldron stated Resolution 10 G is on the agenda.

*H. Director of Public Works – Recommendation of Award – Tri-State Technical Sales Corp.*

The Clerk read a memorandum dated January 29, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Tri-State Technical Sales Corp. for the Water Treatment plant actuator replacement project. The term of the contract is from the Notice to Proceed until December 31, 2018. The fee for the contract is \$90,932.90.

President Waldron stated Resolution 10 H is on the agenda.

*I. Police Chief – Records Destruction Resolution*

The Clerk read a memorandum dated January 30, 2018 from Mark DiLuzio, Chief of Police requesting Council to consider a Resolution for the Destruction of Records from the Department of Police listed on the attached exhibit. Chief DiLuzio has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Waldron stated the Resolution can be placed on the February 20 agenda.

*J. Recreation Director – Residential Lease Agreement – 423 Illick’s Mill Road*

The Clerk read a memorandum dated January 30, 2018 from Jane Persa, Recreation Director to which is attached a lease agreement between the City of Bethlehem and Jonathan Taylor Brown for the purpose of leasing the house at 423 Illick’s Mill Road. The lease has been drafted by the Solicitor’s Office with input from the Recreation and Public Works Directors.

President Waldron stated Resolution 10 J is on the agenda.

*K. Redevelopment Authority Executive Director – Sale of Property – Parcel bordered by Conestoga Street and Route 378*

The Clerk read a memorandum from Tony Hanna, Executive Director of the Redevelopment Authority to which is attached a proposed Resolution to approve the execution of a contract for sale of land for redevelopment between Skyline West, LLC and the Redevelopment Authority. Pursuant to the Redevelopment Law, all Redevelopment agreements require the approval of City Council prior to final execution and subsequent disposition of the property.

President Waldron stated he will refer this matter to the Community Development Committee.

*L. City Solicitor – Use Permit Agreement for Public Property – American Association of University Women, Bethlehem Branch - 2018 Book Fair*

The Clerk read a memorandum dated February 1, 2018 from William P. Leeson, Esq., City Solicitor to which is attached a proposed Resolution and Use Permit Agreement for the 2018 Book Fair. The Permittee is the American Association of University Women, Bethlehem Branch. The event is scheduled for March 26, 2018 – May 1, 2018 and the location is the Memorial Pool Building.

President Waldron stated the Resolution can be placed on the February 20 agenda.

M. *City Solicitor Use Permit Agreement for Public Property – Work to Live, LLC c/b/a Run Lehigh Valley – Brew to Brew Run Event*

The Clerk read a memorandum dated February 1, 2018 from William P. Leeson, Esq., City Solicitor to which is attached a proposed Resolution and Use Permit Agreement for the Brew to Brew Run Event. The Permittee is Work to Live, LLC doing business as Run Lehigh Valley. The duration of the lease is one day, April 7, 2018 from 8:00 am to 4:00 pm and the location is Nevin Place, adjacent to the Sun Inn Courtyard and Main Street from Church Street to Broad Street.

President Waldron stated the Resolution can be placed on the February 20 agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Terry Novatnack – Bethlehem Zoning Hearing Board*

Mayor Donchez appointed Terry Novatnack to membership on the Bethlehem Zoning Hearing Board effective through January, 2019. Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-017 to confirm the appointment.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

2. *Administrative Order – Dr. Natalie M. Bieber – Board of Health*

Mayor Donchez appointed Dr. Natalie M. Bieber to membership on the Board of Health effective through January, 2022 to replace Dr. Sally Haggerty. Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-018 to confirm the appointment.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 1 - 2018 – Establishing Article 349 – Economic Development Incentive Reporting and Evaluation, Creating the Financial Accountability Incentive Reporting (F.A.I.R.) Program*

The Clerk read Bill No. 1 - 2018 – Establishing Article 349 – Economic Development Incentive Reporting and Evaluation, Creating the Financial Accountability Incentive Reporting (F.A.I.R.) Program on Final Reading.

Mr. Reynolds explained they have had extensive conversations about this and three weeks ago when we voted on this the first time. He wanted to say a thank you to the people who helped get this where it is now. He thanked Mr. Spirk and Mr. Leeson who weighed in on this Ordinance. He would also like to thank Ms. Karner who has been very involved in creating this. Mr. Reynolds added he wanted to thank the City Clerk's Office, Ms. Kelchner and Mr. Vidoni and

also his colleague on City Council Mr. Martell. When he came up with this idea 14 months ago he looked at Bethlehem and where it has come in the past 25 years since Bethlehem Steel shut down. He noted that since then it has been about redevelopment and revitalization. Mr. Reynolds stated often times in the center of that are incentive programs whether or not they are tax breaks or different things to try to spur private development. He remarked it is not just Bethlehem competing for the same private development dollars; it is Allentown, Easton and other States. These incentive programs work and we in this room understand that they work. If you drive through Bethlehem you understand when you look at the amount of buildings and amount of money that has been invested, public and private, that our economic development programs work. He thinks that this is a step in the right direction with tracking some of the data associated with these programs, whether it is jobs or tax revenue, etc. Mr. Reynolds believes this is a big step with being transparent with these programs. Often times they come up for reauthorization and we ask anecdotal questions. This program will create reports that will be produced every year by the Administration in conjunction with City Council, so there will be the public conversation about these programs and how they are working. Mr. Reynolds reiterated his thanks to everyone who worked and supported this.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. Bill No. 1 - 2018 now known as Ordinance No. 2018-01 was adopted on Final Reading.

## 9. NEW ORDINANCES

### A. *Bill No. 2 - 2018 - Street Vacation - Portion of Filbert Street and Portion of Second Avenue*

The Clerk read Bill No. 2 - 2018 - Street Vacation - Portion of Filbert Street and Portion of Second Avenue, sponsored by Mr. Reynolds and Mr. Colón and titled:

AN ORDINANCE AUTHORIZING THE VACATION,  
DISCONTINUANCE AND STRIKING FROM THE CITY'S  
GENERAL PLAN OF STREETS OF PORTIONS OF  
FILBERT STREET AND SECOND AVENUE IN THE  
10<sup>TH</sup> WARD OF THE CITY OF BETHLEHEM, COUNTY  
OF LEHIGH, PENNSYLVANIA.

Ms. Negrón thanked Mr. Callahan, and noted he has always taken time to reach out to her and sit down and explain whatever he has been working on, even before she was on Council. She remarked we have met many times on this project. As some of the residents mentioned a few weeks ago, the Armory basement that is included in there, this is the first time she has heard this use. When he presented this for the first time it was included, but she was not part of Council so she did not receive that information. Ms. Negrón is glad he is here today to clarify this, but thought this should have been part of the zoning presentation. She would like to hear some kind of feedback on this to make everyone assured that this was in fact part of the presentation from the beginning.

Ms. Karner informed what she would like to do is go back and look at the history of the projects that were presented to us and the level of detail to make sure she is accurate in explaining when that was first brought to their attention as part of the plan. She pointed out we did have a

number of scenarios presented to us through the RFP process so she does not want to confuse the timeline so she would be hesitant to venture a guess on what she would say is the official first time we have ever discussed where the amenities would be or where the mechanicals would be. There were many conversations that relate to this project. Ms. Karner then asked for time, to look into this and she could then give a firm answer at that time.

Ms. Negrón mentioned walkability and making Second Avenue from D to B and which is what we all want to see. She is wondering how that is measured. What we are voting on tonight is specifically on the vacation of the street. Ms. Negrón pointed out she avoids driving in that area because it is confusing and many times she has seen people driving against the traffic. The way she sees this presented to us, that will make it safer to the driver but she is not sure about people walking or bicycling. She queried, how will that make it from a D to a B?

Michael Alkhal, Director of Public Works mentioned that the proposed vacation resulting new layout of the street will be more of a traditional conventional layout of the street. He explained that he was not involved in making the assessment of the rating of the street from a pedestrian safety and vehicle perspective, but it is more of a conventional layout. One can easily see that the crosswalks would be shorter so it would be a shorter distance for pedestrians to cross. As far as bicycle accommodations, the City has gone down the path of promoting sharing lanes as opposed to dedicated bike lanes. Where we are in the existing development, it is just not feasible to have dedicated lanes anyway and they do not exist anywhere in the City, but rather we promote sharing of the lanes. Mr. Alkhal noted from those two perspectives he can see how the more conventional layout in that area would fare better from those factors.

Mr. Callahan announced that he will not be voting on agenda item 9A- Bill No. 2-2018 due to the fact that his brother John Callahan works for the company that is the co-petitioner requesting the street vacation.

Mr. Reynolds noted the question has been raised multiple times about the potential for parking on the 2<sup>nd</sup> Avenue bridge ramp. He does not believe any parking spots in there were included in the Zoning Hearing Boards decision, and asked if that is correct.

Mr. Alkhal replied that is correct.

Mr. Reynolds knows that was offered as a kind of extra possibility or bonus but obviously there is a lot up in the air as far as what will happen with that bridge. He wondered if there is any information to shine the light on that question with what we know now.

Mr. Alkhal mentioned as for the parking on the Second Avenue ramp obviously as everyone here is aware the Hill to Hill Bridge project is in the preliminary design phase. We have had numerous meetings with PennDot and their project team and consultants with respect to the project and follow up discussions as recently as recent days. He can say at this point, taking into consideration the feasibility aspects of the project, the existing constraints, and environmental impact, PennDot and their consultants concur that it looks like by far, the more likely project is a complete rehabilitation with looking for some opportunities to gain some improvements like widening the bridge slightly to have standard width lanes. They are looking for an opportunity to maybe add a turning lane as you approach the ramp closer to Third Street. Mr. Alkhal noted

so far all of the alternatives that are being studied to achieve those things do not appear, nor do we envision, that they would likely have a significant impact on the Second Avenue ramp.

Mr. Reynolds then asked about the timeline as it pertains to either the Zoning Hearing Board or the Planning Commission or what needs to happen in the future.

Ms. Karner stated there certainly will need to be a land development plan filed and that would include a number of things that satisfy questions as they relate to all departments of the City. So from a timing perspective she would defer to the developer but it is usually a couple of months to get the land development plan together and submitted, reviewed and then on the Planning Commission agenda. There is also the obligation to go back to the Zoning Hearing Board on the use for the drill hall. We will be able to consider issues such as parking. It depends on the needs of the use of the drill hall, but they certainly wanted to be consulted regardless of the use at a future Zoning Hearing Board Meeting.

Mr. Reynolds explained he has not been to too many Planning Commission Meetings. He wondered if sometimes or every time there needs to be a traffic study.

Ms. Karner stated it is part of the Subdivision Land Development Ordinance you do have to do a traffic study. It is either an abbreviated or a regular traffic study, it depends on the number of in-bound and out-bound trips. She was looking at it because she wanted to be sure of some of the things we were requesting and this falls under Mr. Alkhal's department but it is looking at pedestrian safety, it is looking at making improvements to ensure safety for pedestrian and bicyclists. It is inclusive and it really looks at accident corridors and making sure that we understand what happens Monday through Friday and then again on Saturdays as well so we are identifying the different traffic patterns.

Mr. Reynolds asked if that is included in the traffic study.

Ms. Karner explained they have to submit that to us as part of the land development plan before it goes to the Planning Commission.

Mr. Reynolds wondered when we voted on this.

President Waldron mentioned he knows that date because he was not at that meeting because his children were born; it was August 16, 2016.

Mr. Reynolds remarked the Zoning Hearing Board did their part and made decisions that were not unanimously popular with people and the Planning Commission plays a role and the Redevelopment plays a role. He has met with many neighbors multiple times and the biggest question he had with what could have changed since August 2016 would be the use for the drill hall. When you look at this, not only is it 17,000 out of the 27,000 square feet being used now, but then the thing that he thinks is important and gets that property to a point where we can say it is a positive thing for the neighborhood, is the redevelopment of that drill hall. If you look at the practical timeline, tabling the street vacation or not giving the street vacation will delay the ability to get a user in there. Mr. Reynolds understands there are concerns, but the biggest thing for us, and for him at least, was when we endorsed this recommendation from the Redevelopment Authority; we did not pick any of the projects. The Redevelopment Authority came for the

recommendation after their application process. Mr. Reynolds noted there was a potential user in August 2016 but he has learned that from the time someone says they are interested in a project there is a big time period where they are actually ready to sign that lease and ready to commit. That was a commitment we had made to try to rehabilitate and redevelop the Armory. While he understands the concerns, tabling this street vacation or voting it down will put the project on almost permanent hiatus, and it would be hard if someone wants to go into the Armory. They would have to go to the Zoning Hearing Board for the use and get City Council to give the street vacation and this will take time. Mr. Reynolds thinks denying this street vacation or voting it down does not increase the likelihood that we get someone into the Armory; it just puts the whole project on hold. He does understand the concerns about parking and the height of the building, but the way the land development process works is we take a look at what is in front of us, and there are other bodies that have other responsibilities. Mr. Reynolds has thought a lot about this, and if he thought tabling this or voting this down would increase the likelihood that the Armory and the drill hall will be used, that would be the right thing to do. But he does not believe that from looking a practical timeline. Tonight he will be voting for the street vacation.

Mr. Colón thanked everyone who came out tonight to speak, some opposed to the project and some in support of the project. One thing that was not mentioned by any of his colleagues was that we all received a very long letter today from someone who is not here tonight who sent us a long letter in support of the project but at the same time echoed some of the concerns. Mr. Colón explained that he lives at the end of Second Avenue and Broad Street, so when we talk about some of these concerns, there is merit. There is concern with the parking and there is no denying when you are putting up an apartment building you will add traffic to it. In the neighborhood we talk about walkability and we talk about people riding their bicycles. He remarked that he walks through the neighborhood and rides his bicycle to Sand Island. He looks at these projects he sees 55% in favor, or 100% in favor is still in favor, and zero percent in favor or 45% in favor would be thumbs down. While he hears what everyone has to say, he does appreciate meeting with the neighbors. He also worked for the City for the Health Bureau and he was there in the summer of 2005 and 2006 with neighbor complaints about the Armory building. We heard from a number of neighbors over the last couple of weeks that are looking forward to something being done with this building. Mr. Colón mentioned his colleagues have gone over some of the processes moving forward. He does understand the concerns with the future of the drill hall. He also understands that the developer is working to find a tenant for there and has faith that they will find something appropriate with low impact. As the process moves forward with the planning, some of those issues with safety and traffic will be negated by narrowing that street. He will be supporting this Ordinance tonight.

President Waldron highlighted he is intimately aware of the dealings of the neighborhood because he lives about a block and a half from the Armory and called many here his neighbors and customers as well. He is very sympathetic of what parking can do to a neighborhood. On the 500 block of Second Avenue it is not uncommon that he has to park around the corner and on Market Street and sometimes in the 400 block of Second Avenue because parking is very tight. That is because of some of the businesses that are on Broad Street that use Second Avenue. As you move south down to Fourth Avenue it starts to open up with parking spaces and down on Third Avenue parking is plentiful. President Waldron noted sometimes if he is going to work early or taking his children to daycare in the morning, he can see a surplus of 20 or 30 spots in that immediate vicinity of Second and Prospect Avenues. He does not think there is currently a shortage of parking and there is definitely room to grow with development. That being said, he is

definitely sympathetic to people's concerns about the quality of life in the neighborhood, the walkability, parking and safety. President Waldron thinks two out of these three things which is what we are focused on tonight, the walkability and safety are really addressed here in a positive way. He sees a lot of very aggressive driving that happens on Second Avenue especially around that intersection of Prospect with some cars going excessively fast and not using the stop sign, as well as being confused by the median. He believes this does well to address some of those parking concerns and narrow the street, still not narrow by any means. He pointed out, often he can see cars double parked on both sides in his block and there is still a lane of traffic, so you can really fit 5 cars wide on Second Avenue which is still considerably larger than most of the streets that we have in the City with the exception of maybe Broad Street. President Waldron noted that he wrote a memo to the Director of Planning asking what the process would be as this moves forward, going from Planning, to Zoning with the multiple meetings and opportunity for folks to weigh in and give their opinion, and then come to City Council for the final ask, which is the street vacation. Obviously, he does not think that Filbert Street is a point of contention; it is that Second Avenue and the narrowing there. If you were to do it the opposite way, the litmus test is if Second Avenue on the 300 block were currently the same width as Fourth and Fifth Avenue the 400 and 500 block and someone was proposing to widen it to its current state, that would not make a lot of sense. So if we are reverse engineering this question it is a no brainer to narrow the street for safety concerns as well as walkability because right now that is a pretty deplorable walk down the 300 block because of the unsightliness of the Armory. President Waldron explained to get a positive impacted project that will put a lot of people in the neighborhood who will spend their money and spend their time in the neighborhood, is a good thing. While he does have some concerns about parking and what it potentially could do, some of them are unwarranted and people are being a little bit overcautious. He does understand those concerns, but he thinks the process, as it went through Planning and Zoning was a good process. Ultimately we were left with a good project and City Council has the last ask tonight of narrowing Second Avenue. He believes this is a good thing and a good project he can stand behind. President Waldron continued to say regarding concerns about the demolition by neglect to the Armory space, he does not feel that is a legitimate concern since the covenant that protects the Armory and the two other buildings will be there regardless of who the owner is. He has faith in that as well as the reputation of the developer to encourage historic development and the sensitivity to honoring a building that potentially could be a really cool cornerstone for the neighborhood. President Waldron stressed while there are some concerns that are legitimate this does offer a positive project to the neighborhood and he will be supporting the street vacation this evening. President Waldron reminded everyone that this is the first of two readings of this Ordinance. We will have a second reading of the Ordinance and possibly some time to answer some of the questions that were posed to Ms. Heller in the next two weeks. We can have more information if that is something that Council Members would like to do or talk about what potential changes could be made or adjustments could be made so members of the public and Council are more comfortable as well.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Colón, and Mr. Waldron, 5.  
Abstain: Mr. Callahan, 1. Bill No. 2 – 2018 was passed on First Reading.

## 10. RESOLUTIONS

A. *Approving Records Destruction – Water and Sewer Resources*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-019 that authorizes the disposition of the public records in Water and Sewer Resources as stated in the attached Exhibit.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*B. Approving Records Destruction – Community and Economic Development*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-020 that authorizes the disposition of the public records in the Department of Community and Economic Development as stated in the attached Exhibit A.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*C. Authorizing Contract – Greater Lehigh Valley Chamber of Commerce*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-021 that authorized to execute a contract with the Greater Lehigh Valley Chamber of Commerce for marketing.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*D. Authorizing Contract – Construction Masters Services*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-022 that authorized to execute a contract with Construction Masters Services for the South Bethlehem Greenway-Hobart Street Connection Project.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*E. Authorizing Contract – Hach Company*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-023 that authorized to execute a contract with Hach Company for a Water Information Management System (WIMS).

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*F. Approving Resolution – PA Small Water and Sewer Project Grant*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-024 that approved a PA Small Water and Sewer Program grant of \$240,000 from the Commonwealth Financing Authority to be used for replacement of sanitary sewer mains on Founders Way in the City, and on Biafore Avenue in Hanover Township.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*G. Authorizing Contract – Tank Engineering and Management Corp.*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-025 that authorized to execute a contract with Tank Engineering and Management Consultants for water storage tank inspections.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*H. Authorizing Contract – Tri-State Technical Sales Corp.*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-026 that authorized to execute a contract with Tri-State Technical Sales Corp. for the Water Treatment Plant Actuator replacement project.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

*I. Certificate of Appropriateness – 337 Wyandotte Street*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-027 that granted a Certificate of Appropriateness to install a new sign at 337 Wyandotte Street.

Ms. Negrón mentioned the owner/applicant for this is New Bethany Ministries and she is now a Board Member of New Bethany Ministries she should abstain from this vote.

Voting AYE: Mr. Martell, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 5. Abstain, Ms. Negrón, 1. The Resolution passed.

*J. Authorizing Residential Lease Agreement – 423 Illick’s Mill Road*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2018-028 that authorized to execute a Residential Lease Agreement between the City of Bethlehem and Jonathan Taylor Brown for the property located at 423 Illick’s Mill Road.

Mr. Reynolds then asked for a little background on this property. He knows this is the house on Illick’s Mill and he does not believe anyone has lived in there for a while.

Jane Persa, Recreation Director explained it has been about two years since someone has lived in the house. We are leasing this to a full time golf course employee so that is a benefit to the City because of the tax exemption and we felt rather than leave it unoccupied we would have someone who works for the golf course and is familiar with the area. It would be an asset for us to have him there if something would happen at night time.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 6. The Resolution passed.

11. NEW BUSINESS

*Monocacy Park Master Plan Meeting*

Mr. Colón noted that tomorrow there is a public meeting planned over at the Ice House to review the Monocacy Park Master Plan for the Memorial Pool.

Ms. Persa stated that is correct but unfortunately due to the predicted inclement weather we have postponed that to next Monday, February 12, 2018 at 7:00 pm at Illick's Mill building because the Ice House is not available. This information is on the City's website today.

*Committee Meeting Announcements*

*Finance Committee*

Chairman Callahan announced the Finance Committee will meet on Tuesday, February 13, 2018 at 6:00 pm in Town Hall. The subject will be Year End Budget Adjustments.

*Community Development Committee*

Chairman Martell announced the Community Development Committee will meet on Tuesday, March 6, 2018 at 6:00 pm in Town Hall. The subject will be the Sale of Redevelopment Authority Property-parcel located between Conestoga Street and Route 378.

Chairman Martell announced the Community Development Committee will meet on Tuesday, March 20, 2018 at 6:00 pm in Town Hall. The subject will be the F.A.I.R. Program Reporting forms Approval.

12. ADJOURNMENT

The meeting was adjourned at 9:17 p.m.

ATTEST:

City Clerk