

STATED MEETING - CITY COUNCIL – MAY 27, 2014

A meeting of the Lancaster City Council was held on Tuesday, May 27, 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. Williams, Ms. Wilson, President Graupera – 7

The minutes of the meeting of Council for May 13, 2014 were approved by a unanimous roll call vote.

The Unstoppables Drill team entertained the Council and Administration. They will be holding the First Annual Unstoppables Drill Team & Drum Squad Parade & Festival on Saturday, June 7, 2014 at 1:00 p.m.

Mayor Gray, Ms. Sorace and Mr. Soto presented the following McCaskey Seniors with academic excellence awards from the City Council and the Mayor:

Art & Humanities – Kayla Oliveras

McCaskey School of Health Sciences – Marcos Valdivia-Nunez

Honor/International Baccalaureate – Katie Vuu

McCaskey Institute of Technology – Stephen Torres

Media Studies and Communication – Tajanea M. Henson

Public Leadership and service – Patricia Maila

Technical and business Careers – Leandro Martinez-Formoso

PUBLIC WORKS COMMITTEE – Chairman Roschel stated that the Committee met earlier tonight, and discussed Resolution No. 27 which is a Resolution adopting a Complete Streets Policy. He made a motion to add it to the agenda, and Councilwoman Sorace seconded. City Council approved adding Resolution No. 27-2014 to the agenda.

ECONOMIC DEVELOPMENT AND REVITALIZATION COMMITTEE – Chairman Reichenbach gave a brief report on the CRIZ Authority meeting that was held today. Ray D’Agostino will be the Chair, Vice Chair will be John Reed, and Tom Baldrige will be the Secretary. The organization that came through today to have a presentation was SACA

Development. Carlos Graupera came and there was a conversation concerning the Conestoga Plaza Project, on South Duke Street. Construction may begin there in June. The new grocery stores which will be built there will be smaller. There will be three buildings. One will house Family Dollar will move from across the street to the new building. Brothers Grocery Store will be moving into the next building. Building 3 will be subdivided into 5 spaces. So far they have a Chinese restaurant, a Cell Phone Company and they do expect to fill the other three. They expect 80 jobs to be created or retained and most of them will be full-time with benefits. They already have built 6 and they all sold. They will be building 6 more. The CRIZ will not be involved with the residential side of the project. There are no plans at this time for the stores across the street at this time, when they move across to Conestoga Plaza.

The Committees were set for the CRIZ; Finance and Audit will be chaired by Fred Waller, Project Review Committee will be chaired by Bob Shoemaker and Outreach and Communications will be chaired by Tom Baldrige.

FINANCE COMMITTEE – Chairwoman Sorace stated that the Finance Committee met this evening and she made the motion that Administration Resolution No. 26-2014 be added to the agenda. Councilman Roschel seconded. This resolution will authorize an application to the Department of Justice for equipment for the Bureau of Police. Council approved the addition of the resolution by a unanimous roll call vote.

Ms. Sorace further stated that tonight we have the first reading of the General Obligation Bond ordinance authorizing the incurrence of additional debt for much needed improvements to Water, Sewer, etc. There will be a summarization of the items later this evening. The motion and vote to add Bill No. 7-2014 was made at the Committee meeting on May 5.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Chairman Soto stated that there are two items on the agenda this evening and he will address them when they come up.

President Graupera stated that to be compliance with the Commonwealth's Sunshine Law, Council held a brief meeting before the Council meeting on a Personnel Issue.

City Council considered the following application and (Historic Commission recommendation) for construction & demolition within the Heritage Conservation District :

1. Thaddeus Stevens College proposes construction of a new residential duplex on an undeveloped lot at 630-634 East Walnut Street.

Councilman Roschel made the motion to approve and Councilwoman Wilson seconded. City Council approved the recommendation of the Historic Commission by a unanimous roll call vote.

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

1. Jerry Robledo requests replacement of wooden windows on the building” façade with vinyl windows at 418½ Poplar Street (Denial)

Councilman Soto stated that we asked Mr. Robledo to bring us more information and he has not responded and he would like to make the motion to table this until the next Council meeting on June 10. Councilman Roschel seconded and Council approved the motion by a unanimous roll call vote.

Administration Bill No. 6-2014,(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, ESTABLISHES A MAXIMUM 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 stated that he would like to make a motion to table this bill until the June 24, 2014 Council meeting. He also stated that there will be an opportunity to discuss this at the June 2 committee meetings. Councilman Roschel seconded. City Council approved the motion by a unanimous roll call vote.

Mayor Gray stated that the Administration met with the gentleman from Absolute Towing and he made some good points. It was the decision since there is no hurry for this, we would step back and take a look at it and hopefully we can come up with some amendments.

Several towing business owners asked questions and gave their advice for improving the ordinance. Each one talked about their specific jobs. Several owners of private lots also added to the discussion. Each speaker was invited to attend the June 2nd work session when we will discuss this again.

Administration Bill No. 7-2014,(the title) was read by the City Clerk as follows:

AN ORDINANCE AUTHORIZING THE INCURRENCE OF NON-ELECTORAL DEBT OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA (THE "CITY"), BY THE ISSUANCE OF \$42,490,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES OF 2014 (THE "BONDS"), ISSUED FOR THE PURPOSE OF FINANCING (1) IMPROVEMENTS AND UPGRADES TO THE CITY'S WATER TREATMENT AND DISTRIBUTION FACILITIES, AS DESCRIBED ON EXHIBIT A HERETO, (2) IMPROVEMENTS AND UPGRADES TO THE CITY'S WASTEWATER TREATMENT AND COLLECTION FACILITIES, AS DESCRIBED ON EXHIBIT A HERETO, (3) IMPROVEMENTS AND UPGRADES TO THE CITY'S STORMWATER SYSTEM, AS DESCRIBED ON EXHIBIT A HERETO, (4) OTHER CAPITAL PROJECTS SET FORTH ON EXHIBIT A HERETO, (5) OTHER MISCELLANEOUS CAPITAL PROJECTS WHICH MAY, BY RESOLUTION OF THE CITY COUNCIL, OR IN LIEU OF RESOLUTION BY

ENACTMENT OF AN ORDINANCE OF THE CITY IN CONNECTION WITH ITS CAPITAL BUDGET, HEREAFTER BE APPROVED, (6) CAPITALIZED INTEREST ON THE BONDS; AND (7) PAYING ISSUANCE COSTS IN CONNECTION WITH THE BONDS; STATING THAT REALISTIC COST ESTIMATES HAVE BEEN MADE FOR THE CAPITAL PROJECTS AND STATING THE ESTIMATED PROJECT COMPLETION DATE; STATING THE REALISTIC ESTIMATED USEFUL LIFE OF THE PROJECT FOR WHICH SAID BONDS ARE ISSUED; AWARDING SUCH BONDS AT A SALE BY INVITATION AND STATING THAT SUCH SALE IS IN THE BEST FINANCIAL INTEREST OF THE CITY; PROVIDING FOR FULLY REGISTERED BONDS, DATE OF THE BONDS, INTEREST PAYMENT DATES, PROVISIONS FOR REDEMPTION AND STATED PRINCIPAL MATURITY AMOUNTS AND FIXING THE RATES OF INTEREST ON SUCH BONDS AND PROVIDING FOR BOOK-ENTRY ONLY BONDS; APPROVING THE FORM OF THE BONDS, PAYING AGENT'S AUTHENTICATION CERTIFICATE AND ASSIGNMENT AND PROVIDING FOR CUSIP NUMBERS TO BE PRINTED ON THE BONDS; PROVIDING FOR THE REGISTRATION, TRANSFER AND EXCHANGE OF BONDS; COVENANTING THAT THE CITY SHALL INCLUDE THE AMOUNT OF ANNUAL DEBT SERVICE IN ITS BUDGET FOR EACH FISCAL YEAR; UNDERTAKING CERTAIN TAX COVENANTS WITH REGARD TO THE BONDS; APPROVING THE CONTENT AND FORM OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE DISTRIBUTION THEREOF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT AND THE UNDERTAKING OF CERTAIN CONTINUING DISCLOSURE; DIRECTING THE APPROPRIATE OFFICERS OF THE CITY TO PREPARE, CERTIFY AND FILE WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THE REQUIRED DEBT STATEMENT, BORROWING BASE CERTIFICATE, AND OTHER NECESSARY PROCEEDINGS; AUTHORIZING THE APPROPRIATE OFFICERS OF THE CITY TO CONTRACT WITH A BANK OR BANK AND TRUST COMPANY FOR ITS SERVICES AS SINKING FUND DEPOSITORY, PAYING AGENT AND REGISTRAR AND STATING A COVENANT AS TO PAYMENT OF PRINCIPAL AND INTEREST WITHOUT DEDUCTION FOR CERTAIN TAXES; CREATING A SINKING FUND AND APPROPRIATING ANNUAL AMOUNTS FOR

THE PAYMENT OF DEBT SERVICE ON THE BONDS;
PROVIDING FOR THE EXECUTION, DELIVERY AND
AUTHENTICATION OF BONDS AND THE DISPOSITION OF
THE PROCEEDS THEREOF; AUTHORIZING AND
DIRECTING THE APPROPRIATE OFFICERS OF THE CITY
TO PAY ISSUANCE COSTS; AUTHORIZING AND
DIRECTING THE PREPARATION AND FILING OF SELFLIQUIDATING
DEBT REPORTS AS TO PORTIONS OF THE
DEBT INCURRED HEREBY, AND THE PREPARATION AND
FILING OF ANY OTHER STATEMENTS AND REPORTS
REQUIRED TO QUALIFY SUCH PORTIONS OF THE DEBT
INCURRED HEREBY FOR EXCLUSION FROM THE
APPROPRIATE DEBT LIMIT OF THE CITY AS SELFLIQUIDATING;
AUTHORIZING AND DIRECTING THE
APPROPRIATE OFFICERS OF THE CITY TO DO ALL
THINGS NECESSARY TO CARRY OUT THE ORDINANCE;
AUTHORIZING INCIDENTAL ACTIONS; RESCINDING
INCONSISTENT RESOLUTIONS; AND STATING THE
EFFECTIVE DATE.

Councilman Sorace stated that this is what we discussed at Finance Committee earlier this evening. We were joined by legal counsel, Concord Financial Services, which will be aiding the City in securing the best interest rate possible for the General Obligations Bonds. Exhibit A is the Capital Improvement Plan which lists a hundred or so projects that fall in the category of the General Fund, Water, Sewer and Stormwater Management. She gave a few examples such as: deferred maintenance of our water and sewer, public safety, as well as construction costs which are federally mandated related to ADA ramps, as well as upgrades to swimming pools to meet federal regulations. She further stated that we got some good news, which is an acknowledgement of the work of Mr. Hopkins and the City Administration, that the bond rating for the City has been re-affirmed as an A-1 rating, which means that the City is a very good investment for municipal bond holders. The auction for the bonds will be held on Monday, June 2, 2014, and that night at 6:00 p.m. there will be a Special Meeting in which all the numbers in the ordinance will be filled in according to the rate that we were able to secure on the auction earlier in the day.

Administration Resolution No. 26-2014, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER
AUTHORIZING THE SUBMISSION OF AN APPLICATION SEEKING FUNDING
FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ) FOR THE FY2014 BYRNE
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM.**

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

Councilwoman Sorace stated that this is an application for the submission for an application for \$49,675, through the US Department of Justice. The resolution outlines the use of these funds for the purchase of 5 watch guard in-car cameras, and some additional technical equipment for the Bureau of Police. City Council approved Administration Resolution No. 26-2014 by a unanimous roll call vote.

Administration Resolution No. 27-2014, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER ADOPTING A COMPLETE STREETS POLICY TO BETTER INTEGRATE PHYSICAL ACTIVITY INTO THE DAILY LIVES OF THOSE WHO LIVE IN AND VISIT THE CITY OF LANCASTER THROUGH AN INCREASED EMPHASIS ON ACTIVE TRANSPORTATION MODES WHICH WILL CONTRIBUTE TO IMPROVED HEALTH, REDUCED TRAFFIC CONGESTION, IMPROVED AIR QUALITY, REDUCED EMISSIONS OF GREENHOUSE GASES AND MORE ECONOMICALLY VIBRANT COMMUNITIES.

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

Councilman Roschel stated that Complete Streets are safe and convenient for all users, including pedestrians, cyclists, bicyclists, public transportation riders, and motor vehicles drivers of all ages and abilities. With this resolution, the City of Lancaster seeks to create an interconnected network of transportation facilities that accommodate all modes of travel in a manner consistent with the community context and goals, and that incorporate green infrastructure measures where appropriate. By passing this resolution, we also the municipal staff is directed to review and update language in the Lancaster Comp Plan, Subdivision and Land Development Ordinance, the Zoning Ordinance and other codes. City Council approved Administration Resolution No. 27-2014 by a unanimous roll call vote.

PUBLIC COMMENT – Amy Crystle, bicycle coordinator at Lemon Street Market, told Council that Lemon Street Market is applying for a Bicycle Friendly Business on June 12, 2014 with the League of American Bicyclists. This Saturday, May 31, there is a bicycle registration event from 10 a.m. to 12 noon. There will be Traffic Skills 101 classes offered on June 10, 17, and 24, from 6:30 to 8:30 p.m. at the Market at 241 West Lemon Street. There will be mostly riding, but there will be some instruction and also some basic bicycle maintenance tips, instructed by a League of American Bicyclists Certified Instructor. She commended Ms. Sorace for riding her bike through Lancaster with her family on Sunday.

REPORT OF THE MAYOR – the Mayor’s report to Council may be viewed on the City’s website. www.cityoflancaster.com

COUNCIL COMMENT – Councilwoman Wilson thanked Council for allowing the Unstoppables to perform here tonight. So many good things are happening in the City and this is a way to present them.

Councilwoman Sorace stated that the Lancaster County Conservancy is trying to encourage comments to Federal Energy Regulatory Commission. It is the entity that will approve the pipeline, and you can comment by visiting the Lancaster County Conservancy website. If you have comments about that pipeline, now is your chance.

Councilman Reichenbach stated that on June 14, 2014 at Thaddeus Stevens, Crispus Attucks is going to host their “Men Who Cook” event and he encouraged people to come out, noting that he has tickets to sell, because he is going to be a man who cooks.

President Graupera adjourned the meeting at 9:15 p.m.

John E. Graupera, President

Attest:

City Clerk