

# Councilman Callahan's response to the whistleblowers' whistlin'

The Bethlehem Gadfly City government, Ethics, Serious Issues December 2, 2019

🦋 *Latest in a series of posts on Ethics and City Government* 🦋

Yes, Gadfly is a slow thinker.

To wit: he should have framed the point of his previous post as what would you do if you were a city employee with a serious ethical or criminal concern that you couldn't discuss inside City Hall?

Actually, the employees did a pretty good thing in regard to the stalling issue. Contacting *Lehigh Valley Ramblings* got them a *public* audience, and they hoped Councilman Callahan would get them a *political* one.

Public and political. Inside and outside. Covering the bases. Good strategy.

Following that cue, I would ask you here in this post to think about what you would do if you were Councilman Callahan and were told things that City employees and you found ethically troubling.

What did Councilman Callahan do?

Here's the timeline Gadfly has pieced together from the documents, the press conference, and from BGC's comments at the Q 'n A after his press conference.

Note that the first two bullet points refer to the firing of Zoning Officer Borzak referenced in Gadfly's previous post.

- **April 16:** at the City Council meeting BGC asks Council to go into executive session with the Mayor to discuss the Borzak firing, but there was no second to his motion
- **May 7:** at the next City Council meeting BGC asks Council again to go into executive session with the Mayor to discuss Borzak; this time he gets a second, but the motion is voted down 6-1
- **May 22:** BGC is prepared to continue his mission to get Council to deal with the Borzak firing but defers, declining to darken the happy mood of the retirement celebration for Mrs. Kelchner
- **June:** BGC receives contacts from the 3 City employees (Borzak one of them) about the stalling instruction from AMK
  - here begins a period of uncertainty for BGC about what to do, he “sat on it for a couple months”
  - during this period of uncertainty BGC had conversation about this stalling issue with 2 councilpersons in the garage under the City Center after a Council meeting (date uncertain)
  - BGC also speaks of having two conversations about the stalling issue with a couple councilpersons during this period (dates uncertain)
  - the upshot seems to be that other people knew and knew that it was on his mind
- **August 28:** Bethlehem Parking Authority votes on Polk Street Garage, which will become the occasion of BGC’s second issue with AMK
- **Approx mid-September:** BGC has a phone conversation which seemingly is the first time he tells the Mayor about the stalling issue, thinking naturally that the Mayor would look in to it, but time went by and BGC heard nothing (the Polk Street Garage issue doesn’t seem to have been part of this conversation)

- chronology gets murky here –it is not clear whether that which follows about executive sessions occurs before the mid-September phone call or between it and the October letter, which is the next bullet
- during the press conference BGC talks of a phone call in which he asks the Mayor to go into executive session with Council, but the Mayor refuses, after which he talks with Council solicitor Spirk about how to make that executive session happen
- Spirk says he needs to make a motion to that effect
- Which BGC says he does over a period of maybe 4 meetings — but Council refuses each time
- either BGC is mistaken or Gadfly's research is faulty, for he can find no evidence of executive session discussion at Council meetings during the June-October period.
- Gadfly thinks BGC may be confusing this executive session activity with his activity on the Borzak issue detailed in the first three bullets above
- **Oct 17/Oct 21** (referred to by different dates): BGC emails the Mayor asking for an internal investigation by the City solicitor and business administrator of the stalling issue
- **November 6:** During a contentious discussion at City Council of a proposed Southside study, contention he initiated, BGC expresses lack of confidence in leadership by AMK and discloses the issue with the Polk Street Garage for the first time, referring only obliquely to the stalling issue
- **November 13:** BGC initiates another contentious discussion with a City official over driving range fees at Budget Hearing #2 (no mention of either AMK issue here)
- **November 18:** the Mayor responds by letter negatively to BGC's October request for an investigation on the stalling issue unless he provides his proof/evidence while expecting BGC to keep this personnel matter confidential

- **November 19:** the Mayor calls out BGC, though not by name, at the City Council meeting for “provocative comments and personal attacks,” attacks that were “unwarranted,” attacks that were “unprovoked, out of order, without cause, completely out of line” (not specifically citing either issue) ([text version](#))
- **November 19:** BGC responds at the meeting by offering to disclose his information about both issues of unethical behavior that he has with AMK, but the matter is declared a personnel issue — BGC shares info with the media after the meeting
- **November 20:** the Mayor seeks a meeting with BGC through a phone call by Business Administrator Eric Evans, but BGC, upset at the Mayor calling him out, declines a meeting: “that ship has sailed”
- **November 20:** the Mayor follows up the Evans phone call with a letter inviting BGC to a meeting with the solicitor, the business administrator, and the Human Resources director — same response by BGC
- **November 21:** in an email BGC tells the Mayor it is his job to find out what happened with the stalling issue (no mention of the Polk Street Issue), indicates Council’s unwillingness to go into executive session as the result of a Councilman “currying favor for a Mayoral endorsement from you” (Councilman Reynolds), and connects the “tone” of his behavior to the death of his wife 13 years ago
- **November 22:** BGC announces a press conference
- **November 25:** several hours before BGS’s press conference, the Mayor sends a letter to Council president Waldron (quickly available to all) in which he addresses just the Polk Street Garage issue, indicating that Councilman Callahan was confusing a “bid” and an “RFP” (Request for Proposal) and thus that his “attack” on AMK on this point was based on a false premise (no mention of the stalling issue)

- **November 25:** BGC holds the press conference at Town Hall, focusing just on the stalling issue, explicitly stating that he is not dealing with the Polk Street issue at this time ([text version](#))
- **November 26:** BGC comments on an online media story about his press conference, blaming the Mayor for the situation they are in now, and repeating that it is the Mayor's job to clear up the stalling issue: "Stop hiding behind your lawyers and advisors and ..... Do your job" (again no mention of Polk Street)

Ok, so here, as best Gadfly can put them together, are the facts so far of what Councilman Callahan did after receiving information from 3 City employees whom we might as well call "whistleblowers."

This timeline took longer than Gadfly thought to put together. Plenty enough for us to digest on an icy Cyber-Monday morning. We'll come back next time and think about these facts.

How are you feeling about Councilman Callahan's actions?

*to be continued . . .*