

STATED MEETING - CITY COUNCIL – APRIL 28, 2015

A meeting of the Lancaster City Council was held on Tuesday, April 28, 2015 in Council Chambers, 120 North Duke Street, (Rear Annex) Lancaster, PA, at 7:30 p.m., with President Graupera presiding.

The Council led the assembly in the Pledge of Allegiance.

Present – Mr. Reichenbach, Mr. Roschel, Mr. Sorace, Mr. Soto, Ms. Wilson,

President Graupera – 6

Excused - Ms. Williams - 1

The minutes of the meeting of Council for April 14, 2015 were approved by a roll-call vote.

PUBLIC COMMENT

Heidi Reynolds, a city resident, spoke regarding an incident on August 6, 2014, in which a city police officer came to her neighborhood responding to a complaint about a loose dog. The officer subsequently shot the dog. Ms. Reynolds told council members that she was not there about the dog, but rather her complaint was about the officer's conduct in that situation and the subsequent review of the incident by the Police Bureau. She contended the officer's actions were unethical, unprofessional, overly forceful and dangerous to the citizens in the vicinity. She filed a civilian complaint, which she said was not properly investigated. She was told the police chief had investigated the incident and closed the investigation. She then contacted the Mayor's Office, eventually calling seven times over six months. Mayor Gray responded to her last message with a return call. She complained he was "dismissive" when she spoke to him.

She received a certified letter from Chief Sadler which stated the incident had been investigated and the case was closed. She complained that specific allegations were never addressed and witnesses who had provided sworn statements were never contacted. She asked for an investigation by City Council's Public Safety Committee.

President Graupera asked Mayor Gray if he felt the incident had been investigated properly. The mayor declined to comment during the public meeting. He also declined to address Ms. Reynolds.

President Graupera asked Ms. Reynolds to stay until after the meeting to speak with council members.

REPORTS REQUESTED BY COUNCIL

City Public Arts Manager Tracy Beyl presented council members with the Office of Public Art annual report. Ms. Beyl outlined accomplishments of the previous year, including

installation of the “Dancing Arches” sculpture in Rodney Park and the “Silent Symphony” series of kinetic wind sculptures at the base of the new Thaddeus Stevens Bridge. Both sculptures were funded almost entirely with private donations. The public art fund received more than \$183,000 in contributions since January 1, 2014. Both of those projects also included outreach to the community and educational components. Ms. Beyl also cited several other projects, including creation of a dedicated website, *publicartlancaster.com*, which has maps and tours to guide visitors to the city’s public artworks.

Ms. Beyl also outlined forthcoming projects, including a “sound map” that includes snippets of recorded conversations, stories and original music interlaced with photographs of the city. The Litter Letter Project will have a three-dimensional word in which the letters are filled with collected trash. She also cited tours, presentations and rotating exhibits at the City Hall Gallery. Going forward, she said the city Public Art Advisory Board plans to develop a strategic master plan, a long-term funding strategy and short-term and long-term goals.

Deborah Stuart, co-chair of the Public Art Advisory Board, took the opportunity to praise Ms. Beyl for her hard work, dedication and collaborative approach to advancing public art in Lancaster.

REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE – Councilwoman Wilson said she had no report, but reminded everyone that council would be voting on Bill 5-2015 later in the meeting.

PUBLIC WORKS COMMITTEE – No report.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Councilman Reichenbach reported there was no meeting of the City Revitalization & Improvement Zone Authority board this month due to a lack of agenda items.

Mr. Reichenbach also made a motion to place Resolution 26-2015 on the agenda. That motion was seconded by Mr. Roschel and unanimously approved by a roll-call vote.

FINANCE COMMITTEE – No report.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – No report

PERSONNEL COMMITTEE – No report.

City Council considered the following application and Historical Commission recommendation for improvements to properties within the Heritage Conservation District:

1. Prince Street Property proposes demolition of an entry canopy and rear wings at 116-118 North Prince Street and partial demolition of a garage at 117 North Water Street and construction of a new four-story hotel building at 116-118 and 122-124 North Prince Street. (Recommended for approval by the Historical Commission.)

Councilman Soto made the motion to approve the Historical Commission recommendation. Councilman Reichenbach seconded the motion.

Mr. Reichenbach commented that this is an exciting project for the downtown.

Mr. Soto said he attended the presentation at the Historical Commission. He said it will be a tremendous addition to that block.

The recommendation was unanimously approved by a roll-call vote.

NEW BUSINESS

Administration Resolution No. 26-2015, (the title) was read by the City Clerk as follows:

A resolution of the City Council of the City of Lancaster, Lancaster County, Pennsylvania authorizing and directing the City to file a petition of City of Lancaster for exemption from noise provisions under Subsection 493(34) of the Liquor Control Code and to take any and all action necessary to process that application.

Mr. Reichenbach made a motion to approve the resolution. Mr. Soto seconded the motion.

Mr. Reichenbach explained a state law passed recently gave the power to enforce noise controls to state officials. Although the city has a noise ordinance, it now under the power of the State Police, to enforce regulations about noise emanating from bars and restaurants with liquor licenses. This resolution directs city officials to submit an application for an exemption of the city from the new law. With such an exemption, city officials would again be empowered to enforce the city noise ordinance.

City Council approved Resolution No. 26-2015 by a unanimous roll-call vote.

OLD BUSINESS

Administration Bill No. 5-2015, (the title) was read by the city clerk as follows:

An ordinance of the City Council of the City of Lancaster, Lancaster County, Pennsylvania, amending Chapter 136 – Emergency Management of the Code of the City of Lancaster to remove the power of the mayor to suspend or limit the sale of firearms, and to make other minor changes to the code; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect in accordance with Pennsylvania law.

Mr. Reichenbach made a motion to approve the bill. Ms. Wilson seconded the motion.

Ms. Wilson explained the ordinance is being revised following attorneys from the National Rifle Association citing the Emergency Management Ordinance in its lawsuit against the city.

Mayor Gray said the ordinance now allows the mayor to regulate the sale of firearms and ammunition during declared states of emergency. He said that is contrary to state law. Some outdated language in the ordinance is also be altered.

President Graupera thanked the National Rifle Association for bringing the matter to the city's attention.

Ms. Sorace asked whether a provision in the ordinance that allows the mayor to limit the sale of alcohol was also reviewed by the city solicitor.

Mayor Gray responded that it was reviewed and the mayor has that power under state law. He noted that no national organization of alcoholics has filed suit against the city to have that provision removed.

City Council approved Bill No. 5-2015 by a unanimous roll-call vote.

PUBLIC COMMENT

Ms. Martha Good, a resident of 338 East Chestnut Street and a leader of Lancaster Unity, reported the group had a concert at the Lancaster County Prison last week. It was done in conjunction with the group Have a Heart for Persons in the Criminal Justice System. The concert was well-received by inmates in the prison and she hopes to have additional concerts there.

Lancaster Unity will have its next community potluck on Saturday, May 9, in Lancaster Square, and Ms. Good urged council members to attend.

And, she announced that two anti-racism workshops will be held next month, on May 13 and May 16.

David Martin, of 331 ½ East Orange Street, also of Lancaster Unity, provided details of the workshops, which will be held at Tellus360. The training will be led by Conrad Moore, a Lancaster resident who developed the program. He invited council members to attend.

Councilwoman Wilson thanked Lancaster Unity for their efforts and said she believes the anti-racism workshop is needed, particularly in light of protests across the country and riots in Baltimore. Ms. Wilson also thanked the volunteers for their other initiatives to promote the community.

REPORT OF THE MAYOR

Mayor Gray read the following prepared statement:

Last month, we reported that work was scheduled to begin on renovations to the Martin Luther King pool on South Duke Street. That work was temporarily halted last week when contractors found unsuitable materials under the pool floor while excavating for piping repairs. Upon further investigation, it's been determined that when South Duke Street homes were demolished as part of so-called urban renewal, all of the demolition debris was gathered in the basement area of each building. Backfill was then placed over top of that debris before the linear park was built along South Duke Street. This explains why the pool has been cracking and

leaking so frequently over the years. To resolve the issue in time to open the pool this year, city work crews took over for the contractor and removed all the demolition debris and the basement foundation walls of a church that stood on the property. City crews will fill the excavation site with stone that will allow the pool contractor to resume work on the pool. Public Works requested and received the change order amount for building the new pool for an additional \$65,000. This additional work has caused a few weeks delay and will hopefully allow the pool to open early in July.

One clarification is needed to newspaper and on-line reports regarding the renovations at Reservoir park wading pool. The article incorrectly mentioned that the Reservoir pool would not be open this year since the renovations were not scheduled. The Reservoir pool will be open for the normal Recreation Commission wading pool schedule.

Last month, we also reported that major streetscape improvements would begin around the Penn Square Heritage Quadrant and Central Market. Included with this report is graphic that shows the location and estimated timetable for the six phases of this project

Finally, I'm pleased to report that Jeff's Speck Walkability Analysis will be posted on the City's website later tonight. Electronic copies of the report were forwarded to Council members earlier today. We will review policy recommendations contained in the report and implement those that are feasible, prudent and affordable. None of this will happen overnight, and nothing will happen without community outreach and engagement.

COUNCIL COMMENTS

Mr. Reichenbach reported on the Pennsylvania Parks Society annual conference, which was held in Lancaster in March. The meeting brought people from parks and recreation commissions from across the state.

He said attendees were impressed by a tour of city parks coordinated by city Public Works and the Lancaster Recreation Commission. Public Works Director Charlotte Katzenmoyer highlighted green infrastructure initiatives taken to control stormwater.

Comments from attendees praised the cooperation of parks department and recreation commission and the positive changes they saw being done in Lancaster.

President Graupera adjourned the meeting at 8:15 p.m.

John E. Graupera, President

Attest:

Bernard W. Harris Jr., City Clerk