

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Wednesday, November 7, 2018 - 7:00 PM

INVOCATION

Pastor Keith Harke, West Side Moravian 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, Paige Van Wirt, and Adam R. Waldron, 7.

Executive Session

President Waldron announced that City Council met in Executive Session this evening Tuesday, November 8, 2018 at 6:00 p.m. in the Mayor's Conference Room. The purpose of the Executive Session was to receive an update from the Administration on pending legal matters.

Resolution 10 M

President Waldron announced that we will be adding a Certificate of Appropriateness that we received today under Resolutions.

The Clerk read the Certificate of Appropriateness to install a sign at the Rotunda at 10 East Church Street.

President Waldron mentioned this was just passed at the Historical and Architectural Review Board (HARB) this evening, hence the short timeframe. He will accept a comment on the Resolution at the time of the Second Public Comment when public comment can be made on Ordinances and Resolutions with a 5 minute time limit.

2. APPROVAL OF MINUTES

The Minutes from October 2, 2018 and October 16, 2018 were approved.

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

Homeless Shelter at Christ Church UCC

Louis James, 527 Center Street, informed that he will be reading a letter addressed to Mayor Donchez, City Council, the Police Chief and Member of the Zoning Hearing Board on

behalf of the Members of the Concerned Neighbors for Safety and asked them to stand. In the letter he notes that on November 15, 2017, the Zoning Board approved a variance for Christ Church UCC to house a homeless shelter run by Bethlehem Emergency Sheltering, or BES, from December 1st to March 31st. Part of that variance notes that “the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located...nor be detrimental to the public welfare.” Mr. James continued with the letter and expressed our experience is that it did both of those things and pointed out disturbing incidents that have occurred such as trespassing on and inside nearby private properties, sexual harassment and documented indecent exposure to young girls and a woman leaving a funeral, screaming and other loud noises at all hours, public urination, defecation, and vomiting, panhandling and loitering, drug and alcohol paraphernalia (including hypodermic needles) littered on nearby streets and properties. Mr. James asserted they do care about the community and are grateful and supportive of the many organizations and churches to provide services to the homeless, however they are at the meeting to ask the City, the Bethlehem Emergency Shelter and Christ Church to: abide by maximum occupancy and staffing requirements as listed in the zoning ruling of December 29, 2017, provide professional outdoor security for a minimum of 2 hours prior to opening until 2 hours after closing the next morning, provide additional functional security lighting around the facility, install security cameras encircling the facility, and clean up debris near and around the facility after it closes each morning.

Mr. James also related their concern that the majority of neighbors within 300 feet of Christ Church were not notified of the November 15, 2017 Zoning Hearing Board meeting. It is their hope that a sincere, good faith effort is made to communicate to neighbors any requests for zoning variances going forward

President Waldron thanked Mr. James and the neighbors who came out for support. This is not something that has come across our Council desks before, but obviously it is something that is very important to our community. He hopes that the Administration can take a look into this working with Police Chief DiLuzio in order to create a plan and response that will ease tensions.

Mayor Donchez reported that the Administration met with the Fowlers about two weeks ago with Kristin Wenrich, Health Director and Police Chief DiLuzio to outline some of the new goals and procedures for this year. It was a very productive meeting.

Police Chief DiLuzio mentioned that they understand the issues with the BES shelter. There were issues last year and the Police did respond so we understand the concerns of the neighbors. He pointed out that he cannot put a Police Officer in that shelter every night; it is just not feasible. This year before anybody is admitted in the shelter they have to come to the Bethlehem Police Department because we are open 24 hours a day. The individual will present identification to the Desk Sergeant and the Desk Sergeant runs them and sees if there are any marks or if they are a target of an investigation anywhere. If there is nothing on this person and they are just a homeless person looking for a place to stay, if this person is not on the Megan’s Law List or the National Data base on sexual offenders, they will be admitted to the shelter. You do not get into the shelter without a voucher from the Bethlehem Police. Chief DiLuzio pointed out we cannot run a shelter, it is not a City shelter, not a City facility, but we are trying to make sure that the people who do reside in that shelter that there is some type of check and balance with BES. This is the best type of system we can do and it is done in other cities. These people report to the Police Department and the people who have criminal histories do not want to come

into a Police Department, people with warrants will not just walk in. If they happen to come in and have a warrant then we take care of that and they will go to another type of shelter. Chief DiLuzio noted that is the best we can do. You have to remember that the City is not running this shelter, these are private Churches. We are trying to give them some type of guidelines that they can go by and also something that the residents that live in downtown Bethlehem will understand is being done at that shelter. We are going to increase patrols this year around the shelter. He added that when residents have a problem please call in when you see the problem. We have Police on duty 24 hours a day. They will show up and take care of the problem. If they do not get a voucher and go to BES, they will not let them in. We will have the rules posted downstairs at the window by the Desk Sergeant that is open 24 hours a day.

President Waldron thanked Chief DiLuzio and added that he hopes that will make positive changes in the neighborhood. He anticipates that the conversation will continue and more changes if necessary can be made to help the situation.

Bethlehem Moment

Riley Gallagher, 1605 Chelsea Avenue, stated she wanted to read a Bethlehem Moment. On October 2, to October 8, 1916 citizens of the two Bethlehem's worked together to raise the final financial piece in funding the Hill to Hill Bridge. Large clocks were mounted on the Bethlehem Trust Company north of the river and the E. P. Wilbur Trust Company on the south, where crowds of people gathered at lunch each day singing songs and making speeches while watching the new funding total posted. In the end, in an awesome display of ground-roots civic power, individuals raised over \$200,000 dollars towards providing a long-awaited secure and stable link between the two Bethlehem's. The Hill to Hill Bridge with its eight approaches plus crossing a river, a canal, and four railroads was an engineering marvel of its day, and the "fraternal cooperation" of the final campaign to build it spurred the Greater Bethlehem movement. One year later the two Bethlehem's would be one.

Lehigh University Parking Lot on the North Side

Ed Gallagher, 49 West Greenwich, explained he would like to keep on the radar of the City and the people involved in what he brought up at the last meeting about Lehigh University moving to the parking lot on the north side. He understands that is a Bethlehem Parking Authority responsibility and maybe the City does not have too much to say about that. Lehigh will be coming in front of various committees in regards to other things in their expansion program. He hopes that people will ask the question if Lehigh really has to go there. We saw in the past two weeks that Lehigh is in a fundraising campaign for \$1 billion dollars. He wonders why they have to go across the river when they have all that money and all that space. Mr. Gallagher informed his primary concern is who will be forced to park there and the time they will have to spend getting and forth to their cars, as well as the impact to Bethlehem taxpayers for Lehigh moving over there. He referenced last week that there was a little bump in Lehigh's plan in that the students were told that they will have to move off campus next year into the south side commons but the students were not happy about that. The President of Lehigh came out and said all the good things. He said that they made a mistake and that all voices should be considered in this and will be included in their plans. He hopes that Lehigh is listening to the voices of the cafeteria workers and the grounds people and people like that. Mr. Gallagher added that there may be no problem, but as far as he knows Lehigh had not visibly said who will use

that parking lot. He thinks there might be a problem there. He sees on the agenda tonight that James Broughal will be coming up for reappointment on BRIA. He is not sure that will be voted on and is not sure of the process there.

President Waldron noted they will be voting on that and Mr. Gallagher may want to save his comments for the Second Public Comment.

TIF

Dana Grubb, 2420 Henderson Place, expressed the reason he is at this meeting is about a story that was on Lehigh Valley Live this morning. He related in 1999 the then Solicitor Joseph Leeson and Redevelopment Authority Director John Rohal and Mr. Grubb as the Acting Director of Community and Economic Development spent hundreds of hours in negotiations with Bethlehem Steel over what is today known as the TIF district on the south side. The benefits we see today are the Hoover-Mason Trestle, the Stock House renovations, Steel Stacks and the Greenway. Money from the TIF went into the Greenway. Mr. Grubb pointed out the entire purpose of those negotiations was to provide a funding source for public infrastructure so that development could take place what was known at that point in time was Beth Works. Today he read that \$800,000 dollars had been committed to a private development project. He also understands that \$60,000 is allocated each year for the Ambassadors Program on the southside. He was also informed that the Redevelopment Authority is reimbursing ArtsQuest for the person who unlocks the gate at the Hoover-Mason Trestle. The TIF money was going to be dedicated to the plaza at the entrance of the National Museum of Industrial History, but that never happened. Improvements were going to be made in the general area around the Community College, but it never happened. At least 5 years ago there were discussions about using TIF revenue to help subsidize the construction what is called the Polk Street Garage. Mr. Grubb remarked to Councilman Reynolds appreciation for F.A.I.R. program that he advanced because we would not know any of this is going on. There were other uses for the money, things that were in the pipeline, other concepts and here we are diverting this money to private development, to street sweepers and to somebody who opens the gate. Mr. Grubb noted we can excuse Councilman Waldron for not being aware of this, but City Council should be aware of what the Redevelopment Authority is doing. He asserted the public, Council, and perhaps the Administration should have answers about why this money has been allocated this way. Ironically, the primary reason this was negotiated was to create parking garages on the Beth Works site to provide the parking and any other public infrastructure that would be necessary to redevelop that site. Here we are throwing it away, as Councilwoman Negrón had said like Monopoly money, with almost no public accountability. Mr. Grubb stated there was a public meeting at the Redevelopment Authority, but probably not a person in this room was at the meeting.

Road Construction

Dena Hall, 1602 Monocacy Street, mentioned there has been construction at the intersection of Broad and Center Streets along with all of Center Street and has been going on since April. We have endured more than six months of the street and sidewalks being ripped up, loss of parking. It is difficult for folks to get to her business, the Backdoor Bake Shop at 92 East Broad Street. She expressed when we thought the project was complete it was supposed to be a wonderful benefit for ADA compliant ramps that led from the sidewalk to the street at the

crosswalk. Now whenever it rains, and it has been raining for months now, there are puddles on either side of the ramp, almost looking like a lake. The puddle comes from the sidewalk where it meets the handicapped ramp out probably 6 or 7 feet into the street and probably 6 or 7 feet wide as well. Ms. Hall noted that cars drive through fast and they drive through the puddle and anyone on the sidewalk will get wet. Once the winter time comes and it starts to freeze that will be solid ice. She knows there have been people out there taking pictures, perhaps they are from engineering. Ms. Hall noted there is really no way to fix this except to rip it out and re-grade that entire intersection. In the meantime she will be out there every time it snows and as the melted snow builds up in that intersection she will be personally clearing it so that people can walk across the street. She really hopes that something else can be done and done quickly. Ms. Hall added that there has been demolition done at the 7-Eleven at Broad and Center Streets. The gas tanks have been removed from underground in this past week and she is curious to know if the tanks will be replaced and/or if there are any environmental impacts causing them to be removed and if they will not be replaced how that will impact the neighborhood and the water table.

President Waldron is sure that her comments were received by Michael Alkhal, Director of Public Works and he is probably aware of the water in the street by the ADA ramp.

Mr. Alkhal stated he will look into this.

Redevelopment Authority/Zoning/2 West Market Street Zoning

Martin Romeril, 26 West Market Street, mentioned he had a few observations about the Bethlehem Redevelopment Authority. The Authority meeting minutes for minutes from 2016, 2017 and 2018 are on their website at bethlehemrda.com/minutes. Scanning the 2017 minutes he noticed that no Council Member attended in 2017 and the other thing he noticed was that half the meetings were cancelled. Mr. Romeril advised there never appears to be a guest at the meeting and that means that there is probably no one from the public at the meeting. Mr. Romeril added there could just be a complete lack of awareness of what the Redevelopment Authority does. Their meetings are on a Monday at 3:00PM. It is hard to go to these meetings, the CRIZ meetings, the Bethlehem Parking Authority meetings. There was a Historical and Architectural Review Board meeting today at 4:00 PM, tomorrow there is a Planning Commission Meeting, a Zoning Hearing Board meeting at the end of the month and Council meetings. Mr. Romeril added that there is no video feed or video archive for any meeting in the entire City government or its web of sub-committees and independent authorities. Other cities have access to the internet and there are multiple examples exist of other Cities of comparable size across the nation that video at least the City Council Meetings. He thinks that would help the community to know what is going on. He continued to say that he is really at this meeting to speak in defense of his residential neighborhood. Recently, he went to the Lehigh Valley Planning Commission. They were going to vote on the proposed zoning amendment to allow offices on the corner property at the intersection of any two streets in the RT or RG Residential Districts. Originally the sub-committee on planning for the Lehigh Valley Planning Commission put forth the following statement that they hoped the full commission would vote on. "While the proposed amendment addresses a matter of local concern, the LVPC recommends that the City ensure that such an amendment would have broad enough applicability and be suitable throughout the two districts to justify its adoption." Right before the meeting started somebody who was not a body member, but must be associated with the LVPC and the staff, got up and said they cannot say that, all they can say is the amendment addressed a matter of local concern. Mr. Romeril noted when they got to the

point that they discussed this, some of his neighbors spoke and he spoke and two of the members of the Lehigh Valley full Planning Commission said this is spot zoning and why are we doing this. But they were voted down. The Planning Commission tomorrow at their 4:00pm meeting will say the Lehigh Valley Planning Commission only said this amendment addresses a matter of local concern. Mr. Romeril stated he can tell you about his concerns. He has a map that is in opposition to the map that Darlene Heller, Director of Planning and Zoning made for the Planning Commission tomorrow that totally mischaracterizes our neighborhood. The reason he does not like his neighborhood mischaracterized is because this happened at the Zoning Board on April 27, 2016 when a map was put up that colored Moravian Academy, Trinity Church at 44 East Market Street, God's acre, and the law offices as all commercial. Mr. Romeril stated this is spot zoning and if you want to go to court again we are 3-0 before the Commonwealth court. We will win again on this. There is no second property in the City that this amendment applies to. Mr. Romeril stated he has copies of this map for Council. He encourages Council to not listen to the bland nonsense about how this amendment does not affect the neighborhood. It is a stab to the heart of all residential neighborhoods in the City. He expressed that there are over 300 intersections of at least 2 streets in RT and RG neighborhoods so that is up to 900 properties that could be affected and turned into offices.

2 West Market Street Zoning

Beall Fowler, 409 Center Street, informed that his name was mentioned in connection with the homeless shelter and he acknowledges the meeting that we had with the City officials and he does believe that was productive. He hopes that it will help things work out better this year. He is really at this meeting about the issue that Mr. Romeril just spoke of. He continued to say you may think why are all these Center City people coming in and complaining all the time, but we feel like our neighborhood is being invaded. Mr. Fowler pointed out there are people who want to turn our residences into offices and hotels and our Churches into homeless shelters. We are a residential neighborhood and residences should be residences. He added to the map that Mr. Romeril pointed out, which was part of the report that Ms. Heller sent to the Planning Commission that presumably they will use to make their decision tomorrow as to whether or not to move this forward. He wanted to point out two things about the map. The first it is misleading. This would be the map that was given to the Planning Commission in that it separates rental from homeowner properties and is color coded. When you look at the color coding it looks like there are not so many residential properties because there are rentals, but a rental is a residential property. So it is slanted in a way that when you look at their map it gives you the sense that it will not make too much of a difference if one more property is not residential because a whole bunch are. Mr. Fowler stated even more than that there are blatant falsehoods on the map itself because there are two specific properties that he knows well. One property is owned by his son and the other by his daughter. On the map that the Planning Commission has been given, the property his son has which is owner/occupied/residential is labeled mixed use and the property his daughter has which is single/family/residential is labeled rental. Not that there is anything wrong with rental, but they are totally mischaracterized, so the map is useless. Yet the Planning Commission is expected to use this bogus map to help them make their decision and that is just wrong.

Bill Scheirer, 1890 Eaton Avenue, stated regarding 2 West Market Street, he has read the petition, the Planning office memo and has looked at the map. He can say in black and white it is absolutely incomprehensible. He will make a point tonight and also plans on speaking at the

Planning Commission meeting tomorrow. There is an error in the petition, an alleged statement of fact which is incorrect. The petition states that it is not possible to use 2 West Market as a residence. That is not true. It is true that the petitioners do not want to use it as a residence; they want to use it as a financial office and have been for the past year in violation of the Commonwealth Court. So the assumption behind that statement is no one else wants to use it as a residence, no one else wants to rent it for a residence or no one else wants to buy it for a residence. Mr. Scheirer noted this reminds him of a Zoning Hearing Board case some years back regarding the premises on the south east corner of Market and New Streets where the bed and breakfast wanted to sell the property for financial offices. At the time the owner told the Zoning Hearing Board that he could not sell it as a residence. One of the few virtues of the Zoning Hearing Board is that the citizens are entitled to ask questions of the witness. There was a citizen who is appearing before you now, who asked repeated questions of this homeowner. Finally the homeowner admitted that if the price were reduced sufficiently he could sell it as a residence. Well, the same thing applies to 2 West Market. The broader issue here is that businesses like to move into nice residential neighborhoods because they are nice and also because it is cheaper than buying commercial property. Mr. Scheirer related if you allow that to happen that is market driven zoning. He met someone from Houston recently and he confirmed that they have no zoning. They do have Historic Districts and they have homeowner associations, but other than that no zoning. If you want to have market driven zoning like that what will happen again and again is that businesses will keep moving into residential areas. You will give up your residential areas, your quality of life in those areas and what will you have left will be businesses scattered all over the City instead of being concentrated. You will have some vacant storefronts from businesses that have left the commercial area for a residential area and you have reduced quality of life. Instead of having people coming into the City you will have people moving out.

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

Administrative Order/Parking Penalty Ordinance

Ed Gallagher, 49 West Greenwich Street, stated he did not know Council was voting on the Administrative Order for James Broughal but it does relate to the parking issue that is coming up. He pointed out he has been regularly attending the Environmental Advisory Committee (EAC) Meetings. At that meeting last week the Chairwoman said that she was asked to step down from a second committee she was on. She was an alternate on the Zoning Committee. Mr. Gallagher had seen her at the front table at zoning issues. She was given a choice to be on one committee so she made the choice to stay on the EAC. The next day he was going to go to the CRIZ meeting that was cancelled. He looked up their committee and noticed that Mr. Broughal is the Chair of the CRIZ. He had been going to two Bethlehem Parking Authority meetings and Mr. Broughal is Solicitor on the BPA and he added that he is a very active and aggressive Solicitor. Mr. Gallagher noted it seems to him this is a contradiction here. It may have to do with Authorities which are different from the City things. Here is a woman on a committee, the EAC and there is a member of that committee tonight who has said at several meetings that she writes regularly to the Mayor and Council about things. Her letters are dutifully acknowledged but she never gets a response to the substance of her letters. So that is not a Committee that is significant in the eyes of the City but CRIZ and BPA are. So Mr. Broughal is allowed to have two posts like that and this woman who would probably serve on a third Committee if she were asked is told no, she cannot do that. Mr. Gallagher sees six teachers in front of him and he approached the

letter that BPA sent back to Council as grading an exam. He said on his blog if he had received that in class he would have given it back at that moment and would have said you did not understand the assignment, do it over. He worked through those 14 questions and it turns out that 9 were the responsibility of the Bethlehem Parking Authority. He thought two out of nine questions were answered satisfactorily. Mr. Gallagher stated his feeling is if that request for answers from the BPA was significant to Council, and he does not think it was to everybody, he does not see how you can approve. He would think you have to table or deny. He is just looking at this objectively as a response to a series of questions and it was not good. He is saying that if that letter is important to Council, it is indicative to the quality of the BPA and he would not go forward and approve this tonight.

President Waldron noted there are three teachers on Council, not six.

Certificate of Appropriateness-Resolution 10 K

Thomas Elliott, Attorney with Elliott and Elliott, 26 North Third Street, Easton remarked that he is at this meeting about the Certificate of Appropriateness for the Choice Hotels. There was a loose end with the Historic Commission in that they wanted us to consult with corporate offices about their position on adding the pin stripe around the sign. That was a loose end that has been done and we are satisfied with the resolution as proposed and we ask this be adopted.

President Waldron noted Council did receive a response from the Historic Officer stating that they felt comfortable with your diligence in that request. They felt that your efforts were satisfied.

Administrative Order – James Broughal – BRIA

Martin Romeril, 26 West Market Street, noted that first he has a note that his father wrote as he is unable to be here this evening. He has a request of the Administration that you make a list of all persons currently serving or planning to serve to be appointees to all positions on all Boards. Mr. Romeril and his father feel that there should be an understanding that no one person be allowed to serve as Solicitor on any City Board or Commission while simultaneously serving any one of the other Boards in the City, whether it is an independent Board or not. These Boards are all intertwined and are all dealing with municipal issues. This would preclude the possibility that the person would have to recuse themselves. What if the Solicitor of one Board has to recuse himself because they serve on another Board? Now you would have to get an experienced Solicitor that has not been at all of the meetings to step in. That is not fair to the public or the Board. Mr. Romeril stated that the home page of the City website says that there are 75,000 people in this community. Even if you exclude all of the people you do not like of the other political party there still has to be more than 75 family names to fill a theoretical 100 positions in the City. With respect to the reappointment of a CRIZ Board Member tonight, he was going to speak the last time a CRIZ Board person was reappointed in December but was asked not to because at that time a business person in the community was concerned they were not going to get CRIZ support even though it was promised to them in 2016. They sat through most of 2017 waiting and finally got on the agenda for the October CRIZ Meeting and he raced down here five minutes after the meeting started and there was no one in the room. Mr. Romeril went to Planning and they told him they cancelled the meeting and they told him they called all the people they should. He thought this was a public meeting. After that an agenda started to

appear on the webpage and he thanks the Mayor. The October CRIZ meeting was supposed to have one item and item that was put off in February, March, April, May, June, July, August, and September. Then it was put off again in November because there was not a November 2017 meeting. So there was one item on the first December 5th CRIZ meeting agenda and the person came and made his presentation. Many business people from Main Street came down and said it was wonderful and then we found out they are not going to vote on the agenda item at that meeting. Mr. Haines had come down with his lawyer, papers, and supporters and had all kinds of ideas. He noted at one point the Chairman screamed at Mr. Haines and said "I am not going to give you the CRIZ, the Hotel might go out of business and the taxpayers will lose all of their money." Mr. Romeril noted that there has been a Hotel there since 1832; it is not a bad business model. He does not think this person should be reappointed as Chairman of the CRIZ Board. His behavior that day was unconscionable. Mr. Romeril stated he has been to Bethlehem Parking Authority meetings the Solicitor is rude sometimes and people should not be treated like that. At one time there was a Parking Appeals Board that consisted of members of the community and his father served on it. Mr. Romeril commented if now people want to get a handicapped parking spot in front of their house they go before the Board; they have to deal with people who do not care. They are not citizens who live in their neighborhood; there is no community input now. He does not think this person should be reappointed because of his temperament and a conflict of interest.

Bruce Haines, 63 West Church Street, remarked listening to what has been discussed before by the prior two people, he believes they are correct. No person should be in the position where they are basically in a conflict of interest. In particular this appointment for the CRIZ there is almost no CRIZ project where the Parking Authority does not have some involvement. In the case of his particular situation when he was told in a meeting with the Parking Authority that he would not get the support of the Parking Authority for his project unless the Parking Authority owned or operated his garage, he stated he specifically turned to the Solicitor and asked him if he was on the CRIZ Board since he has to take the position, it is his fiduciary duty as the Solicitor of the Parking Authority to represent the Parking Authority. So it is clear what the vote was going to be from that particular person, the Chairman of the CRIZ Board. Mr. Haines asked him if he was the Chairman of the CRIZ Board and he said yes but he is only one of five votes. He did not say he was going to recuse himself and did not offer to do that. This is just not right. Our project got delayed a year basically and single handedly by this gentleman that is being reappointed and in fact it probably killed the project completely. There is less than a 50/50 chance that this project will happen now. Mr. Haines is just saying that this particular one is worse than any of them because just like the Polk Street garage, it is outside the central business district and not within the purview of the Parking Authority. This is a project that was going to be done by the Redevelopment Authority as we heard earlier and now all of a sudden the Parking Authority is involved. Now we find that at CRIZ benefactor will benefit from that garage and he will be a primary beneficiary of that garage. He wondered how Mr. Broughal can sit as the Chairman of the CRIZ and be objective when he has a client. If Mr. Broughal were to step down as the Solicitor of the Parking Authority Mr. Haines has no problem with him being the head of the CRIZ Board. He remarked being a victim of the circumstance of conflict of interest he wholeheartedly supports what these two prior gentlemen were saying. Mr. Haines encourages Council to not reappoint the applicant for the Administrative Order.

5. OLD BUSINESS

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

6. COMMUNICATIONS

- A. *Director of Water and Sewer Resources – Recommendation of Award – M. J. Reider Associates Inc. – Water and Wastewater Lab Testing Services*

The Clerk read a memorandum dated September 26, 2018 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with M. J. Reider Associates for Water and Wastewater Lab Testing Services. The fee for the contract is \$165,500 with an option to renew up to a four (4) 2-year extension. The term of the contract is January 1, 2019 – December 31, 2020.

President Waldron stated 10 A is on the agenda.

- B. *Business Administrator – Proposed 2019 Budget – Fee Increases – Golf Fund*

The Clerk read a memorandum dated October 15, 2018 from Eric Evans, Business Administrator to which is attached a list of fee increases for the Golf Fund as part of the 2019 budget.

President Waldron stated this is for information only. The fees will be reviewed at the Third Budget Hearing on November 26 when the Golf Fund is reviewed.

- C. *Director of Community and Economic Development – Recommendation of Award – Riley and Company, Inc. – Keystone Communities Program Grant Audit*

The Clerk read a memorandum dated October 4, 2018 from Alicia Karner, Director of Community and Economic Development recommending a contract with Riley and Company for the Keystone Communities Program Grant audit. The estimated completion date is December 31, 2018 and the fee for the contract is \$4,500.

President Waldron stated Resolution 10 B is on the agenda.

- D. *Director of Water and Sewer Resources – Recommendation of Award – AECOM – Risk Management plan Updates & Compliance Audit Reports for Water Filtration and Wastewater Treatment Plants*

The Clerk read a memorandum dated October 18, 2018 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with AECOM for risk management plan updates and compliance audit reports for the Water Filtration and Wastewater Treatment Plants. The term of the contract is from the Notice to Proceed until June 30, 2019 and the fee for the contract is \$28,000.

President Waldron stated Resolution 10 E is on the agenda.

E. Deputy Fire Chief – Fire System Report Upload Fee

The Clerk read a memorandum dated October 24, 2018 from Deputy Fire Chief Craig Baer to which is attached a Resolution to adopt a new fee setting a maximum upload fee of \$15 dollars per fire system report uploaded to “the Compliance Engine”.

President Waldron stated Resolution 10 C is on the agenda.

F. Fire Chief – Records Destruction – Fire Department

The Clerk read a memorandum dated October 29, 2018 from Fire Chief Warren Achey requesting Council to consider a Resolution for the Destruction of Records from the Department of Fire listed on the attached exhibit. Chief Achey 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 November 20 agenda.

G. Mayor – Lehigh Valley 2018 Hazard Mitigation Plan – City of Bethlehem Adoption

The Clerk read a memorandum dated October 31, 2018 from Mayor Robert J. Donchez to which is attached a Resolution to adopt the Lehigh Valley 2018 Hazard Mitigation Plan for the City of Bethlehem. Section 322 of the Disaster Mitigation Act of 2000 requires the development and submission of such a plan to the President of the United States for approval and that the approved plan is adopted as a prerequisite to receiving post-disaster hazard mitigation grant program funds.

President Waldron stated Resolution 10 F is on the agenda.

H. Director of Water and Sewer Resources – Recommendation for Award – Michael F. Ronca and Joao & Bradley Construction – Emergency Utility Services – Water and Sewer Resources

The Clerk read a memorandum dated October 22, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Michael F. Ronca & Sons and Joao & Bradley Construction Co. for Emergency Utility Services for the Water and Sewer Resources Department. The term of the contract is from the Notice to Proceed until December 31, 2019. Quotes will be solicited on a time and material basis and will depend on the nature and extent of the service to be provided. Typical cost events in recent past have arranged from \$50,000 to \$200,000. There are three additional one-year terms by mutual consent.

President Waldron stated Resolution 10 G is on the agenda.

I. City Solicitor – Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association – Christmas City Village

The Clerk read a memorandum dated October 31, 2018 from City Solicitor William P. Leeson, Esq. to which is attached a Use Permit Agreement for public property with the Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association for the Christmas City Village. The duration of the agreement is November 5, 2018 through January 4, 2019 and the location is Nevin Place, adjacent to the Sun Inn Courtyard; and Main Street from Broad Street to Church Street.

President Waldron stated Resolution 10 H is on the agenda.

J. City Solicitor – Agreement of Sale – PennDOT Right-of-Way – Friedensville Road

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution authorizing the Mayor and Controller to execute an Agreement of Sale and associated Deed with the Pennsylvania Department of Transportation to grant and convey a portion of City owned property located at the intersection of Friedensville and Creek Roads to the Commonwealth for right-of-way purposes.

President Waldron stated Resolution 10 I is on the agenda.

7. REPORTS

A. President of Council

B. Mayor

1. Administrative Order – James L. Broughal – Bethlehem Revitalization and Improvement Authority

Mayor Donchez reappointed James L. Broughal to membership on the Bethlehem Revitalization and Improvement Authority (BRIA) effective through October, 2023.

Mr. Reynolds and Mr. Colón sponsored the Resolution to confirm the reappointment.

Dr. Van Wirt explained she has some concerns about this reappointment request. In reading about the CRIZ and trying to understand how it worked there was a really good article on Lehigh Valley Live last year about that meeting that was referenced tonight. She wants to emphasize that her concern over the conflict of interest with the reappointment of Mr. Broughal is not about the person himself at all. This is about the idea that somebody is supposed to be serving the best interest of one Authority and the best interest of another Authority whether you are Solicitor or Chairman. Those interests can overlap and that means that the taxpayers and citizens of Bethlehem are not getting the individual services that this person is supposed to supply and the allegiance that this person is supposed to supply for that Authority. She thinks it is even more highlighted by the difficult relationship that we are seeing between the CRIZ that is on 510 Flats and the Polk Street Parking Garage. Dr. Van Wirt denoted there could not be a clearer evidence right there of a conflict of interest. This is about the dual positions that this person is being asked to serve and the difficulty. She does think there are other capable people in Bethlehem who can do this job well, one or the other, it would not matter. The idea that we have to have the same person doing a job with different allegiances she does not think serves the citizens well. She is pretty comfortable with the idea of conflict of interest, it does not mean that

the person that you are worried about is at risk of doing that, and it is that there is an appearance of a conflict of interest. Dr. Van Wirt explained as a physician she cannot have the appearance of a conflict of interest even though she knows she would never take drug reps money or whatever it is. She cannot even have it be seen that the patient would ever even question that she has an allegiance to anyone else other than themselves. The same standard should be applied to how we have people who lead our public authorities that are responsible to the City and the citizens. For that reason she will not be supporting this tonight.

Ms. Negrón mentioned that she agrees with Dr. Van Wirt and she mentioned that a few months ago we had appointments for different committees. She asked before because she noticed that some appointees were not from the City of Bethlehem and she wondered why we do not have that requirement. She thinks that more and more our society has changed and that more people want to be part of and engaged in our City. They feel left out. Ms. Negrón believes we need to put attention to all of our appointments with committees and different commissions. Because there are individuals out there who want to participate. Going back to individuals on several seats, just like Mr. Gallagher mentioned before, is a conflict and just the appearance should be good enough for anyone to just think about it twice. She added we do have incredible professional individuals that care for this community. Ms. Negrón does not believe this is a good way to run our City and we should look for someone else for this appointment. She cannot approve this appointment.

Mr. Colón noted that this is an Administrative Order from Mayor Donchez and given what Dr. Van Wirt and Ms. Negrón have said and we have heard in public comment; he asked if this has ever come up in the past with the dual role of Mr. Broughal?

Mayor Donchez stated he has not had any discussions with anyone. He added that Mr. Broughal has been the Solicitor to the Parking Authority and the Bethlehem Authority for many, many years and he was appointed by Mayor Callahan to be on the BRIA Board. Mayor Donchez believes when he was a regular citizen he served on a few boards at the same time. To answer to Mr. Gallagher's point, Mayor Donchez thinks when it was brought to his attention he thinks it applies to if you are member of the Civil Service Board, you cannot serve on any other board of the City. Mayor Donchez believes that is true but will stand corrected if he is wrong on that but the answer is no.

Voting AYE: Mr. Reynolds, Mr. Callahan, Mr. Martell, 3. Voting NAY: Dr. Van Wirt, Mr. Colón, Ms. Negrón, and Mr. Waldron, 4. The Resolution failed 4-3.

Bethlehem Parking Authority Fine Increase

Mayor Donchez reported he wanted to make a few comments about the Polk Street Garage with the recent Bethlehem Parking Authority request for a fine increase. While discussions for the Polk Street Garage began before he was Mayor, the Bethlehem Planning Commission approved the development in December of 2014. In 2015 it became clear that the BPA was in a better position than the RDA to develop and finance the garage. The RDA had stalled negotiations on the land lease and then directed the BPA to assume and support the project. Parking is a critical component of the success of the existing stakeholders such as Northampton Community College, Lehigh Valley Charter Arts, The Factory, St. Luke's and vital to new development opportunities. Unlike other commercial areas of the City there is substantial

opportunity for development along the former Bethlehem Steel parking lots along East Third Street and also Mechanic Street which he thinks in the future will be developed. Mayor Donchez explained in early 2017 he asked the Parking Authority to begin a comprehensive parking analysis evaluating both the north side and the south side downtown areas. The goal of the study was to develop a plan for improving parking operations in order to address current challenges and prepare for the impact of future development. It had been many years since the BPA had accessed the public parking system. Mayor Donchez believes it was important to complete this analysis prior to moving on any new BPA capital projects. The steering committee including himself and representatives of the BPA and the City Administration was part of the process. Despite the Polk Street Garage being a top priority he was unable to obtain a commitment for sale or lease of the land from the Sands and it was very frustrating. Mayor Donchez communicated it was not until they notified us early in 2018 that a sale of the Casino may be pending and that acquisition of land again became a possibility. At the July and September Meetings the Bethlehem Parking Authority approved an agreement of sale to acquire the land at Third and Polk Street. As a result of the agreement of sale the BPA had been reviewing the project and financing with the goal to begin construction of the garage possibility in mid-2019. Mayor Donchez informed construction would take approximately 16 months to complete. The on street rate and fine increases were both recommended in the Desman Comprehensive Study of the parking system. These increases are needed for capital repairs and improvements for both existing structures and new capital projects such as the Polk Street Garage. The Bethlehem Parking Authority is exploring all methods of financing for future capital projects including borrowing with or without a City guarantee. Once they have completed their analysis and he has reviewed the options he will ask the Bethlehem Parking Authority to seek the fine increase and to brief City Council on the recommended method of financing at that time. Mayor Donchez expressed it is important that the Authority research all possible options including eliminating risk to the taxpayers of the City of Bethlehem. He expects this to occur probably in early 2019.

Mayor Donchez informed he did send an email and notified the City Clerk today and has asked Tony Hanna, Director of the Redevelopment Authority to provide by early next week a timeline going way back with the RDA involvement in the discussions of the Polk Street Garage. This goes back to even before 2010. He noted that some may remember there was talk about a mobile unit garage around 2010 that would be a 1,000 car garage across from the SGO building in the front of the new townhouses on Evans Street. That was a discussion for a few years, but that got cancelled. Mayor Donchez has asked Mr. Hanna to provide a complete timeline of everything dealing with the Polk Street Garage and have that to Council by early next week.

C. *Finance Committee Meeting*

Chairman Callahan stated the Finance Committee met on Monday, October 22, 2018 at 6:00 PM in Town Hall. The Committee voted unanimously to recommend Council adopt the appropriate Ordinance to amend the 2018 Golf Course Enterprise Fund Budget to add a line item for the 2018 Note proceeds. The Ordinance is on the agenda tonight for First Reading. The Committee received a presentation from the Auditors on the 2017 Audit.

D. *Community Development Committee Meeting*

Chairman Martell stated the Community Development Committee met on Monday, October 29, 2018 at 6:00 PM in Town Hall. The members of the Committee held the first F.A.I.R.

hearing per Article 349, and reviewed the required economic development incentive reports received from the Administration. This was for information only; no action was taken by the Committee. The reports will be posted on the Community & Economic Development website page.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 26 - 2018 - Amending Article 531 - Parking Generally - Penalty*

The Clerk read Bill No. 26 - 2018 - Amending Article 531 - Parking Generally - Penalty, sponsored by Mr. Reynolds and Mr. Callahan and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ARTICLE 531 OF THE CODIFIED ORDINANCES ENTITLED PARKING GENERALLY.

Mr. Reynolds started by saying that he had sponsored this as a way to make sure we can have conversation and then we could take action on this even though he does intend, as he believes the Parking Authority has requested as well, for us to table the fine increase, at least temporarily. Mr. Reynolds commented that part of the confusion that has arisen recently or some frustration revolves around the purpose of Authorities. Authorities, as far as the Commonwealth of Pennsylvania is concerned, are created to assist municipalities in large scale goals. At one time it was necessary to take out debt when cities were close to debt limits. It is also sometimes to run operations that might be better held within an Authority rather than inside City Hall. As we know, the Mayor and his Administration bring forward the Board nominees, and then we approve the nominees. They are then tasked with doing certain things, whether it is the Water Authority, Parking Authority or the CRIZ. Mr. Reynolds mentioned the role of Authorities, and how they interact with the City Administration, City Council and the rest of City operations can be confusing. One thing he has said when talking about Open Data is how can we make a lot of the information that has been talked about here more transparent. Often times most things can be explained if you get the correct context and understand where they are coming from. Mr. Reynolds noted we can provide this information clearer. He does know President Waldron looked into the different possibilities as far as filming Council Meetings. That is something that may come up during our budget conversations this year. Authorities have an interesting relationship with the City in that there are some things they are tasked with doing on their own a day to day but, the big things that Authorities do are supposed to dovetail with the goals of the City of Bethlehem government and Administration. Mr. Reynolds advised there was a lot of talk about the responses we received from the questions about the Bethlehem Parking Authority. He did not count them up like Mr. Gallagher did, but he thinks that several of those questions should not have been answered by the Parking Authority. They should be answered by the Administration. Mr. Reynolds pointed out that Parking Authority Director Kevin Livingston has said consistently that he does not do big things that do not have support of the Administration

and City Council. He was tasked with something, as was the Authority, as far as looking into the potential for this Polk Street Garage. There are some things that the Parking Authority should step up and answer but one of the frustrations that some of us have had is that some of the things do not fall into the purview of the Parking Authority. He does think it is the Administration's job to stand up and say this is what we think is best and why we think it is best. Mr. Reynolds appreciates the statement that Mayor Donchez had read. We need to be clear on these large scale decisions and that the intent and reasons for them come from some of the things that Mayor Donchez spoke of. Mr. Reynolds has a few direct questions about that. He does think it is the will of Council to table the fines and he personally thinks the best time to have a conversation about the potential fines is when we look at not just the financing of the Polk Street Garage but the particular details of that financing similar to what we had for the New Street Garage. At that time, we were just being asked to guarantee that particular debt for the Parking Authority and he understands that might not be an option this time. The best time to have this conversation is when we lay out timelines as far as when we want these things to happen as a City. He does not believe the Parking Authority operates independently. He has never found Mr. Livingston to say he will do this even though the people on Council and the Administration want to do something different. We just need to be clear about where those goals come from. Mr. Reynolds knows there is the importance to the potential Polk Street Garage, but asked what the goal and timeline is for when that would break ground, or when that construction would start.

Mayor Donchez mentioned we need to put this in perspective. We do have an agreement of sale now after many years of frustrating discussions with the Sands. It really was not until the sale that the Sands moved and we are very lucky to get the agreement of sale. Based on the engineering study he would like to see construction start mid to third quarter of 2019 and once the Authority reviews all the options as far as financing goes, we will come back to City Council and discuss those options along with the fine increase. Mayor Donchez would say being optimistic that would be the mid to third quarter of 2019.

Mr. Reynolds believes that the Parking Authority recently completed the sale with the Sands.

Mayor Donchez noted there is an agreement of sale that is correct.

Mr. Reynolds noted there is an agreement of sale now. To hear mid to third quarter 2019 he thinks gives us an important answer for when we might potentially be looking at this.

Mayor Donchez remarked you are probably looking at including the engineering study and construction in the ballpark of 16 to 18 months.

Mr. Reynolds mentioned the fines that are in front of us can be confusing. The Mayor controls the meter rates, City Council controls the fines and he believes the Authority controls the surface lots. At the same time we are looking out for the interests of economic development, individuals, businesses, and everybody else. We all kind of have an individual role here which led to some of the questions that have come up. Even if it is not directly that we would be asked to make our decisions about the fines, they are connected to each other. We have talked about how it is needed for the efficiency of the parking system, and we have also heard about how the fines in the short term would maybe stay level or stagnant, but we would think over time people would be more likely to put money in the meters or park in the garage rather than pay a higher

fine. Mr. Reynolds queried if the fines really need to be raised and do the fines need to be raised to finance the Polk Street deck.

Mayor Donchez explained in his opinion he thinks it is a combination. The answer is yes, he believes the fines are necessary for capital improvements for both existing garages and for Polk Street.

Mr. Reynolds mentioned that we are not sure then yet about whether or not the Parking Authority would come back to us for a bond guarantee for the debt for Polk Street.

Mayor Donchez stated his comments indicated that when the Parking Authority comes up with their recommendation it will come before City Council and they will certainly explain whether City Council would guarantee the bond. That is something that will come before Council for discussion.

Mr. Reynolds would then say that we should table the fine increase until that happens. He also thinks that it is an important part of this conversation if it is determined that the Parking Authority does not have to come to City Council for the bond guarantee that we will have that same conversation at the same time about how they want to raise the fines and here are the details, just like we did with New Street. He thinks that is a very important thing.

Mayor Donchez stated he agrees.

Mr. Reynolds stressed he does not blame anybody but sometimes we table things or put something off and because of the nature of different meetings they kind of float around and then something comes back in a different form. If we table the fines now to let everybody know that the fines will come back to us when are looking at the potential financing of the Polk Street Garage, that makes him feel comfortable. At the end of the day he will be voting for the fines because we have talked about why they are important. Mr. Reynolds added that now that the meter rates have been raised, there is probably even less of an incentive without raising the fines to just get a parking ticket and pay \$10 dollars rather than paying an increased meter rate. We need the information and it needs to come back to us. He thinks at that time it will be easier to look at why we need the fines and what is at stake as far as the Polk Street lot is concerned. Mr. Reynolds also appreciates the fact that we will be getting the information about the garage from the Redevelopment Authority. If you look back, that money originally was to build that Polk Street Garage and it was supposed to come out of TIF funds. Somewhere along the line if you look back at the newspaper articles, the Hoover-Mason Trestle originally was going to cost \$9 or \$10 million dollars, but it ended up costing \$15 or \$16 million dollars. That was a lot of money that was planned to go into the Polk Street Garage and now the Parking Authority was tasked with the garage; it is not because they started with that. We love the Hoover-Mason Trestle, it is important, but all of these details are important in telling the story. This is how we got to this point. One of the things that frustrates him regarding the \$800,000 that the RDA gave to 510 Flats is we had a meeting last Monday to talk about F.A.I.R. and he created F.A.I.R. about sharing information and transparency and the idea that we have economic incentive programs in this City that work and led to us turning around a City after Bethlehem Steel closed. It is important to tell that story accurately so people understand. Mr. Reynolds noted that Mr. Hanna said \$300,000 dollars was spent and then we found out it was \$800,000 dollars by looking in the minutes of the meetings. If he had said \$800,000 dollars was spent on this particular project because there was a

time when we did not think we were getting the Polk Street lot and he talked to the Mayor and they said this was a good idea and why we should do it, he thinks it would have been met with a different response. Mr. Reynolds noted there was a little bit of a disappointment and the whole picture and the different moving parts could have been explained at the meeting. Mr. Reynolds mentioned Mr. Hanna had explained that he did not think we were struggling, we did not think the Sands would sell that lot, but there is a way to share this information. Mr. Reynolds does not think there has been a bigger defender of everything that this Administration does than him over the years in these things. He does understand that there are many things that go on that do not necessarily reflect in the decisions of the Administration, but that was one of those major decisions and that was the time in which an explanation could have been given. Mr. Reynolds stated what we need to do as a Council is table the fines, as Mayor Donchez has relayed he is okay with, until they come back with those details. He expressed he plans to make the motion after Council is done with all of their comments on the matter.

Mayor Donchez expressed he would expect the Parking Authority and the Administration to come back to Council in the first quarter of 2019 with the proposals for what they will recommend for funding.

Mr. Colón queried with the Mayor, in light of the potential to table the two fine ordinances will we still be moving forward and direct the Parking Authority to increase the meter rate effective January 1, 2019.

Mayor Donchez stated the answer is yes.

Mr. Colón stated he will echo the comments made by Mr. Reynolds that it will make it important to look at this, because the fines, not staying what they are, is also in agreement in that they do need to be increased to be proportionate with what it is we are charging for parking. It will be important once we table this that we look at that and move forward with what we are being asked to do in terms of raising those fines. Also, we need to understand the longer after January 1 that the fines stay the same that the Parking Authority will have quite a job on their hands when people are not paying much of a penalty.

Mr. Callahan related he has had numerous discussions with Mr. Hoffmeier and Mr. Livingston over the last week. They explained that if it was the will of Council to table the two ordinances then let them be tabled. Mr. Callahan just wants to make sure that everyone understands that beginning January 1, 2019 the meter rates are going up to \$1.50. That means for someone working downtown it would be cheaper for them to take the chance of getting a \$10 dollar fine than paying for 8 hours at \$1.50 an hour. There would be a \$2 dollar savings if they got a ticket. This is leaving the Parking Authority with an issue that is probably going to be an issue for us because the businesses are expecting to have turnover at the meters and that will not happen. He heard a few people on Council refer to this as leverage, but he does not know why we are using this as leverage. He asserted Council does not control the meters, the Mayor does. Mr. Callahan wonders who came up with the rule that the Mayor takes care of the meters, and Council takes care of the fines. Mr. Callahan is in support of the Mayor raising the meter rates to pay for the Polk Street Garage. It just seems if the Mayor does bump up the meter rate it ties us into bumping up the fines. He wonders if these rules could be changed.

Mayor Donchez answered that he really does not know the answer to Mr. Callahan's question. He assumes the Parking Authority was within the Police Department and around the 1960's or early 1970's it was removed and set up as an independent board with an Executive Director hired by the board, to be less political. The other key reason was that the Authority could take out bonds versus the General Fund. Mayor Donchez noted when he ran for re-election on Council around 1999 one of the issues that year was whether we abolish the Parking Authority and bring it back to City Hall. This never came for a vote or anything, but that was a discussion during that campaign. It used to be within the Police Department to the best of his recollection. He would think that when they established the Authority they came up with the trifecta. He will agree it makes no sense to him, but that is probably where it originated.

Mr. Callahan thinks if it is the will of Council to table this he will vote no because of one major reason. We are in a situation where the non-profits, such as the Northampton Community College that took a big gamble in coming in to the south side. They have no parking. Those lots down there are being bought up; there are no additional lots down there. We have a situation where the Parking Authority, with direction from the Mayor, has come up with a thought out plan and much discussion has occurred regarding future plans. With the ruins lot and the new owners of the Casino having a 60 day vacate notice at any time, they can say 60 days from today we are taking it back; there is no parking. Mr. Callahan explained that everyone needs to understand that Northampton Community College, The Charter Arts School, and the Factory will have zero parking. According to the conversations he has had with the Parking Authority, if we decided today to build the garage it is a minimum of 16 months out. If the new Casino owner comes in, and at any point, says the 60 days is up, what are we telling the schools and businesses? It is on us to make a decision. Mr. Callahan thinks the Administration at Northampton Community College, the Charter Arts School, and the businesses needs to come to City Council and explain their situation. We are putting them in a difficult position over, from what he hears, is leverage. Mr. Callahan noted that to him leverage means political, not thinking things through and doing what is right for the businesses and the non-profits. He highlighted that many of those non-profits, such as Northampton Community College went on the south side and were promised a garage back in 2012 or 2013. At that time there were always surface lots. One developer down there let them park for free and never charged them a dime. The problem now is that those lots are being developed and there will be a major problem that will come to us soon. We are talking about the fines right now; that is what is in front of us. We are basically telling everybody who parks downtown, do not follow the rules, and do not pay the meter if you are down there for a significant amount of time. That in turn that will cause the Parking Authority to have to hire more Parking Officers. They do not have enough right now. It costs the Parking Authority an extremely larger amount of money to keep ticketing people. Mr. Callahan will be voting no because that is what we are telling people. All we have in front of us is if we will have a penalty for not being compliant on a meter; that is what this fine is. It makes no sense to have a fine less than what it would cost a person to park there on a regular basis. The whole intention of the fine is to make people compliant and to obey the law. In this case, whether you agree with the Mayor or not, this is his decision. Mr. Callahan does not agree with structure of the Mayor setting the price for the meters and Council setting up the fines. He thinks that the basic question we have before us tonight is do we support a parking deck on the south side. If so, the Mayor and the Parking Authority have given the City a path on how to pay for it. No taxpayer money ever went into any of the parking garages. The people who use the parking garages pay for it. The only risk to the taxpayer is if the Parking Authority defaults and he highly encourages everyone to look at the financials of the Parking Authority. Mr. Callahan thinks based on what he

has seen and with meetings, the financials are fine for Polk Street. They could probably go to a bank and get financing for the Polk Street garage without having us back the bond, but it would cost them a higher percentage rate for not having the City backing it, which in turn, would cost all of us money. Mr. Callahan understands that the meter increase was enough to pay for the Polk Street Garage. The fines, if we started now, by the time we get to the Walnut Street Garage, will help pay for that. There has been some discussion up here that maybe the Parking Authority should pay for 25% or 30%, and the primary users of it should be paying for the majority of it. If that is what we are going to hold the south side to, and it is the will of Council, then we need to be doing that for the Walnut Street Garage, and telling all the business owners on Main Street that we are paying for 25% or 30% and you will have to pay for the rest because they are the major shareholders. Mr. Callahan stated he will be voting no to table the ordinances. If you vote to table, this is what we are dealing with in the future.

Dr. Van Wirt expressed the parking meter rates do not have to go up. It would be nice if Council and the Administration could work together on the timing of this so we do not distort the already imbalance distortion that is there. She thinks that everyone does realize the dynamics of what would happen. Dr. Van Wirt remarked that this is not something that has to happen January 1st; it is a very arbitrary timeframe. She pointed out it is not a mandatory raise in the meter rates, and if the Parking Authority finances are so terrific then we should not have to be raising meter rates on the backs of small businesses and the downtown parkers. She noted she read a brochure by the Pennsylvania State Department of Economic Development on the purpose of Authorities and why they are created. They really were created so that the Authorities could leverage their own debt and not put it on the taxpayer's debt. So we are not talking about taxpayers paying for this, we are talking about taxpayer leveraged debt. If the Parking Authority wants to go and issue revenue bonds, she is all for it because that takes the burden and risk off of the taxpayers. If their finances are working so well then they can pay the higher amount for revenue bonds. Dr. Van Wirt stated that the Walnut Street Garage is in a central business district so there is a viable reason why the City would need to make sure that it is there and effective. Also, it already exists, so if it needs to be replaced then that is a logical use of what we as Council can see as taxpayer backed debt. She hopes that City Council can work hand in hand with the Administration and the Parking Authority because together we are much stronger. The more open and transparent we are with each other the faster we can get stuff done, the more satisfied and happy the taxpayers will be with our decision making process. She thinks that is really what was behind this whole effort.

Mr. Callahan just wanted everyone to understand what he said. The finances are fine with the Parking Authority with the increase. The increase is allowing the Parking Authority to pay for Polk Street. He wanted to make sure that is totally understood. The Mayor is imposing the .50 cent increase, which still keeps us at the market rate; we are not higher than anybody else. He pointed out that we are still lower than some other cities. Mr. Callahan added that the Parking Authority, as a whole, supports this and that means the meters, garage and fines, the garages. Everybody knows no one has money. Mr. Haines does not have \$20 million dollars to build a garage, and he needs assistance too. That is why he got the CRIZ acreage, which Mr. Callahan is in favor for. He hopes that project comes to fruition. Nobody on Main Street or on the south side has \$20 million dollars to build a parking garage. Everybody up here talks about walkability and he is in agreement. You cannot have walkability if you have a building, a building, and then an empty acre lot. With walkability comes density and that means a building, a building, a parking garage, and hopefully not like Walnut Street, because he thinks that was ill

planned. He hopes if we ever do knock down that garage and it is rebuilt, that we have retail on the first floor with parking in back and on top of it. Mr. Callahan explained the Walnut Street and North Street garages were not built with their own funds. The money that went to build those garages came from the Parking Authority as a whole; that is the meters, the fines and the garage income that came in on a monthly basis. What would downtown Bethlehem be without the garages? Where would everybody park? The south side is becoming a vibrant place to live and play and work and they need parking. Mr. Callahan noted if we delay this that is your choice, but again, we are not talking about the parking garage, and all we are talking about now is making sure that people are staying compliant and paying the meters and using the garage instead of the meters. Those meters are for just stopping in for something quick and then the shoppers are gone. The meters are not there for parking eight hours.

President Waldron explained this conversation about tabling started on Monday when the Director of the Parking Authority, Kevin Livingston called him and asked him to table this. He thinks there was some talk on Council as well about tabling until we had more information, which was the whole genesis of the now infamous 14 questions that went out to the Parking Authority for more information. That was the intention. He does not think there is anyone on Council who thinks that \$10 dollars is the right amount of a fine for a ticket. This is our first opportunity to be part of the conversation. President Waldron highlighted the fact that the Parking Authority does not come to us to ask for much other than increases in fines. The last time they came to us was to back the debt for the New Street Garage. So this is our opportunity to be part of that conversation about what is parking in our City and ask some questions for more information, for clarification from the Parking Authority, such as what is their one year goal, their five year goal and what is the overall idea of parking in the City. President Waldron observed right now the hot ticket item is the Polk Street Garage that has been talked about for years; dating back to before he was on Council when the Redevelopment Authority was talking about that. As Mr. Callahan mentioned, the rate increase was to pay for Polk Street and the ticket increase was to pay for Walnut Street, which in our response to that memo, it was talked about Walnut Street being 4 or 5 years down the line. That money is not really needed for Walnut Street right now, but he does understand the duality of the fines and the meter rates working hand in hand. But as Dr. Van Wirt said, we do not necessarily need to raise those meter rates January 1st, especially since they do not have the tool to necessarily fine folks that are taking advantage of that loop around system for that savings. President Waldron remarked there are a lot of moving parts to this and it is very complicated, but ultimately getting a full plan on what Polk Street will be, getting a timeline for that, and what the funding will look like, is the best approach. He thinks that tabling this at the request of the Parking Authority and the somewhat general will of Council is the right idea until we have a clearer picture of what will happen with Polk Street and where that money is coming from and how these increased fines will help pay for that as well as Walnut Street Garage in the future. We asked for a business plan. We did not really get that so there is not a lot of confidence currently on what the long term plan is with the Parking Authority. President Waldron expressed it kind of feels like they are making it up as they go because we are not getting a lot of information coming in our direction. Much of that just comes from a lack of communication, maybe not necessarily from a lack of planning. He expressed tabling the two ordinances is the right move and ultimately he will be supporting a fine increase when it is appropriate.

Mr. Reynolds asked what the rules are with tabling Bill No. 26-2018 and Bill No. 27-2018.

Council Solicitor John Spirk informed if a motion to table passes the bill goes onto the table and stays there through the next meeting. If no one moves or votes to take it off the table at the next meeting it dies, and then we will just have to start all over again from scratch. If Council were to vote today to postpone indefinitely it would die today and would have to restart from scratch at a future date if at all. If Council voted today to move to postpone it to a certain date, it would just come up on the agenda at that future date.

President Waldron noted last time we had this conversation we postponed to the next Council Meeting so we had a specific date in mind because we are requesting some information from the Parking Authority and they wanted more time. At this point, we are weighing our two options to table so that it would be listed on the next agenda meeting or postpone indefinitely, which would stop the process this evening.

Solicitor Spirk explained the only difference between tabling and postponing indefinitely is that a motion to table is not debatable. As soon as someone makes a motion to table and gets a second, there is no more debate. If however, someone moves to postpone indefinitely, that is debatable. No one has made a motion to table yet and you have had the debate so there is maybe really a very little difference at this point.

Mr. Callahan noted if there is a motion and a second to table, there is no vote on to table.

Solicitor Spirk stated yes there is a vote, but there is just no debate, but you already have had a debate.

Mr. Callahan expressed that he is not speaking for Mr. Livingston, but he wants to make it clear that the Parking Authority's wish is that we would vote on it tonight. Those are not their words; they are Mr. Callahan's words. All we are voting on is a ticket fine, not the Polk Street Garage. He explained that word got back to them on Monday that someone on Council said it is getting tabled. He remarked they were upset about it and wondered what Council's issues are with the fines. Mr. Callahan said he does not know and will try to find out and that is when he called President Waldron. He does not know how that came up with that; no one talked to him about it. That is fine if everyone wants to table it, he has no problem with it and neither does the Parking Authority. He thinks that their will is to have it voted on tonight.

President Waldron believes if it were voted on tonight it would fail and it would be done.

Mr. Callahan explained then we live with that vote; that is what we get paid to do.

President Waldron is responding to the request that the Director of the Parking Authority called him and said that he would like to table it and take it back to his board to see if they would like to proceed in the new year. President Waldron asked him why and he said because he wanted more time for the board to think about it. Mr. Livingston followed up with an email to the Mayor, to him, to the City Clerk; to Jim Broughal so that everyone was on the same page and we heard no other information from the Parking Authority other than they would like to table it.

Mr. Callahan explained that is because after his communication with President Waldron and some other people, it was said to certain people on Monday around 3:30PM that it was going to be tabled. He informed the Parking Authority of that information so if you think they are

coming out and saying this, they have this on the agenda and they wanted us to vote on it. They are into parking, they are not into politics. The Mayor decided that he was going to support a meter increase. That is why out of courtesy they could see what was going to happen from what was being said. That is the only reason why Mr. Livingston requested to pull it. Mr. Callahan stated they would prefer to be voted on.

President Waldron reiterated if it were voted on tonight he thinks it would fail and regardless of the Authority's request for the proposal to be tabled, he thinks it would be tabled tonight anyway based on the feeling that Council wants more information to see how these fine increases will be tied to future projects such as the Polk Street Garage and the Walnut Street Garage.

Mr. Callahan added that his whole problem with this is that a Council Member made a statement to someone in the Administration on Monday at 3:30PM that it was being tabled.

President Waldron stated he received a call on Sunday evening from Kevin Livingston.

Mr. Callahan inquired if anyone on Council had conversations with President Waldron about tabling the Ordinances. If there were private conversations he was not part of it and he wishes he would have been.

President Waldron does not think there is a decision to be made, that is up to a vote and whatever the will of the majority of Council is, that is what the outcome will be this evening.

Mr. Callahan knows that is not how it worked, but he will leave it at that.

President Waldron expressed that Mr. Callahan has made this opinion very clear consistently that he is in favor and is in support of two ordinances to increase the fines. No one will come to you as an advocate for your support because you have made more opinion clear, that you are in favor of this. Nothing could be said to change your opinion and this fine. It is up to you to vote on how you see best for the Parking Authority and the City of Bethlehem. Other folks on Council are allowed to have private conversations that do not violate the Sunshine Law about what they think is best moving forward.

Mr. Callahan remarked his whole point is as the liaison for the Parking Authority he understands more of the details than someone else. He does not know how we came up with 50 questions the night before when the Polk Street Garage has been on the radar since 2013. He noted that Ms. Negrón voted for this when she was in Planning.

Ms. Negrón stated she has no interest in following this conversation.

Mr. Callahan is just asking the question because it is as if no one knew this was coming, and to give the Parking Authority those questions the night before the First Reading of the Ordinances is ridiculous.

President Waldron stressed the matter at hand is to table or postpone indefinitely.

President Waldron explained it is whether we want to see this on our agenda at the next Council Meeting.

Mr. Reynolds believes that this would just be like any other new Ordinance if it came around again. The best thing would be to just let it die and then when it comes back to us then we would schedule a Public Safety Committee meeting and that would be an opportunity to have that first conversation at that meeting and then vote on it twice after that. He is not sure of another option unless we know a date.

President Waldron informed he will accept a motion if someone is ready to make one.

Mayor Donchez thinks it is the intention of the Parking Authority to come to City Council with a recommendation in January or February of 2019. That would go along with the fine increases, as far as what their recommendation would be for the financing.

President Waldron stated Council will be happy to entertain that when it comes. That would probably go to the Finance Committee when that time comes. Until then, he thinks separating the two is ideal.

Mr. Reynolds and Ms. Negrón made the motion to postpone Bill No. 26-2018 indefinitely.

Voting AYE to Postpone Bill No. 2018-26 Indefinitely: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 6. Voting NAY: Mr. Callahan, 1. Bill No. 2018-26 was Postponed Indefinitely by a vote of 6-1.

B. Bill No. 27 – 2018 – Amending Article 533 – Parking Meters – Penalty

The Clerk read Bill No. 27 – 2018 – Amending Article 533 – Parking Meters – Penalty, sponsored by Mr. Reynolds and Mr. Callahan and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ARTICLE 533 OF THE CODIFIED ORDINANCES ENTITLED PARKING METERS.

Mr. Reynolds and Ms. Negrón made the motion to postpone Bill No. 27-2018 indefinitely.

Voting AYE to Postpone Bill No. 2018-26 Indefinitely: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 6. Voting NAY: Mr. Callahan, 1. Bill No. 2018-27 was Postponed Indefinitely by a vote of 6-1.

C. Bill No. 28 – 2018 – Amending Article 1701 – Pennsylvania Uniform Construction Code

The Clerk read Bill No. 28 – 2018 – Amending Article 1701 – Pennsylvania Uniform Construction Code, sponsored by Mr. Reynolds and Mr. Callahan and titled:

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

ARTICLE 1701 OF THE CODIFIED ORDINANCES
ENTITLED PENNSYLVANIA UNIFORM CONSTRUCTION CODE,
BY ADOPTING THE 2015 PENNSYLVANIA UNIFORM
CONSTRUCTION CODE REVISIONS.

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 7. Bill No. 2018-28 was passed on First Reading.

D. *Bill No. 29 – 2018 – Intergovernmental Cooperation Agreement – Cooperative Memorandum of Agreement SR 2020 (Easton Avenue) Multi-Jurisdictional Signal System*

The Clerk read Bill No. 29 – 2018 – Intergovernmental Cooperation Agreement – Cooperative Memorandum of Agreement SR 2020 (Easton Avenue) Multi-Jurisdictional Signal System , sponsored by Mr. Reynolds and Dr. Van Wirt and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES
OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF
PENNSYLVANIA, AUTHORIZING AN INTERMUNICIPAL COOPERATIVE
MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BETHLEHEM
AND THE TOWNSHIP OF BETHLEHEM RELATED TO INSTALLATION,
OPERATION AND MAINTENANCE OF A MULTI-JURISDICTIONAL
SIGNAL SYSTEM ALONG SR 2020 (EASTON AVENUE).

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 7. Bill No. 2018-29 was passed on First Reading.

E. *Bill No. 30 – 2018 – Amending the Golf Course Enterprise Fund Budget*

The Clerk read Bill No. 30 – 2018 –Amending the Golf Course Enterprise Fund Budget, sponsored by Mr. Reynolds and Dr. Van Wirt and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GOLF COURSE ENTERPRISE FUND BUDGET FOR 2018

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 7. Bill No. 2018-30 was passed on First Reading.

10. RESOLUTIONS

A. *Authorizing Contract – M. J. Reider Associates, Inc. – Water and Wastewater Lab Testing Services*

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-220 that authorized to execute an agreement with M. J. Reider Associates, Inc. for water and wastewater lab testing services.

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

B. Authorizing Contract – Riley and Company, Inc. – Keystone Communities Program Grant Audit

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-221 that authorized to execute an agreement with Riley and Company for the Keystone Communities Program Grant audit.

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

C. Approving Fire Code Fee – Filing Fee for records of all system inspections, tests and maintenance

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-222 that authorized the schedule of Fire Code Fees found at Article 1702.01 (c) be amended to include a filing fee of \$15 dollars for records of all system inspections, test and maintenance.

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

D. Approving 2018 CDBG and HOME Programs

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-223 that approves the Action Plan for FY 2019 for the City of Bethlehem for the period from January 1, 2019 to December 31, 2019.

Ms. Negrón queried about the Action Plan and if it was made available to the public. She wondered if we got that plan because it is not in the packet.

Ms. Karner stated we had a public hearing that we hold each year for the Action Plan. We advertise in the newspaper and we bring it down to City Hall and make it available to the public. Every once in a while we do have people come and review it. That is what we have been talking to Council on regarding the projects we have and how we go about doing the CDBG and HOME funds. The long and short of it is that projects you saw at that meeting.

Ms. Negrón asked if this is available to the public and how they can see it.

Ms. Karner explained they can get it at City Hall and we take it to the Library and there are probably a few other places.

Ms. Negrón asked if it is online.

Ms. Karner does not know if we have this online but she can check that.

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

E. Authorizing Contract – AECOM – Risk Management Plan Updates & Compliance Audit Reports for Water Filtration and Wastewater Treatment Plants

Dr. Van Wirt and Mr. Reynolds sponsored Resolution No. 2018-224 that authorized to execute an agreement with AECOM for the risk management plan updates and compliance audit reports for the Water Filtration and Wastewater Treatment Plants.

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

F. Authorizing Plan Adoption – Lehigh Valley 2018 Hazard Mitigation Plan

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-225 that authorized to adopt the Lehigh Valley 2018 Hazard Mitigation Plan as the official Hazard Mitigation Plan of the City of Bethlehem and the respective officials and agencies of the City of Bethlehem identified in the implementation strategy of the Lehigh Valley 2018 Hazard Mitigation Plan, are hereby directed to implement the recommended activities assigned to them.

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

G. Authorizing Contract – Michael F. Ronca & Sons and Joao Bradley Construction Co. – Emergency Utility Services – Water and Sewer Resources

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-226 that authorized to execute an agreement with Michael F. Ronca & Sons and Joao Bradley Construction Co. for emergency utility service.

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

H. Authorizing Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association – Christmas City Village

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-227 that authorized the execution of a Use Permit Agreement between the City of Bethlehem and the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association for use of Nevin Place (adjacent to the Sun Inn Courtyard) and Main Street from Broad Street to Church Street for the Christmas City Village for the time period November 16, 2018 through December 23, 2018, according to the Agreement.

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

I. Authorizing Agreement of Sale – PennDOT Right-of-way – Friedensville Road

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-228 that authorized to execute an agreement of sale and deed, with the Commonwealth of Pennsylvania Department of Transportation, for the purpose of granting and conveying a portion of property of the City of Bethlehem located at the intersection of Friedensville Road and Creek Road, also known as Tax

Parcel No. Q7-9-8, to the Commonwealth of Pennsylvania Department of Transportation for right-of-way purposes.

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

Motion – considering Resolutions 10 J through 10 L as a group

Ms. Negrón and Mr. Colón moved to consider Resolutions 10 J through 10 L as a group.

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

J. Certificate of Appropriateness – 328 South New Street

Mr. Reynold and Dr. Van Wirt sponsored Resolution No. 2018-229 that granted a Certificate of Appropriateness to install an exhaust pipe for a commercial hood on the side of the building at 328 South New Street.

K. Certificate of Appropriateness – 120 West Third Street

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-230 that granted a Certificate of Appropriateness to remove existing signage and install new signs with the new company logo at 120 West Third Street.

L. Certificate of Appropriateness – 327 Broadway

Mr. Reynolds and Dr. Van Wirt sponsored Resolution No. 2018-231 that authorized a Certificate of Appropriateness to create a weather-tight enclosure around the entire structure (including new windows, storefront and doors) and to fit out the first floor space for the Seven Sirens Brewing Company at 327 Broadway.

President Waldron noted that 327 Broadway, the Seven Sirens Brewing Company which is on the back side of the flatiron building is a cool project. They are taking what is a really underused decrepit parking open air space and spending a lot of money to make a walkable entertaining open air brewery which is good for that are. He will obviously be supporting that in a couple of ways.

Voting AYE on Resolutions 10 J through 10 L: Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 7. The Resolutions passed.

Adding Resolution 10 M to the agenda

Mr. Reynolds and Dr. Van Wirt moved to add Resolution 10 M to the agenda.

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

M. *Certificate of Appropriateness – 10 East Church Street*

Dr. Van Wirt and Mr. Reynolds sponsored Resolution No. 2018-232 that granted a Certificate of Appropriateness to install a sign at the Rotunda at 10 East Church Street.

President Waldron noted this came to us late. The Fine Arts Commission uses the gallery here in the Rotunda to display art exhibits and was hoping to put a splash of color on the entry way to the Rotunda to let visitors know where the entrance is. This is a good idea because our building is a little bland and could use a little bit of an inviting color. The HARB met at 4:00 PM this evening to approve that application and the Certificate of Appropriateness was approved unanimously so we can look forward to a nice bright splash of color above the entry doors and the sides to let people know this is the City Hall Rotunda. The decals also includes hours for the City Hall.

Mr. Reynolds thanked the member of the Fine Arts Commission them for their hard work on this ingoing through this process to get to this point. He appreciates the work they do. He knows this became more complex for them, but when this is complete this is something everyone will be thankful for.

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

11. NEW BUSINESS

2019 Budget Hearing Schedule

President Waldron announced the 2019 Budget Hearing Schedule, as follows:

2019 BUDGET HEARING SCHEDULE

Friday, November 9, 2018 - Budget Release

**Thursday, November 15, 2018 - 6:00 PM - Town Hall
City Council Meeting**

First Budget Hearing:

Public Works Department
Liquid Fuels Fund
Non-Utility Capital Fund

Monday, November 19, 2018 - 6:00 PM - Town Hall

Second Budget Hearing:

Council, Mayor, Treasurer, Controller, Law Bureau
Civic Expenses
Police Department
911 Fund
Fire Department

**Tuesday, November 20, 2018 - 7:00 PM - Town Hall
City Council Meeting**

First Reading of 2019 Budget Ordinances

Monday, November 26, 2018 - 6:00 PM - Town Hall

Third Budget Hearing:

Recreation Bureau
Golf Course Enterprise Fund
Administration
General Fund Revenue
General Fund Expenditures
General Fund Expenses
Debt Service

Monday, December 3, 2018 - 6:00 PM - Town Hall

Fourth Budget Hearing:

Water Fund Revenue and Expenses
Water Capital Budget
Sewer Fund Revenue and Expenses
Sewer Capital Budget
Community Development Block Grant Fund
Community and Economic Development Department

Monday, December 10, 2018 - 6:00 PM - Town Hall

Final Budget Meeting

Tuesday, December 18, 2018 - 7:00 PM - Town Hall

City Council Meeting

Final Reading of 2019 Budget Ordinances

President Waldron noted we will be seeing attendees over the next few weeks with an aggressive schedule. He does not want to take a line from Mr. Reynolds, but this is exactly where City planning happens and where the funding comes from. We have not had good turnout at the budget meetings or input from citizens, but this is your opportunity to weigh in on where tax dollars are allocated.

Mr. Callahan queried if on November 19th we will be discussing Police and Fire. President Waldron stated that is correct.

Mr. Callahan stated he has teacher conferences that night at Northeast Middle School so he will be unable to attend but he will meet with the two Chief's and any questions he will address to President Waldron.

Ms. Negrón informed she will not be at the meetings on November 19th, and November 20th.

12. ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

ATTEST:

City Clerk