

## STATED MEETING - CITY COUNCIL – APRIL 11, 2017

A meeting of the Lancaster City Council was held on Tuesday, April 11, 2017 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, Ms. Sorace, Mr. Soto, Ms. Wilson and President Graupera – 6

Excused – Ms. Williams – 1

The minutes of the meeting of Council for March 28, 2017 were approved by a roll-call vote.

### PROCLAMATIONS, HONORS, AWARDS AND RESOLUTIONS OF RECOGNITION

Administration Resolution No. 16-2017, (the title) was read by the City Clerk as follows:

**A resolution of the City Council of the City of Lancaster recognizing April 2017 as Sexual Assault Awareness and Prevention Month in the City of Lancaster and calling on all people to adopt attitudes that promote healthy relationships, equality and respect.**

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

Ms. Sorace said she and Councilwoman Williams serve on the Advisory Board of the Sexual Assault Task Force of the Lancaster YWCA. She said no one has to look far to see that sexual assault continues to be an important issue. It was raised in October, during the presidential campaign, when President Trump’s “locker room talk” served as a vivid reminder that sexual assault, harassment and other forms of abuse are not unusual. Women and men must continue to stand against such abuse.

Ms. Sorace said she is honored to recognize the Lancaster YWCA and the Lancaster City Police for standing with survivors. She praised them for their outreach, education, compassion and care during some of the most sensitive moments of a person’s life.

She asked members of the Police Special Investigations Unit to stand and be recognized: Lt. Berkheiser, Sgt. Mummaw, Det. Harnish, Det. Halstead, and Administrative Assistant Robin Brown. She also recognized Lisa Cameron, the YWCA’s director of counseling, to stand and be recognized. She noted that Police investigators and the YWCA work in partnership to address incidents of sexual assault.

Ms. Cameron praised the partnership with the City Police. She said YWCA staff members feel their work with survivors of sexual violence is more effective when it is done in cooperation with Police. In the last fiscal year, the YWCA saw more than 650 people who had experienced sexual violence in Lancaster City and County, she said.

President Graupera voiced his appreciation for the work done by the Police officers and YWCA.

Council approved Administration Resolution No. 16-2017 by a unanimous roll-call vote.

## REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE – No Report.

PUBLIC WORKS COMMITTEE – Mr. Roschel reported his committee met Monday, April 3, and reviewed six items: Bill No. 10-2017, Resolutions No. 18, 19 and 20-2017, which are on this evening's agenda, and Resolution No. 22-2017, which is the fee schedule connected to Bill No. 10-2017.

The other item was a water quality update from Public Works Director Charlotte Katzenmoyer. Ms. Katzenmoyer said public notices will be issued in the upcoming quarter to alert water customers to HAA, or haloacetic acid, levels in excess of the state standard. The notice is required because the average of four successive quarters is slightly above the standard. Testing for the most recent quarter found that level well below the standard, but due to higher levels previously, the public notice must be provided.

He said HAA is a chemical byproduct of chlorine used for water treatment reacting to decaying organic matter, such as leaves, in the water. The City has responded by adjusting chlorine levels, and flushing water mains to bring down HAA levels.

ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION COMMITTEE – Mr. Reichenbach reported that his committee had reviewed Administration Resolution No. 17-2017 at the April 3 committee meeting. That resolution concerns the transfer of Southern Market Center to the Redevelopment Authority of the City of Lancaster. The resolution was amended to require the approval of the mayor for the sale of Southern Market Center if the sales price is less than the appraised value of the property. That resolution is on the agenda later this evening.

FINANCE COMMITTEE – Ms. Sorace made a motion to approve the quarterly legislative budget transfer for workers compensation costs. Those costs totaled \$45,773.13. The transfers are done because the City is self-insured for medical coverage. Funds are transferred from the budgets of various departments to cover claims initially funded from the Administrative Services budget.

Mr. Reichenbach seconded the motion to approve the transfers and it was unanimously approved by Council by a roll-call vote.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Mr. Soto said his committee met on April 3. They heard a presentation from Brian Ombiji concerning a youth soccer initiative.

Additionally, the committee was presented with zoning ordinance text amendments by Randy Patterson, director of the City Department of Economic Development & Neighborhood Revitalization. Administration Resolution No. 21-2017 was also reviewed.

PERSONNEL COMMITTEE – Ms. Wilson said her committee met April 3 and interviewed Terry Trego, state Senator Scott Martin's appointee to the City Revitalization & Improvement Zone Authority. That position is not subject to Council approval.

Committee members also interviewed Cheryl DeMarco, a nominee to the Human Relations Commission Board of Directors, and Jason Wynne, a nominee to the Noise Control Board.

Ms. Wilson made a motion that Ms. DeMarco and Mr. Wynne be appointed to those positions and Dr. Corey Fogleman be reappointed to another term on the Board of Health.

Mr. Soto seconded the motion and it was unanimously approved by Council by a roll-call vote.

## LEGISLATIVE AGENDA

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

1. James Albright and Kimberly Rankin, owners of 25 North Shippen Street, request construction of a new rooftop deck on a one-story garage at the rear of the lot.
2. Timothy and Kathi Graham, owners of 215 East Grant Street, request renovation of a former carriage house structure, including: installation of new garage doors; French doors in second floor window openings; addition of dormers or skylights; construction of a steel carport with rooftop deck; replacement of an existing entrance with a ground-floor doorway; and addition of new glass windows and doors in new openings.

The Historical Architectural Review Board recommended approval of both applications.

Mr. Reichenbach made a motion to accept the recommendations of the Historical Architectural Review Board. Mr. Soto seconded the motion.

City Council voted unanimously to approve the recommendations by a roll-call vote.

## ORDINANCES FOR FIRST READING

Administration Bill No. 10-2017, (the title) was read by the City Clerk as follows:

**An ordinance of the City Council of the City of Lancaster, Lancaster County, Pennsylvania rewriting Chapter 262-Streets and Sidewalks of the Code of the City of Lancaster, setting forth the purposes thereof, provisions regarding the administration and enforcement of the chapter, provisions regarding the issuance of permits and notices, establishing procedures for fees, setting forth violations and penalties, establishing procedures for amendments and modifications to the standards set forth in this chapter, providing for an appeals process, definitions of terms, establishment of snow emergencies and snow emergency routes, nuisances and obstructions, provisions for street excavations, and establishing provisions for a streetscape district; 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.**

Mr. Roschel said this bill is part of the Public Works department's ongoing efforts to update ordinances and make them consistent with other development ordinances. The proposal restructures and clarifies the ordinance.

The revised specifications for curbs and sidewalks has been published and became effective April 3. Two changes in those specifications should save money for people doing work. One of those changes reduces the required depth for curbs from 24 to 18 inches, in line with PennDOT standards. The other adopts a more common standard for concrete mixtures.

The accompanying resolution moves the fees in the ordinance to the resolution. None of the fees will change in the proposal. That resolution is slated for a vote in two weeks, at the same meeting at which the bill will be voted upon.

## RESOLUTIONS

Administration Resolution No. 17-2017, (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 transfer of Southern Market, 100 South Queen Street to the Redevelopment Authority of the City of Lancaster.**

Mr. Reichenbach made a motion to approve the resolution. Mr. Roschel seconded the motion.

Mr. Reichenbach said this resolution follows passage of a recent ordinance regarding the sale of public property. That ordinance was intended to enhance the clarity and transparency in which the City-owned property is sold. This is the first property which will be subject to the process in that ordinance.

He noted that the property has already been the subject of limited marketing and developers have expressed interest in the property. Further, he noted that transfer of the property to the Redevelopment Authority does not change that proceeds from the sale will be returned to the City.

Mr. Reichenbach restated that the resolution had been amended to require the approval of the mayor for a proposed sale for less than the appraised value of the property.

Terry Lee Brown, 20 East James Street, took the opportunity to tell Mayor Gray that the mayor should be representing the people. Mr. Brown noted that he is not on the ballot due to “a piece of paper.”

He apologized when told by President Graupera that his comments should address Resolution No. 17-2017.

Council approved Administration Resolution No. 17-2017 by a unanimous roll-call vote.

Administration Resolution No. 18-2017, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster authorizing the administration to submit an application to the Commonwealth of Pennsylvania, Department of Transportation, for traffic signal approval at the intersections of Harrisburg Avenue and North Charlotte Street, and Harrisburg Avenue and College Avenue and Liberty Street located in the City of Lancaster.**

Mr. Reichenbach made a motion to approve the resolution. Mr. Roschel seconded the motion.

Mr. Roschel said the addition of the traffic signal at Harrisburg Avenue and North Charlotte Street is required as part of the development of the Lancaster General Health Behavioral Hospital. The project also calls for adding turning lanes where Harrisburg Avenue meets College Avenue and Liberty Street. The signal at Charlotte Street is also required as part of the plan to open Charlotte Street two-way traffic.

Council approved Administration Resolution No. 18-2017 by a unanimous roll-call vote.

Administration Resolution No. 19-2017, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster requesting a Riparian Forest Buffer Grant from the Department of Conservation and Natural Resources to be used for the implementation of riparian buffers along the Conestoga River.**

Mr. Roschel made a motion to approve the resolution. Mr. Reichenbach seconded the motion.

Mr. Roschel said the application was being made to a program that has funds specifically designated for flood plain restoration and stream corridors. Publicly owned land along the Conestoga River have been identified that could be improved with a riparian buffer. Planting the buffer will reduce stormwater run-off and provide the City with credits for reducing Chesapeake Bay pollution. The amount of the grant is \$50,000.

Mr. Reichenbach praised Public Works Director Charlotte Katzenmoyer and her department for seeking such grants. Applying for grants is a time-consuming process and the City's success at receiving grants speaks to fine work done by City employees, he said.

Council approved Administration Resolution No. 19-2017 by a unanimous roll-call vote.

Administration Resolution No. 20-2017, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster requesting a Community Conservation Partnership Program (C2P2) Grant from the Department of Conservation and Natural Resources to be used for the renovation of Farnum Park.**

Mr. Roschel made a motion to approve the resolution. Mr. Reichenbach seconded the motion.

Mr. Roschel said Farnum Park was one of the parks identified for improvement in the City's Park and Open Space Plan. It was also identified for improvement in the Southwest Neighborhood Revitalization Plan. This resolution authorizes submission of a \$300,000 grant application for the renovation of the park. Cost estimates of the renovation are in excess of \$1 million.

Ms. Sorace acknowledged the Friends of Farnum Park for the group's organization of clean-up efforts and advocacy for park improvements in recent years. The group has sought to make the park more welcoming for families and others in the community.

Council approved Administration Resolution No. 20-2017 by a unanimous roll-call vote.

Administration Resolution No. 21-2017, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster approving and authorizing Harry S. Smith Jr. to serve as the City of Lancaster Sewage Enforcement Officer.**

Mr. Reichenbach made a motion to approve the resolution. Mr. Soto seconded the motion.

Mr. Soto said a few properties in the City are not connected to the municipal sewer system and have on-lot septic systems. Each municipality with on-lot septic systems is required to have a state-certified sewer enforcement officer. None of the City's inspectors have that certification. Code Administrators is a third-party inspection firm contracted by the City. The company's employee, Harry Smith, will provide the rare inspections needed for these septic systems. Mr. Smith has the necessary certification. Fees for inspections will be charged directly to the property owner. The City incurs no cost with those inspections.

Council approved Administration Resolution No. 21-2017 by a unanimous roll-call vote.

**PUBLIC COMMENT**

Clarice Brown, 339 East New Street, spoke regarding handicapped parking spaces. She said handicapped people can get a handicapped parking space along the street, but anyone with a handicapped sign can park there. Ms. Brown said she had spoken to a resident of another state. She was told that handicapped spaces there are designated to a particular individual. She asked that individualized handicapped parking be an option in Lancaster.

President Graupera offered to speak with her about that after the meeting.

Tony Dastra, 113 North Plum Street, spoke regarding Section 258-25 of the City Code regarding the violations and penalties for littering in the City. Mr. Dastra said he believes the fines are too expensive. He believes there should be a provision that allows penalties to be served with public service time. He believes City parking enforcement aides can be utilized to supervise those convicted of littering.

Mr. Dastra asked about the process to have City Council consider his proposal. President Graupera responded that a Council member would need to propose the legislation change.

**REPORT OF THE MAYOR**

Mayor Gray read the following prepared statement:

*As you know, the Trump Budget Blueprint proposed for FY18 would have devastating consequences for the City. Of immediate urgency however, is what's happening with the 2017 Fiscal Year Budget. Right now, the Federal Budget for FY17 is authorized as part of a Continuing Resolution. Sometime before April 28<sup>th</sup>, Congress will vote to adopt a final budget for 2017 in which the Trump Administration has requested a \$1.5 billion cut in CDBG funding **for the current Fiscal Year**. Both the City and the County rely on the CDBG program as one of the few remaining sources of Federal Investment in local communities.*

*In addition to cutting CDBG funds, the Administration plan for the current year:*

- **Reduces** USDA Rental Assistance, Emergency Food and Shelter Grants, Low Income Home Energy Assistance Program (LIHEAP), and the Neighborhood Reinvestment Corporation; and
- **Eliminates** Community Development Financial Institutions (CDFIs), Choice Neighborhoods, and the Self-Help Homeownership Opportunity Programs.

Looking ahead at proposals for the **next Fiscal Year 2018**, the President's Budget Blueprint would eliminate funding for projects and services financed through the Economic Development Agency, Community Development Financial Institutions, New Market Tax Credits, and the Community Development Block Grant and HOME program. If federal programs identified in the Trump Budget would be eliminated, the following types of **projects** would likely not occur:

- Tec Centro – EDA
- Conestoga Plaza – EDA, Community First Fund as a CDFI
- Steeple View Lofts – CFF, New Market Tax Credits (NMTC) (distributed through CDFI's)
- Keppel Building – CFF and NMTCs
- The Hotel Lancaster – CFF and NMTCs
- SACA's Home Building on Chesapeake, North & Locust, Palm and Plum streets
- 101 North Queen (Bulova Building, NMTC)

If the CDBG and HOME Programs would be eliminated these City **services** would see drastic cuts or cease to exist:

- The required matching funds from CDBG used to secure our HUD Lead Grant would be lost.
- Our Rental Housing Inspection Program would be reduced. Approximately 3.5 inspectors and 1.5 clerks are covered with CDBG funds.
- The Homeowner Rehabilitation Program (HOME) (\$275,000) would be eliminated.
- The Homeowner Critical Repair Program (CDBG) (\$100,000) would be eliminated.
- Street Repaving in neighborhoods (\$500,000) would be curtailed.
- Police Overtime for Targeted Enforcement Program primarily in neighborhoods (\$120,000) would be cut back.
- Assistance to the City's Fair Housing Program administered by LHOP (\$15,000) would be affected.
- The Property Reinvestment Board Program would have less ability to acquire vacant, condemned properties in the City's neighborhoods (\$70,000).

We are joining with the United States Conference of Mayors, the Pennsylvania Municipal League, and the National League of Cities to oppose these budget proposals. We have contacted members of Congress to express our opposition and we urge residents to do the same. Members of Congress must hear from local communities that rely on these basic services and programs.

President Graupera asked that if this money has already been allocated in the current year whether the federal government would ask that it be repaid.

The mayor responded that federal officials could ask.

Ms. Wilson stated that these potential program cuts affect both Republicans and Democrats. They will affect everyone. These are life, safety and health programs for all residents of the City. People seem unaware of the effect of these proposals, but votes to cut the size of the federal government are going to affect voters, their family members and their neighbors. It will not affect Washington, D.C. It will affect people on the local level.

She proposed that Council consider a resolution in opposition to the cuts.

Mr. Reichenbach stated that as frustrating as these proposed cuts are, just as frustrating are the limitations placed on cities in the way that revenue can be raised. He stated that it is a no win system for cities.

The rhetoric during the campaign was that “the little guy” was going to win. But, this is the little guy getting hurt by these program cuts. The little guy will not be able to fix his heater when it fails, not get his street repaved, and not have targeted police enforcement in his neighborhood.

One of the 58 cruise missiles launched at Syria last week would pay for all of these City programs, he said. People are going to go without heat, or food, or with less police protection.

He called on people to contact their federal legislators and speak up against these cuts.

President Graupera said it took until April 11 to hear criticism of President Trump and his policies, but he predicted that will be a common theme in the coming months and years.

He said that Council will gladly entertain a resolution in opposition to the program cuts.

Ms. Sorace said it is frustrating when people with very legitimate concerns turn to the City to help solve problems and the City is unable to do so due to lack of funding. The City’s Rental Housing Inspection Program is crucial for the City to ensure safe housing and a safe living environment for renters. The pothole hotline and street repair program are necessary, practical programs. Getting a \$500,000 cut to that budget is significant.

## COUNCIL COMMENTS

Ms. Sorace noted that earlier today, Lancaster hosted Malala Yousafzai, the youngest person ever to win the Nobel Peace Prize and internationally acclaimed humanitarian. Speaking at J.P. McCaskey High School, Ms. Yousafzai called on the audience to urge legislators to prioritize education over military spending and lift up the education achievements of girls around the world.

Ms. Sorace said she was reminded of her own mother, who was told by her father that she would not go to college and instead would be married. These legacies are not far behind us, Ms. Sorace said.

President Graupera thanked City staff Marisol Good and Darren Parmer on educating City Council members on the City’s lead program. They instructed Council members on the methods of lead inspections and the dangers of lead in homes. He asked Randy Patterson, director of the City Department of Economic Development & Neighborhood Revitalization, to convey the thanks of Council members for their efforts.

President Graupera also thanked Ms. Katzenmoyer’s Park staff for their work providing and installing metal bases for historical markers that were dedicated on Mayor Stork Corridor Park on Monday morning.

Mayor Gray added that he should have reported that the City has received recommendations of landlords who had met to discuss the City's proposed amendments to the lead hazard ordinance. A representative of the landlords met with the Mayor and Mr. Patterson last week. The mayor said he plans to appoint a small task force in an attempt to reach consensus on ordinance amendments.

President Graupera adjourned the meeting at 8:23 p.m.

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John E. Graupera, President

Attest:

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Bernard W. Harris Jr., City Clerk