

## STATED MEETING - CITY COUNCIL – APRIL 14, 2015

A meeting of the Lancaster City Council was held on Tuesday, April 14, 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 March 24, 2015 were approved by a roll-call vote.

### NEW BUSINESS

President Graupera called for Resolution No. 21-2015, commending the J.P. McCaskey High School Mock Trial Team, to be moved ahead on the agenda.

A motion was made by Ms. Sorace and seconded by Mr. Soto to amend the agenda. The motion was approved by a unanimous roll-call vote.

Council Resolution No. 21-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster commending the J.P. McCaskey High School Mock Trial Team for winning the countywide competition and being one of the top mock trial teams in the state.**

Councilwoman Sorace made the motion to approve. Councilman Reichenbach seconded the motion.

Ms. Sorace praised the students for their teamwork and communication skills. She said those skills would serve them well in their future endeavors.

President Graupera read a summary of the team's accomplishments, including winning the district championship seven times in the past nine years. They recently lost a close competition to Cumberland Valley in the regional event.

Mayor Gray commented that he has tried many types of cases and participated in mock trials while in law school. He noted that participants in mock trials are often better prepared than lawyers who actually try court cases. He said that it makes the community proud of the excellence J.P. McCaskey program.

Mr. Reichenbach commended the parents and advisors for their contribution to the program. He said their assistance will help the students as they go forward to college and beyond.

Mr. Kevin Webster, the mock trial faculty coach, also praised the team. He recognized the graduating seniors and invited them back to visit the team.

The students rose and were applauded by the audience.

City Council then approved Resolution No. 21-2015 by a unanimous roll-call vote.

## REPORTS REQUESTED BY COUNCIL

Gregory Paulson, 311 Nevin Street, secretary of Lancaster Bikes!, gave a report on the organization's progress in encouraging bicycling in Lancaster city.

Lancaster Bikes!, formerly the Coalition for a Bicycle Friendly Lancaster, has developed bylaws and established a broad base of membership on its board, Paulson said. He said Lancaster Bikes! committees have assisted city staff in developing several initiatives, such as the bike parking policy, planning for the conversion of Mulberry Street from one-way to two-way traffic, and other efforts. They have also worked with the Lancaster Recreation Commission to develop bike training programs for children, adults and motorists. Lancaster Bikes! has also worked with: the Lancaster City Alliance to increase bicycle registration, with the Common Wheel community bike shop to develop programs, and with the Lancaster County Planning Commission to develop bicycling routes.

Next month, an open-streets event will be held in conjunction with the Lancaster Recreation Commission that will encourage activity, health and wellness. Lanes of Water and Chestnut streets will be closed to motorized traffic to connect activities in Musser and Farnum parks.

A strategic plan has been developed to set goals for the organization.

Paulson asked the city to apply for designation as a Bicycle Friendly Community from the League of American Bicyclists. The city last applied two years ago was received an "honorable mention." With a designation as a bronze, silver, gold or platinum-level bicycle friendly community, Lancaster would be recognized nationally as a safe place to ride a bicycle. He also asked that the group work with city police on enforcement of laws pertaining to bicyclists use of roadways and of motorists' interaction with bicyclists.

Paulson encouraged City Council and the city administration to use Lancaster Bikes! as a resource to help make the city more bicycle-friendly. And, he suggested, the establishment of a bicycle-pedestrian advisory committee would help oversee the adoption of the consultant Jeff Speck's walkability study.

President Graupera invited Paulson to attend the May 4 council committee meeting to discuss his advisory committee proposal.

Councilwoman Wilson commented she was in Washington, D.C. recently, where she had seen all types of people riding bicycles and hoped to see that in Lancaster.

President Graupera said there is interest and excitement in bicycling and what the city is doing to promote bicycling. He also stated that he believes education and enforcement have to keep pace with that interest.

Councilwoman Sorace then asked the mayor when Speck's walkability study would be complete. Mayor Gray and Public Works Director Charlotte Katzenmoyer responded the report should be completed by the end of the month, after which it will be posted on the city website.

## REPORTS OF COUNCIL COMMITTEES

**PUBLIC SAFETY COMMITTEE** – Councilwoman Wilson reported the committee met April 6 and discussed amendments to the city’s emergency management ordinance. The bill is on the agenda for initial consideration.

**PUBLIC WORKS COMMITTEE** – Councilman Roschel said the committee had also met April 6. Council members discussed Resolutions 23-2015 and 24-2015, which are on the agenda. Mr. Roschel said he would elaborate on them at that time.

**ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE** – Councilman Reichenbach reported the committee met on April 6 and heard an update on the city’s Housing Rehabilitation Program, which includes the Homeowner Rehab program, Lead Abatement program and the Critical Repair program. The three initiatives have used \$2.6 million in federal funds to invest in 120 city homes over the past decade. Those repairs increased the market value of the homes an average of 33 percent and helped preserve the city’s housing stock.

**FINANCE COMMITTEE** – Councilwoman Sorace said that on April 6 the committee discussed the quarterly budget transfer for workers’ compensation costs of \$63, 936.53, Resolution 25-2015 to increase the city’s fee for returned checks from \$30 to \$50, and the preliminary year-end financial report for 2014.

Ms. Sorace explained that moving money between department budgets requires City Council approval and made a motion to approve the quarterly budget transfers for workers’ compensation. Mr. Reichenbach seconded the motion.

City Council then approved the budget transfers by a unanimous roll-call vote.

The preliminary year-end report for 2014 was favorable for the city, Ms. Sorace reported. The city had budgeted for the use of \$1.7 million from its reserves. With savings in all departments, the city used only \$600,000 from reserves, she said. Revenue projections fell just short of budget. A more detailed review will be done after the annual audit is completed.

**COMMUNITY DEVELOPMENT & PLANNING COMMITTEE** – No report

**PERSONNEL COMMITTEE** – Councilwoman Wilson, on behalf of Councilwoman Williams, made a motion to accept the reappointments of Jill Gagliano and Ray D’Agostino to the City Revitalization and Improvement Zone Authority board; reappointments of Steve Schwanger, Chad Walton, Daniel Moser, Doug Martin and Terry Fickes to the Board of Plumbing Examiners; appointment of Steve Funk and Christopher Peters to the Historical Commission; and appointment of Faith Craig to the Planning Commission.

The motion was seconded by Councilman Soto and unanimously approved by a roll-call vote.

## NEW BUSINESS

President Graupera said he had been asked to again amend the agenda to move forward consideration of Resolution 22-2015.

A motion to amend the agenda was made by Mr. Reichenbach and seconded by Mr. Soto. The motion was approved by a unanimous roll-call vote.

Council Resolution 22-2015, (the title) was read by the city clerk as follows:

**A resolution of the Council of the City of Lancaster designating April 19-25 as Crime Victims' Rights Week in the City of Lancaster and honoring victims of crime and those who advocate on behalf of victims.**

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

Ms. Wilson introduced Ms. Bonnie Glover, director of the Domestic Violence Services of Lancaster County, and Pamela Grosh, director of victim/witness services in the Lancaster County District Attorney's Office.

Ms. Glover thanked Council for addressing victims' rights. She said victims need to have a voice in the community and not just for one week, but all year. Victims come from all walks of life and need to understand there is community support, she said. To provide support, Domestic Violence Services operates a 24-hour clinic, provides legal assistance, transitional housing, and rapid rehousing for victims.

Responding to a question from Ms. Wilson, Ms. Glover said victims can seek help via a 24-hour hotline and are referred by doctors, hospitals and police. Churches and family members also refer victims, she said.

Ms. Grosh conveyed greetings from Lisa Cameron, director of the sexual assault counseling center and empowerment services at the Lancaster YWCA. Ms. Cameron had to leave the meeting to return to the YWCA's Take Back The Night activities, which were being done at the same time.

Ms. Grosh said Lancaster County is fortunate to have victim service organizations that coordinate efforts and share in funding. For both herself and Cameron, Grosh thanked Council for the acknowledgement of victims and their advocates. She also explained that victim/witness services within the District Attorney's Office supports adult and juvenile victims of all types of crimes. They help victims navigate the legal process and exercise their rights. Staff members in her office also advocate on behalf of victims.

Mr. Reichenbach thanked Ms. Grosh directly for the assistance provided to a family member undergoing domestic violence. He noted that a friend had recently lost her life to domestic violence. He noted that they help real people every day to survive difficult situations.

City Council then approved Resolution No. 22-2015 by a unanimous roll-call vote.

City Council considered the following applications and Historical Architectural Review Board recommendations for improvements within the Historic District:

1. Murray Securus, 39 North Duke Street, requests replacement of front entry steps, installation of a new entry door and installation of a new exterior lighting fixture. (Recommended for approval by the Historical Architectural Review Board.)
2. Thomas & Nancy Heist, 152 East Mifflin Street, requests construction of a new frame garage on a surface lot facing East Mifflin Street. (Recommended for approval by the Historical Architectural Review Board.)

Councilwoman Sorace made a motion to approve both applications. The motion was seconded by Councilman Soto.

The motion was unanimously approved by a roll-call vote of Council members.

#### NEW 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.**

Ms. Wilson said the administration is seeking the changes after reviewing the ordinance, after the firearms provision was brought to their attention by attorneys representing the National Rifle Association. The NRA is suing the city over its lost or stolen guns reporting ordinance.

Mayor Gray said it is clear under state law that he does not have the power to limit the sale of firearms or ammunition in the case of emergency. The solicitor also came to that conclusion and recommended the ordinance be revised to remove that language.

The mayor said it is unclear when the emergency powers were passed. Other changes are also proposed to update the language in the ordinance.

Ms. Sorace also questioned the mayor's ability to limit the sale of alcoholic beverages during an emergency, which is also included in the ordinance.

Mayor Gray said he would ask the solicitor to also review that provision.

President Graupera announced that City Council would vote on the bill at its meeting on April 28, 2015.

Administration Resolution 23-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster authorizing the mayor to submit a grant proposal for Community Conservation Partnership (C2P2) funds from the Department of Conservation and Natural Resources (DCNR) in an amount up to \$75,000.**

Mr. Roschel made a motion to approve the resolution. The motion was seconded by Ms. Sorace.

Mr. Roschel explained the grant will be used to construct a playground structure at Holly Pointe Park, in the Holly Pointe neighborhood. The grant application is being prompted by Lancaster's hosting of the Pennsylvania Municipal League conference in 2016. Conference attendees will participate in a "group build" of the playground during the conference.

City Council then approved Resolution No. 23-2015 by a unanimous roll-call vote.

Administration Resolution No. 24-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster authorizing and directing the director of public works to submit the attached applications for traffic signal approval and to sign these applications on behalf of the City of Lancaster.**

Councilman Roschel made the motion to approve. Councilwoman Sorace seconded the motion.

Councilman Roschel explained the applications to the Pennsylvania Department of Transportation are for five different intersections along Mulberry Street. Changes to the traffic signals, including adding signal heads, are part of plans to convert Mulberry Street from one-way traffic to two-way traffic. The changes are anticipated to reduce vehicle speeds and increase pedestrian safety. Project construction is slated to begin this fall.

City Council then approved Resolution No. 24-2015 by a unanimous roll-call vote.

Administration Resolution No. 25-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster amending the schedule of fees to increase the fee for checks returned for non-sufficient funds.**

Councilman Reichenbach made the motion to approve. Councilman Soto seconded the motion.

Ms. Sorace said the increase in the city fee is in response to an increase in the fee levied on the city by Fulton Bank for returned checks. Fulton's fee was increased from \$19 to \$39. The city adds an \$11 processing charge to the fee, which will not increase. By directly passing on the Fulton fee to check-writers, the city's fee will increase from \$30 to \$50.

Ms. Glover questioned whether the city was charging a fee in addition to the bank charging a fee to the check-writer.

Ms. Sorace responded the bank fee is charged to the business or institution seeking payment of the check. In this case, the city. Additional fees, however, may be levied by the bank directly to their account-holders who write checks which overdraw their accounts, she added.

Ms. April Koppenhaver, owner of 19-21 North Mulberry Street, asked if the city had attempted to negotiate with Fulton Bank concerning the fee increase.

Administrative Services Director Patrick Hopkins responded that Fulton imposed the fee increase on all customers and would not negotiate an individual rate for the city.

City Council then approved Resolution No. 25-2015 by a unanimous roll-call vote.

#### PUBLIC COMMENT

Ms. Koppenhaver, owner of Mulberry Arts Studio, brought to City Council's attention that a neighbor had given her business a one-star rating out of five on Facebook. She confronted the neighbor but was rebuffed. He has also given low ratings to 10 other local businesses. The neighbor has also called the police to complain about noise during events at the art studio. Koppenhaver received a citation. She said she feels like a victim. She came to council because she did not know who else to turn to in dealing with the situation, she said.

Ms. Linda Stoner, of Princess Anne Drive, expressed concern about land being taken for a new Water Department building on land she thought was in Conestoga Pines Park. She asked that the removal of trees and destruction of wildlife habitat be kept to a bare minimum. She said about three acres has been marked for clearing. That land contains about 70 white pine and spruce trees planted by the Civilian Conservation Corps in the 1930s, and at least 100 deciduous trees and shrubs. Deer, gray-horned owls and turkeys make the forest their home.

She said she and her husband support the city's efforts to manage stormwater with additional tree planting and believes the removal of trees for the new facility is contrary to that goal. Ms. Stoner said she has asked city officials what part of the property is parkland and what part is the Water Plant and has not gotten a satisfactory answer.

Mr. Reichenbach addressed Mr. Roger Stoner, saying that he had gotten Mr. Stoner's message and wanted him to be aware that he was awaiting detailed information from city Public Works Director Charlotte Katzenmoyer before responding.

Ms. Katzenmoyer then briefed Council members on plans for the water administration building being constructed at the Water Plant. She said the plans go back to an efficiency study done several years ago. That study resulted in the consolidation of several facilities to bring city staff together.

The water administration building being constructed will consolidate the operations of staff now in four buildings. It will contain the water lab, meter shop, and the transmission and distribution shop.

The new building will be along Pitney Road, which has been part of the Water Plant since the 1930s. Some of the Water Plant site was leased to Conestoga Pines Park in the 1960s. It was never formally part of the park. The new building will have a public portion, where

developers can come for water meters. They now must enter the secure section of the plant. The new building, parking and driveway will use about 1.5 acres, Katzenmoyer said.

To compensate for the loss of that property, plans call for demolishing a small building near the Walnut Street entrance to the Water Plant, removing unused water tanks, opening the bridge to vehicular access, and constructing a fishing area, with a pier, and a boat launch. A former filter building, dating from the 1930s, will be used as an event space. A section of the former Armstrong pedestrian bridge, from the Dillerville Rail Yard, is planned to be reused at the park as a bicycle and pedestrian crossing of the river.

The park master plan had not previously been released. A budget for the project has not been developed and funding has not been secured. The city has applied for grants to design the park improvements and erect the Armstrong pedestrian bridge, Katzenmoyer said.

Mr. Stoner said he is a former engineer. He paced the area marked by ribbons at the park and maintained it is at least three acres in size. He asked if all trees within the ribbons will be cut.

Mr. Reichenbach said he grew up playing in the area. He called the master plan for the park exciting and forward-thinking.

Ms. Wilson asked about plans for habitat preservation.

Ms. Katzenmoyer responded that the city is committed to maintaining and expanding its tree canopy. Whenever trees are removed, additional trees are planted. She said the site of the water administration building is really the only area that will allow public access to the Water Plant. Plans call for mitigating the stormwater impact from the loss of the trees by putting a green roof on the new building, constructing rain gardens and laying porous pavement in addition to planting trees.

Ms. Sorace thanked Mr. and Mrs. Stoner for being good caretakers of the park and coming forward with their concerns.

## REPORT OF THE MAYOR

Mayor Gray said he was in Providence, Rhode Island last weekend speaking at Save the Narragansett Bay conference. He said they have the same problems as the Chesapeake Bay region, but are farther behind in addressing stormwater run-off problems.

He asked if any Council members were attending a Pennsylvania Municipal League regional meeting in Carlisle on Thursday. None said they were.

## REPORT OF THE PRESIDENT

President Graupera said Council members had received a copy of a letter from Philadelphia Mayor Michael asking the City of Lancaster to follow Philadelphia's lead in adopting the "Sandy Hook Principles." The principles attempt to encourage positive corporate behavior on the part of the gun industry, thereby increasing public safety in communities. In the event that corporations do not adopt the principles, investors would consider divesting in those corporations

The City of Lancaster has three investment committees which invest pension funds. President Graupera asked Council members whether they would consider a resolution that would ask the three investment committees to consider adopting the principles.

President Graupera said he has spoken to the mayor about the Sandy Hook Principles. The mayor has spoken to Mr. Hopkins about them.

Mr. Hopkins said the principles will be discussed at an upcoming quarterly pension board meeting. Mr. Hopkins will report to Council members on that discussion at their Council Committee meeting on May 4, he said.

President Graupera said he has also asked the City Clerk to draft a Sandy Hook Principles resolution for discussion at that committee meeting.

President Graupera adjourned the meeting at 9:27 p.m.

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John E. Graupera, President

Attest:

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Bernard W. Harris Jr.

City Clerk