

STATED MEETING - CITY COUNCIL – FEBRUARY 10, 2015

A meeting of the Lancaster City Council was held on Tuesday, February 10, 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. Soto

Ms. Williams, Ms. Wilson, President Graupera – 6

Absent - Ms. Sorace - 1

The minutes of the meeting of Council for January 27, 2015 were approved by a roll-call vote.

PUBLIC COMMENT – Martha Good, from Lancaster Unity, a community group, invited Council members to the group's next potluck on March 7, at the Crispus Attucks Community Center. Discussion at the potlucks are focused on positive solutions to city issues.

Former Mayor Arthur Morris, of 434 W. Chestnut St., cited commitments made by the partners redeveloping the former Dillerville Rail Yard site when they appeared before the Historical Commission in August 2006. Morris said he had asked city EDNR Director Randy Patterson whether all five measures were taken by the project partners. Patterson replied that he could not confirm that all the steps were taken to fulfill the partners' commitment. Morris asked City Council or the mayor's office to research whether the action was taken by the partners.

Mr. Patterson responded that he has contacted the project partners Franklin & Marshall College and Lancaster General Hospital and asked whether the mitigation commitments have been completed. He said he had not received a response.

REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY – Councilwoman Wilson reported the committee met February 2 and discussed resolutions regarding new policies and procedures for the hiring of police officers and firefighters. Those resolutions are on the agenda for this evening's meeting.

PUBLIC WORKS COMMITTEE – Councilman Roschel said the committee had also met on February 2. Council members discussed revisions to the Stormwater Management Ordinance. The first reading of the revised ordinance, Bill No. 3-2015, is on this evening's agenda.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Councilman Reichenbach reported the committee met on February 2 and discussed Resolution 6-2015 pertaining to the sale of 624 South Water Street, a property in the city's Keystone Opportunity Zone industrial park.

FINANCE COMMITTEE – Councilman Roschel, spoke for the absent Councilwoman Sorace. Since he did not attend the February 2 committee meeting, he read the minutes of the meeting. In those minutes, it stated the committee heard from Administrative Services Director Patrick Hopkins about plans to refinance 2010 general obligation bonds. The \$6.9 million in principal can be refinanced at lower rates for an anticipated savings of \$390,000. A first reading of the refinancing ordinance is expected at the next council meeting.

At the committee meeting, Hopkins had also discussed plans for a lease/purchase agreement with the Lancaster County Society for the Prevention of Cruelty to Animals. The SPCA would purchase the 848 South Prince Street animal shelter from the city, likely over a five-year period. Legislation allowing the sale is expected to come before council in March or April.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – No report

PERSONNEL COMMITTEE – Councilwoman Williams made a motion to nominate Lucilia Gomez to the Board of Health; Gary Horning to the Historical Commisison and Historic Architectural Review Board; Christina J. Leslie and Robert M. Shenk to the Shade Tree Commission.

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

Councilwoman Williams also noted that she would discuss Resolution 5 and Resolution 7 later in the meeting.

NEW BUSINESS

Administration Bill No. 3-2015, (the title) was read by the City Clerk as follows:

An ordinance of the City of Lancaster, Lancaster County, Pennsylvania, restating Chapter 260 of the Code of the City of Lancaster - Stormwater Management - and providing for the means and timing of its implementation; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania law.

Councilman Roschel said the revisions of the year-old ordinance will tailor what was originally a model ordinance for county municipalities to better meet the circumstances of the city. Revisions include exemptions for very small projects, such as patios and doghouses of less than 100 square feet. Those projects will still need a permit, which allows for city review.

This is the first reading of this bill.

Administration Resolution No. 3-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster approving the rules and regulations of the City of Lancaster Civil Service Board for the examination and appointment of applicants in the Bureau of Police for the City of Lancaster and appointing and designating those medical providers who are authorized by council to perform medical, psychiatric and psychological testing in accordance with the afore said rules.

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

Councilwoman Wilson noted that Resolutions No. 3-2015 and 4-2015 are nearly identical. They comply with new state rules for hiring police officers and firefighters. She asked Fire Chief Tim Gregg to address council and discuss the new regulations.

Chief Gregg said the resolutions bring Lancaster into compliance with state law. Gregg added the resolutions will attempt to increase the caliber of the psychologists who evaluate police and fire applicants. Gregg then addressed Resolution 5-2015, asking council members to adopt that resolution. He believes the three firefighters named in the resolution will be exemplary and reflective of the diversity of the city.

City Council approved Administration Resolution No. 3-2015 by a unanimous roll-call vote.

Administration Resolution No. 4-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster approving the rules and regulations of the City of Lancaster Civil Service Board for the examination and appointment of applicants in the Bureau of Fire for the City of Lancaster and appointing and designating those medical providers who are authorized by council to perform medical, psychiatric and psychological testing in accordance with the afore said rules.

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

City Council approved Administration Resolution No. 4-2015 by a unanimous roll-call vote.

Administration Resolution No. 5-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster authorizing the conditional appointment of Ed Weiler, Alexis Carcamo and Kevin Bakey as firefighters with the Bureau of Fire of the City of Lancaster.

Councilwoman Williams made the motion to approve. Councilwoman Wilson seconded the motion.

Councilwoman Williams noted that Resolution 5-2015 is in compliance with Resolution No. 4-2015, pertaining to the new state regulations for hiring firefighters. The names of the three firefighter applicants were presented to City Council by the Civil Service Board.

Councilman Reichenbach thanked Chief Gregg for ongoing efforts to recruit quality candidates. Mr. Reichenbach said he knows one of the applicants personally and believes he will be an attribute to the Fire Bureau.

Terry Brown, 210 South Prince Street, took the opportunity to commend police Officer Bradley. Brown said he had fallen while walking on High Street and Officer Bradley had come to his aid. Without his assistance, Brown said he probably would not have been able to attend the council meeting.

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

Administration Resolution No. 6-2015, (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 the sale of 624 South Water Street, Lancaster, Pennsylvania.

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

Councilman Reichenbach noted that 624 South Water Street is a lot within the city's Keystone Opportunity Zone industrial park. The small lot is one of five the city owns in the industrial park. The sale of the lot relieves the city of responsibility of maintaining the property. The sale, for \$10,000, allows for the adjacent property owner to make use of the lot.

City Council approved Administration Resolution No. 6-2015 by a unanimous roll-call vote.

Council Resolution No. 7-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster designating February 2015 as Black History Month in the city and urging all citizens of Lancaster to participate in this celebration.

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

Councilwoman Williams thanked Dr. Leroy Hopkins, who is renowned for his knowledge of local African American History, for writing the resolution. Then, she read the resolution, as follows:

A resolution of the Council of the City of Lancaster designating February 2015 as Black History Month in the city and urging all citizens of Lancaster to participate in this celebration.

WHEREAS, 2015 marks a special date in local and national history. One hundred-fifty years ago the Civil War ended, a war fought by, among others more than 300 local African Americans, to secure the blessings of freedom to all Americans, regardless of race.

WHEREAS, after that war the Reconstruction Period, which lasted until 1877, was a period of contested rights and privileges in which former slaves now worked through Southern legislatures to create equal opportunity for all in the educational and economic areas. Hate groups in collusion with the national political parties ended that period of seeming endless promise to usher in an era of discrimination and segregation.

WHEREAS, Lancaster County was not immune to those negative influences but people of color locally joined with white allies to create a more just society.

WHEREAS, organizations such as the Negro Civic League, the Lancaster Chapter of the NAACP, the former Lancaster Urban League, and the Crispus Attucks Community Center were in the vanguard of the effort to combat local discrimination in housing, employment, and health services.

WHEREAS, the struggle continues, but with renewed determination and a certainty that diversity is the key to a better future for all Americans, we recognize and salute Black History Month 2015, a time when every Lancastrian should pause to consider the rich heritage of local African Americans who, despite generations of exclusion and discrimination, still strive to maintain a spiritual and totally American outlook on life.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster that all citizens are urged to observe February 2014 as Black History Month and encouraged to participate in community events which celebrate the contributions of African-Americans to the fabric of our community.

Virginia Whitaker-Brooks, second vice president of the Lancaster Branch of the NAACP, accepted the proclamation and thanked the City Council for their support of the NAACP through the years. She noted NAACP events occurring this month in recognition of Black History Month, including the Black History Celebration, on February 23, at 6 p.m., at Ebenezer Baptist Church, on South Lime Street and the annual Freedom Fund Banquet, on March 19, beginning at 6 p.m., at Millersville University's Gordinier Hall.

City Council approved Administration Resolution No. 7-2015 by a unanimous roll-call vote.

Councilwoman Williams then presented Ms. Whitaker-Brooks with a copy of the resolution.

REPORT OF THE MAYOR – Mayor Gray read the following report:

The Lancaster City Police will host a Citizen's Police Academy beginning Wednesday, March 18th. Weekly sessions will be held at the Police Station from 6:30 until 9 PM for 10-weeks. This program will offer citizens the opportunity to learn about the operations of the Lancaster City Police Department. Each week, Law Enforcement and Criminal Justice experts will provide lectures, tours, demonstrations, and hands-on activities for participants.

The objective of the Academy is to provide citizens with accurate information about City Police and the criminal justice process. Participants will be able to share this information with family, friends, co-workers, and neighbors to further improve and strengthen community-police relations. The Academy is open to anyone 18 years of age or older, however, priority is given to Lancaster City residents. Only 20

seats are available. Applications are available on the City website or the Police website. Deadline for submission is February 27th .

Last week we were advised that our insurance carrier has determined that the City's liability coverage will provide a defense to the NRA lawsuit against the City. The attorney assigned by our insurance carrier to defend the City is known to the Solicitor's office to be highly qualified. Our insurance policy for this coverage has a deductible of \$25,000. This means that the City will be liable for all defense expenses up to this limit. The Solicitor's office will also have additional expenses related to the defense of this lawsuit which would not be covered by our insurance.

Meanwhile, late last month we established the Common Sense Lancaster Legal Defense Fund to help defray the costs associated with defending the City against this lawsuit filed by the NRA. I'm pleased to report that as of this afternoon, nearly \$14,000 has been contributed to that fund, and three of four Mayors have made or pledged contributions to our Legal Defense Fund. In addition, a fundraising event is planned for April 1st from 5 until 8 PM at Tellus 360. Details on this event will be forthcoming. We are advising donors to the Common Sense fund that any dollars raised in excess of the amount needed to defend our lost or stolen gun ordinance will be used solely to combat the illegal possession or use of firearms in the City.

In mid-December, Public Works Director Charlotte Katzenmoyer was contacted by the US Environmental Protection Agency regarding continued enforcement action on the City's efforts to reduce and eliminate combined sewer overflows into the Conestoga River. As you know, the US EPA has pointed to the City of Lancaster as a model for our Green Infrastructure program. Through the Green Infrastructure program and ongoing improvements to our sewer system, we had hoped to avoid further legal action by the EPA. However, recent communications with the EPA indicate that they may be moving in the direction of requiring the City to operate under a negotiated consent decree. A consent decree would legally bind the City to very specific requirements for sewer system infrastructure improvements, possibly over a period of decades. Because EPA and US Department of Justice attorneys are now involved, the City needs to have specialized legal counsel with experience in environmental law and specific experience with combined sewer systems like ours.

A meeting is being scheduled by the EPA in the near future that will include representatives of the City, Pennsylvania DEP, US EPA and the US Department of Justice. We need to have legal counsel in place prior to this meeting. Since being contacted by the EPA in mid-December, Charlotte Katzenmoyer has contacted various cities that have gone through this same process and also talked with representatives of the US Conference of Mayors to identify attorneys with expertise in this area of law. Over the last several weeks, Charlotte, Patrick Hopkins and Barry Handwerger have interviewed several attorneys and will be making a recommendation to me on their top choice to represent the City in this matter. Prior to the Council meeting on February 24th, we will circulate a Resolution for the appointment of special counsel on this issue.

Finally, we have tentatively scheduled March 4th for a public presentation of the City's Walkability Study by Jeff Speck. We will advise City Council and the public when that date and time is confirmed.

REPORT OF THE PRESIDENT – President Graupera thanked members of Lancaster Unity for coming before council and introducing themselves to council and the administration. "You're an example

of good people trying to do good things for your community," President Graupera said. He asked them to bring their ideas and solutions to City Council.

COUNCIL COMMENTS – Councilwoman Wilson reminded everyone that Lancaster city has a Human Relations Commission, which helps those who face discrimination. The commission has a website and will have an event on Saturday, February 21, at tellus360. The event will mark the 50th anniversary of the commission's founding.

President Graupera said he had spoken to Mr. Mark Stoner, chairman of the Human Relations Commission Board of Directors, earlier in the evening. Mr. Stoner had asked council members to attend the celebration event at tellus360 and address the crowd.

Councilman Reichenbach also thanked Lancaster Unity. He said the discussion at potluck he attended in January was inspiring. He also noted that he will be working with Council Clerk Bernie Harris to draft a resolution in opposition to Senate Bill 4 and House Bill 173. Those measures would give state legislators sole authority, rather than judges, to determine which properties and organization are charitable and therefore exempt from local property taxes.

President Graupera adjourned the meeting at 8:16 p.m.

John E. Graupera, President

Attest:

Bernard W. Harris Jr.

City Clerk