

STATED MEETING - CITY COUNCIL – JULY 22, 2014

A meeting of the Lancaster City Council was held on Tuesday, July 22, 2014 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with Vice - President Williams presiding.

Council led the assembly in the Pledge of Allegiance.

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

Excused – President Graupera – 1

The minutes of the meetings of Council for June 24, 2014 and July 8, 2014 were approved by a unanimous roll call vote.

PUBLIC WORKS COMMITTEE – Chairman Roschel stated that the Committee met on July 7, and we discussed Resolution No. 34-2014 and we will cover it when it comes up on the agenda.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Chairman Reichenbach stated that the CRIZ did not meet today, because projects that are being worked on were not ready for approval. They will meet next month and he will have a report at that time.

FINANCE COMMITTEE – Chairwoman Sorace stated that the Committee met this evening before the Council meeting and were presented the audit for 2013. She noted that during the review it was found that we have a clean bill of health financially. She made a motion to accept the audit for 2013 and Councilman Reichenbach seconded. The motion was approved by a unanimous roll call vote.

PERSONNEL COMMITTEE - Chairwoman Williams stated that she has an appointment from the Mayor of Marjorie Urban to the Lancaster Housing Authority. She made the motion to approve and Councilwoman Wilson seconded. The appointment was approved by a unanimous roll call vote.

City Council considered the following applications & (HARB recommendations) for improvements to properties within the Historic District:

1. Ana Vera requests construction of a new covered front porch on a freestanding brick house at 425 Howard Avenue.
2. Rod and Mary Lou Houser request installation of a new window on the house's north elevation at 232 North Mary Street.
3. Jay Stoltzfus requests construction of a projecting balcony on the building's north

elevation at 443 West Marion Street. (after-the-fact)

Councilman Reichenbach made the motion to approve and Councilman Soto seconded. City Council approved the recommendations of the HARB by a unanimous roll call vote.

City Council considered the following application & HARB recommendation for improvements to properties within the Historic District:

1. Jay Stoltzfus requests alteration of a one-story brick garage including removal of a brick parapet wall on the building's façade at 443 West Marion Street. (after-the-fact)

Randy Patterson explained that back in December 2013, when the issue was brought to the HARB, the owner was told to save the parapet in the front of the building. The contractor told the owner that he could not save the parapet and it was removed. No one came back to the HARB to inform at them that it could not be saved. The reason it is in front of Council is because it was not brought back to the HARB for review.

Mr. Donald Main, architect, member of the HARB, stated that what the HARB wanted was to have some detail on the building to show what was there and to help with the elevation of the building. The parapet gave the building a look of height and concealed the slope of the roof which was sloped for drainage.

Jay Stoltzfus, owner of the building, defended his case to Council issuing photos and recounting communications with the HARB.

Randy Patterson gave City Council their options. Councilman Reichenbach made the motion to select the option to reject HARB's recommendation of denial and Councilman Roschel seconded. Mr. Reichenbach suggested that Mr. Stoltzfus reach out to HARB and try to come up with a compromise to make the building more fitting to the Secretary of Interior's Guidelines. City Council approved Mr. Reichenbach's motion by a unanimous roll call vote.

At this time, Vice-President Williams ask the City Clerk to introduce Administration Resolution No. 34-2014. The City Clerk read (the title) as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF LANCASTER MUNICIPAL AUTHORITY, AS PROPOSED BY RESOLUTION OF THE BOARD OF SAID AUTHORITY; SETTING FORTH THE PROPOSED AMENDMENT; AUTHORIZING SAID AUTHORITY AND PROPER OFFICERS THEREOF TO EXECUTE, VERIFY AND FILE APPROPRIATE ARTICLES OF AMENDMENT; AND REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS

INCONSISTENT HEREWITH.

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

Frank Mincarelli, Solicitor for the Lancaster Municipal Authority, known formerly as the City of Lancaster Sewer Authority, now has the function of helping Non-Profit entities apply for low interest loans and grants. The Authority has 7 members and two are in nursing homes, so there are only 5 members. It is easier to get a quorum with less members, and this resolution changes the number of members of the Authority from 7 to 5.

City Council approved Resolution No. 34-2014 by a unanimous roll call vote.

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 Roschel made the motion to approve and Councilwoman Wilson seconded.

Councilman Reichenbach explained that two police officers came to the committee meeting and discussed the issues they were having with tracking certain items which were not covered before. The Administration amended the ordinance to make it easier to track stolen goods, such as electronic equipment. City Council approved Administration Bill No. 8-2014 by a unanimous roll call vote and it shall hereinafter be known as Administration Ordinance No. 8-2014.

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.

Councilman Reichenbach made the motion to approve and Councilman Sorace seconded. Councilwoman Wilson stated that we now have a Fire Civil Service Board and a Police Civil Service Board. Recent legislation has directed the Cities in Pennsylvania to have one Board to serve both the Fire Bureau and the Police Bureau. This bill does that. City Council approved Administration Bill No. 9-2014 by a unanimous roll call vote and it shall hereinafter be known as Administration Ordinance No. 9-2014.

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.

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

Mayor Gray stated that the Ordinance now requires police to file a report, the report is then transmitted to Karen Bousquet. She then sends out the notice. There has been problems getting the notice out within (10) days. We decided to make an amendment to allow 30 days. City Council approved Administration Bill No. 10-2014 by a unanimous roll call vote and it shall hereinafter be known as Administration Ordinance No. 10-2014.

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.

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

Councilman Soto stated that the easement agreement will allow public use of this sidewalk when it is constructed. Randy Patterson stated that the property owners are responsible for upkeep of the sidewalk. City Council approved Administration Bill No. 11-2014 by a unanimous roll call vote and it shall hereinafter be known as Administration Ordinance No. 11-2014

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.

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

Councilman Roschel made the following motion:

I hereby move to amend the revised version of Chapter 285 attached to and referenced in Ordinance Number 12-2014 as follows:

1. The reference in §285-148(b) to 217 of the Pennsylvania Code of Regulations should be to Chapter 212.115 of the Pennsylvania Code of Regulations;
2. The license fees referenced in §285-139(c) should each be \$700.00;
3. The license fees referenced in §285-139(d) should be \$200.00 for the second application fee and \$100.00 for the third application fee;
4. The license fees referenced in §285-139(e) should be \$400.00 for a single license renewal, \$500.00 for two license renewals, and \$600.00 for three license renewals; and
5. The following sentence shall be added to the end of §285-140(b): “Any other personal property returned, other than medicine or personal property returned at an accident scene, shall only be returned upon payment to the towing company of any and all applicable fees.”

Councilwoman Wilson seconded. City Council approved the motion by a unanimous roll call vote.

City Council approved Administration Bill No. 12-2014 (as amended) by a unanimous roll call vote and it shall hereinafter be known as Administration Ordinance No. 12-2014.

COUNCIL COMMENTS – Councilman Soto invited everyone down to the Hispanic Festival which takes place tomorrow through Saturday at St. Juan Batiste Church.

Vice - President Williams adjourned the meeting at 8:30 p.m.

Louise B. Williams, Vice-President

Attest:

City Clerk