

STATED MEETING - CITY COUNCIL – JULY 8, 2014

A meeting of the Lancaster City Council was held on Tuesday, July 8, 2014 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Graupera presiding.

Council led the assembly in the Pledge of Allegiance.

Present – Mr. Reichenbach, Mr. Roschel, Ms. Sorace,
Mr. Soto, Ms. Wilson, President Graupera – 6

Excused – Ms. Williams – 1

The minutes of the special meeting of Council for June 2, 2014 were approved (as amended) by a unanimous roll call vote.

PUBLIC COMMENT – Mr. Luis Villa, 546 Lafayette Street, told Council that he has a very sick wife who cannot walk very far and he has found out that because there are already 2 handicapped spaces in his block that he cannot apply for another. He also has neighbors on both sides of his house that threaten him, and they have more than one car. They will park him in so he cannot move his car out. President Graupera asked Councilwoman Wilson to speak with Mr. Villa after the meeting and we will try to work through his neighborhood problems. Mayor Gray stated that these matters were brought to his attention and he notified the sweep officers and Chief Sadler. Charlotte Katzenberger read the portion of the ordinance that addresses this handicapped sign legislation.

PUBLIC SAFETY COMMITTEE – Councilman Reichenbach reported on the committee meeting held last evening here in Council Chambers. He stated that on the agenda tonight there are three items which were discussed. Administration Bill No. 8-2014 restating the code of regarding junk dealers, second-hand dealers, pawn brokers, etc., and Administration bill No. 12-2014 replacing Chapter 285 of the Code of the City Article 17-Towing with a new section.

PUBLIC WORKS COMMITTEE – Councilman Roschel stated that the committee met last evening and discussed three items which are Resolution No. 31 and 32 and he will talk about the items when they come up on the agenda

FINANCE COMMITTEE – Councilwoman Sorace stated that there would be two items on the agenda, one from our meeting last evening, Administration Resolution No. 33-2014, and she will talk about that when it comes up on the agenda. She made a motion to approve the quarterly transfers to workman's compensation line item \$40,000 and Councilman Roschel seconded. City Council approved the motion by a unanimous roll call vote.

COMMUNITY DEVELOPMENT AND PLANNING COMMITTEE – Councilman Soto stated that there are two items on the agenda Administration Bill No. 10-2014 and Administration Bill No. 11-2014, and he will address them when they come up on the agenda.

PERSONNEL COMMITTEE – Councilwoman Wilson stated that the Committee met last evening to discuss Bill No. 9-2014, establishing a Civil Service Board in accordance with Act 22 of 2014. We will talk about it when it comes up on the agenda.

Administration Bill No. 8-2014,(the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER AMENDING, MODIFYING AND RESTATING CHAPTER 186 OF THE CODE OF THE CITY OF LANCASTER REGARDING VENDOR AND PEDDLER LICENSING, PAWN BROKERS LICENSING, JUNK DEALER/RECYCLING CENTERS LICENSING ANTIQUE OR SECOND-HAND DEALERS LICENSING, VENDORS AND PEDDLERS LICENSING, AND TRANSIENT MERCHANTS LICENSING; 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 Reichenbach stated that we had two police officers at our meeting last evening who gave their opinions as to what they needed to do their job effectively. We also had some scrap dealers that were here and gave some input as well. Mayor Gray stated that the scrap dealers said that our actions were prohibited by State statute. He checked with the Solicitor. Specifically, the General Assembly passed an ordinance that says that any ordinance passed after this date that deals with scrap dealers, would be superseded by this statute. Therefore, the ordinance that is being reviewed was amended to exclude any changes in the way we deal with scrap dealers whatsoever. The ordinance is dealing with secondhand buy and sell shops, pawnbrokers, etc. Scrap dealers provisions don't change at all. What this ordinance does is, it makes it so they can report electronically. It provides protection to the victim of a theft and protection to the buy and sell owner or pawnshop owners.

Administration Bill No. 9-2014,(the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER PROVIDING FOR THE ESTABLISHMENT OF A CIVIL SERVICE BOARD IN ACCORDANCE WITH ACT 22 OF 2014 AND PROVIDING FOR THE WINDING UP OF AFFAIRS OF THE EXISTING LANCASTER CITY POLICE CIVIL SERVICE COMMISSION AND LANCASTER CITY FIRE CIVIL SERVICE COMMISSION; 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.

Councilwoman Wilson stated that this is a matter of us being consistent with the laws of the Commonwealth of Pennsylvania and the Third Class City Code, which now requires that the Civil Service Boards be combined as one.

Administration Bill No. 10-2014,(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 SECTION 238-7 OF THE CODE OF THE CITY OF LANCASTER; TO PROVIDE THAT DISRUPTIVE CONDUCT LETTERS SHALL BE MAILED TO THE OCCUPANT WITHIN 30 WORKING DAYS OF THE OCCURRENCE OF THE ALLEGED DISRUPTIVE CONDUCT RATHER THAN 10 WORKING DAYS; 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.

Randy Patterson, Director of Economic Development and Neighborhood Revitalization stated that this is primarily an administrative amendment to the ordinance that allows the administration a little bit more time to coordinate the actions by Police when going out citing folks for disruptive conduct, and then reporting back to us and us having time to get notices out in the mail. The Thirty Days gives us more time to do some background work and get those notices out.

Administration Bill No. 11-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AUTHORIZING THE OFFICIALS OF THE CITY OF LANCASTER TO ENTER INTO A SIDEWALK EASEMENT AGREEMENT WITH CONESTOGA PLAZA, LP AND DIRECTING THE PROPER OFFICIALS OF THE CITY OF LANCASTER TO REVISE THE OFFICIAL MAP AND PLANS OF THE CITY TO REFLECT THE ADDITION OF THE SIDEWALK AREA TO BE DEDICATED TO THE CITY PURSUANT TO SUCH AGREEMENT; PROVIDING FOR THE REPEAL OF INCONSISTANT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

Mr. Patterson stated that this is a continuation of the development of the Conestoga Plaza. They are proceeding with the site work of the Commercial piece of the property. There is no sidewalk there now, but once the sidewalk is built it becomes a public right-of-way. This ordinance establishes that public right-of-way.

Administration Bill No. 12-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA REPEALING AND REPLACING CHAPTER 285 OF THE CODE OF THE CITY OF LANCASTER - ARTICLE 17 – TOWING, WITH A NEW SECTION ARTICLE 17 – TOWING CONTAINING SECTIONS 285-135 THROUGH 285-157; WHICH ARTICLE PROVIDES FOR THE SHORT TITLE OF THE ORDINANCE, FOR THE PURPOSE OF THE ORDINANCE, AND FOR THE CITY’S AUTHORITY TO REMOVE AND IMPOUND VEHICLES, ESTABLISHES DEFINITIONS, ESTABLISHES ANNUAL LICENSES FOR PUBLIC, PRIVATE AND EVIDENCE TOWING, SETS FORTH THE MINIMUM REQUIREMENTS AND QUALIFICATIONS FOR TOWING LICENSES, ESTABLISHES A TOWING ROTATION FOR THE HOLDERS OF PUBLIC AND PRIVATE TOWING LICENSES, ESTABLISHES GENERAL REGULATIONS FOR THE REMOVAL OF VEHICLES ON PRIVATE AND PUBLIC PROPERTY, ESTABLISHES A SERIES OF PROHIBITED ACTS REGARDING SERVICES RENDERED BY TOWING COMPANIES, REQUIRES SUBMISSION OF A FEE SCHEDULE FOR TOWING SERVICES AND STORAGE FEES, SETS FORTH REQUIREMENTS FOR NOTIFICATION OF REMOVAL OF VEHICLES, REQUIRES TOWING COMPANIES TO MAINTAIN RECORDS OF VEHICLES TOWED OR STORED, ESTABLISHES PROCEDURES FOR OBTAINING AUTHORIZATION TO REMOVE VEHICLES FROM PRIVATE PROPERTY, ESTABLISHES PROVISIONS FOR THE EFFECTIVE PAYMENT OF TOWING AND STORAGE CHARGES WITHOUT PROTEST, REQUIRES THE MAINTENANCE OF RECORDS OF VEHICLES REMOVED AND IMPOUNDED, PROVIDES OWNER/OPERATOR LIABILITY FOR FINES AND PENALTIES, ESTABLISHES REMOVAL TIME LIMITATIONS AND A PROCEDURE FOR RENDERING COMPLAINTS AGAINST LICENSED TOWING COMPANIES, ESTABLISHES PROCEDURES FOR THE TERMINATION OF A LICENSE, PROVIDES FOR IMPOSITION OF FINES AND PENALTIES FOR VIOLATIONS OF THE ARTICLE, AND PROVIDES FOR THE ESTABLISHMENT OF POLICIES AND PROCEDURES BY THE CHIEF OF POLICE. THIS ORDINANCE FURTHER PROVIDES FOR THE REPEAL OF INCONSISTENT ORDINANCES, THE SEVERABILITY OF THE ORDINANCE AND THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

Mr. Robert Brim of Absolute Towing, Inc. thanked the Council and Administration for working with the towing companies to work this out. He is happy with the outcome.

Administration Resolution No. 31-2014, (the title) was read by the City Clerk as follows:

“A RESOLUTION OF CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AUTHORIZING THE SALE OF THREE CONTIGUOUS TRACTS OF LAND KNOWN AS 599 CHESAPEAKE STREET, 416 SOUTH BROAD STREET AND 420 SOUTH BROAD STREET, CITY OF LANCASTER, IN ACCORDANCE WITH CHAPTER 232 OF THE CODE OF THE CITY OF LANCASTER WITHOUT PUBLIC BIDDING PURSUANT TO SECTION 232-2.B AND 232-5, AUTHORIZING AN AGREEMENT OF SALE BY AND BETWEEN THE CITY OF LANCASTER AND COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES FOR THE SALE OF SAID PROPERTIES TO THE COMMONWEALTH AND DIRECTING THE PROPER OFFICIALS OF THE CITY OF LANCASTER TO TAKE ANY AND ALL APPROPRIATE ACTIONS NECESSARY TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY SAID AGREEMENT OF SALE.”

Councilman Roschel made the motion to approve and Councilwoman Wilson seconded.

Mr. Roschel stated that Thaddeus Stevens College of Technology has been looking to expand and the City owns about 7½ acres just south of the College at 599 Chesapeake Street and 416-420 South Broad Street. This resolution allows the sale to the Commonwealth of Pennsylvania pending approval by Stevens College. The buyer pays the seller \$1 million for the purchase of the properties, the Stevens Alumni Foundation donates \$1 million dollars to the City. The City receives \$500,000 grant from the DCED in Keystone Communities Program for the City’s new Operation Center and the Seller shall secure \$500,000 from the DCNR. The Mayor noted that this agreement is good for the City, good for the College and good for the neighborhood.

City Council approved Administration Resolution No. 31-2014 by a unanimous roll call vote.

Administration Resolution No. 32-2014, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AUTHORIZING THE EXECUTION OF A WINTER TRAFFIC SERVICES AGREEMENT BETWEEN THE CITY OF LANCASTER AND THE COMMONWEALTH OF PENNSYLVANIA FOR THE CLEARING OF SNOW AND ICE FROM STATE HIGHWAYS LOCATED WITHIN THE CITY LIMITS FOR THE WINTER SEASONS FROM 2014-2015 TO 2018-19.

Councilman Roschel made the motion to approve and Councilman Reichenbach seconded.

Councilman Roschel various streets in the City are State Roads. The City has the equipment to clear these roads. This is a 5 year agreement with the Commonwealth to clear these roads of snow and ice for the seasons of 2014-2015 to 2018-2019. City Council approved Administration Resolution No. 32-2014 by a unanimous roll call vote.

Administration Resolution No. 33-2014, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, APPROVING A PROJECT TO BE UNDERTAKEN BY THE LANCASTER MUNICIPAL AUTHORITY FOR THE BENEFIT OF THE MENNONITE HOME, A NONPROFIT CORPORATION, AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY THE FACILITIES BEING FINANCED AS PART OF SUCH PROJECT TO HAVE SUCH FACILITIES PROVIDED BY OR FINANCED THROUGH SUCH AUTHORITY.

Councilman Reichenbach made the motion to approve and Councilman Roschel seconded. Councilwoman Sorace stated that this is a tax exempt financing project for which the City serves as a conduit. The City is not liable for any debt, and is the only involvement the City has in this process. City approved Administration Resolution No. 33-2014 by a unanimous roll call vote.

PUBLIC COMMENT – Amy Crystle addressed Council and announced Bicycle initiatives which are being offered by Lancaster League of American Bicyclists. They are free to the public.

REPORT OF THE MAYOR- Mayor Gray made his report to City Council and it can be viewed on the City's website www.cityoflanasterpa.com

Mayor Gray also mentioned the passing of Professor Hazel Jackson and noted her dignity and grace as she moved through life as a teacher, community leader and role model.

COUNCIL COMMENTS – Councilman Reichenbach commented on the wonderful job the MOOSE office did with Celebrate Lancaster, stating that it was a great event for all families and participants. He especially noted the Police and the Public Works workers who made the event and the clean-up run smoothly.

President Graupera adjourned the meeting at 8:30 p.m.

John E. Graupera, President

Attest:

City Clerk