

Final observations on 2 W. Market — Part 1: Council re-thinking (70)

The Bethlehem Gadfly 2 W. Market St., Gadfly's posts, Serious Issues December 28, 2018
(70th in a series of posts on 2 W. Market St.)

The 2nd round of supporting statements on 2 W. (69)

Across the next several posts, Gadfly will share some observations about the resolution (for now, anyway) of the complex 2 W. Market case. And, to repeat, one of Gadfly's main goals in this project is to gain for himself and his followers a better sense of our elected officials by examining where we can and as closely as we can how they think, how they decide. Gadfly wants us all to know our Council members better. The actual words from the December 18 meeting on which these observations are based can be found in [The 2nd round of supporting statements on 2 W. \(69\)](#). Gadfly always suggests that you go the unmediated source and make your own observations. Gadfly's reflections on the first round of supporting statements can be found in [Critiquing the votes \(65\)](#)

From the standpoint of public participation, Gadfly rather likes the “two readings” system we experienced in the 2 W. Market. It gives the residents a chance to focus arguments directly on rationales expressed by Council on first reading before the crucial second reading. It also gives Council the opportunity to re-think positions based on receiving those focused arguments. In any event, what Gadfly hopes for at second-reading time is signs that Council members re-visited their positions between the two votes or did some new thinking. Gadfly looks for minds in motion, minds open not locked. That, he says, is what we want on Council.

Here are some examples of what he means.

- CM Martell made the same argument as he did on first reading, but his argument was clearer, stronger, and added a new element. Certainly there was re-thinking here. He enumerated his supporting evidence, and he offered a way to look at the disputed property lists in a positive way. His yes vote was more strongly based this time.



- CM Callahan made two comments in the pre-vote period on 2 W. In his first comment, on which we'll focus here, he really didn't offer any new thinking on the substance of the issue, simply briefly repeating that the neighborhood is mixed-use and the property always commercial. Gadfly found that disappointing, for he had — rather rashly, actually — tagged CM Callahan as a zoning-denier, trying to get him to think about the ramifications of replacing city law with Callahan law — in effect, putting himself above the law. But CM Callahan didn't seem to understand or think about that challenge to his position and the dangers therein. He stood pat. He was content with his stated first-reading position as extra-legal authority and did not even restate it vigorously this time. In truth, the thrust of his comment on second reading was what he was upset by and offended by in the process by those who saw the issue differently — and we'll come back to that in a later post when we pick up his second comment.



- CM Reynolds, in Gadfly's opinion, is a model here for properly approaching a second vote. Remember that Gadfly chided CM Reynolds for his impatience with the controversy in the first reading and his strongly expressed, even intimidating desire to "move on." He could have phoned in his second vote. Not only did CM Reynolds not move on, but it looks like he did considerable homework before the second reading — going back and reading in the records of discussions on the new zoning ordinance in 2012. Gadfly is a sucker for a guy who does his homework. In doing so, CM Reynolds advanced a new argument for his yes vote that made Gadfly stop and think. CM



Reynolds gave “corners” a history in city zoning conversations and reminded us how distinct corners are, how positive corners are, how interesting corners are, how character-forming corners are. And on that basis he argued for flexibility in the zoning code. Gadfly might not have changed his vote on the basis of CM Reynolds’s rationale, but he was hooked. Well done.

These are three examples of yes votes on the petition. Remember that Gadfly was a nay. But even though he disagrees with their conclusions, in two of the three instances he can respect the quality of their arguments. Gadfly had significant trouble with the quality of CM Callahan’s argument after the first reading, and he continues to do so here.