

# The timeline of the strange separation (76)

The Bethlehem Gadfly Gadfly's posts, Parking, Serious Issues January 20, 2019

*(76th in a series of posts on parking)*

Here is the timeline of the interaction among City Council, the City, and the Bethlehem Parking Authority that resulted in the split responsibilities for the naturally linked revenue streams of meter rates and fines discussed in the previous post. Gadfly's sources were City files (tip o' the hat to Tad Miller and Louise Kelchner) and *Morning Call* files (Dan Hartzell was the main reporter in the 1980s).

- **May 26, 1958:** Kate Zoll Laepple begins a 7-part series in the *Morning Call* entitled "Bethlehem's Parking Challenge," identifying, among other things, the need for a parking authority to solve a parking problem so bad that one solution proposed was to use the flat area under the Broad St. bridge and build an escalator up to Main St.!
- **June 2, 1970:** The Bethlehem Parking Authority is established, called "a key to the renaissance of the downtown" – its purpose to provide the financing for the Walnut St. Garage, which is completed in 1976. The BPA provides only financing; parking operations and enforcement stay within City Hall.
- **July 1988:** New mayor Ken Smith's "sweeping proposals to restructure city parking operations" include raising parking rates and fines, doubling the number of parking meters, eliminating the large annual subsidy of the Walnut St. Garage, moving total control of parking from City Hall to the BPA, and planning for two parking decks.
- City officials recognize "new space will be needed if the city is to be in its best position to lure developers. . . . We stand to lose development as a result of the parking shortage." They also recognize that "There will be significant opposition to more meters and increased rates and fines," but "a much more

realistic and financially self-sufficient parking system will be the reward.”

- **August 1988:** City Council’s Public Safety Committee unanimously approves the administration’s recommendation to raise the penalty for overtime parking violations because fines are too low to provide enough incentive for motorists to obey parking regulations.
- **October 4, 1988:** Mayor Smith’s plan to reorganize parking administration wins first-reading approval of City Council. Council members express concern over several aspects of the plan, including whether differences in policy between the authority and council might cause problems. But the vote on first reading is 5-0, with two members absent.
- **October 18, 1988:** Mayor Smith’s parking reorganization plan is given final approval by City Council, but questions remain over whether the administration’s funding estimates for the program will be realized. Some Council members, especially Paul Calvo, are still choking on doubling the number of parking meters in the city. The administration proposes to deal with this potential problem by instituting a residential parking permit program. Calvo warns of the potential for trouble, saying that differences between the operating authority’s goals and council’s decisions on funding matters could result in some difficult situations.
- **November 18, 1988:** The BPA announces it will recommend that City Council increase the cost of using city parking meters and expects to unilaterally raise the rate at the Walnut St. parking garage next year. While council approval is needed for meter rate increases, the authority has the sole power to raise rates at the garage.
- **December 29, 1988:** BPA and City reach a “cooperation agreement” that spells out the roles and services of each party.

- **January 1, 1989:** The BPA officially becomes an operating rather than a financial agency.
- **January 23, 1989:** City Council's Public Safety Committee votes unanimously to allow the mayor and not council to review and approve BPA requests for the location of new parking meters and the rates charged for using them. Committee member Calvo suggests this transfer of power, and city and authority solicitors determine that it would be legal for council to delegate control over meter location and rates. Calvo says he will vote against the addition of a large number of meters, but to subject authority requests for new meters to council's review would be to jeopardize the mayor's parking plan. Calvo says he does not want to be put in the position of turning down new meters or fee increases only to be told later that his action resulted in the authority being unable to meet its income projections. And the city must repay any parking fund deficit. Calvo says his motion was not a way to escape responsibility but rather an assurance that the mayor's parking plan has the best chance of working. Councilman James Delgrosso suggests that, if the change is approved by resolution of council, the mayor be required to conduct public hearings prior to making decisions.
- **February 7, 1989:** Council approves on first reading, by a 5-2 vote, an ordinance empowering the mayor as the final authority over the number and placement of parking meters and the rates to be charged at the meters. Council President Jack Lawrence dissents, believing the BPA should have the power, and Councilman Otto Ehrsham Jr wants to retain the current law by which powers are reserved for council. Proponents, including Calvo, deny the change is a move to reduce the political heat for the placement of the new meters and for the increase in fees for their use. Calvo says Council wants to give the mayor's parking reorganization a chance to work. Calvo opposes the wholesale installation of new meters but does not want that opposition to be misinterpreted as an attempt to thwart the financial premises on which the reorganization is based. Smith readily accepts the

responsibility for meter placement and rate-setting. Council and City Hall agree on a provision calling for public input into large-scale meter placement.

- **February 21, 1989:** at 2<sup>nd</sup> reading, an ordinance transferring the power to locate and regulate parking meters and rates from council to the mayor passes 5-1. The ordinance requires a public hearing prior to either the installation of new meters or to any rate increase affecting more than 10 percent of the meters.
- In all of these recent deliberations, nothing is ever said about changing the responsibility for the amount of parking violation fines, so that power remains with Council.