

STATED MEETING - CITY COUNCIL – AUGUST 25, 2015

A meeting of the Lancaster City Council was held on Tuesday, August 25, 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, Ms. Sorace, Mr. Soto, Ms. Williams, Ms. Wilson and President Graupera - 7

The minutes of the meeting of Council for August 11, 2015 were unanimously approved by a roll-call vote.

PROCLAMATIONS, HONORS, AWARDS AND RESOLUTIONS OF RECOGNITION

Council Resolution No. 48-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster recognizing the Lancaster City Track Club and Coach Derek Jennings for success on the track, in the classroom and in the lives of its members.

Councilman Reichenbach made the motion to approve the resolution. Councilwoman Sorace seconded the motion.

Councilwoman Sorace introduced the resolution, saying that she and Council wished to celebrate and praise the accomplishments of the student athletes, several of whom had recently competed in the U.S. Track & Field Junior Olympics, in Jacksonville, Florida.

Lancaster City Track Club founder and Coach Derek Jennings thanked City Council for the recognition. Mr. Jennings said he expects several of the students to go onto college and accomplishments in adult life. Some may be future City Council members. He said they will continue to work hard to make the City proud.

President Graupera asked each of the Lancaster City Track Club members to stand, introduce themselves and state the school they attend and the events in which they complete.

Mayor Gray praised the leadership of The Mix at Arbor Place for adopting the Police Athletic League program in cooperation with the City, and Officer Josiah King, specifically, for his work with the PAL program. Earlier this year, the Lancaster City Track Club joined the PAL program. He thanked Arbor Place and the PAL program for what they do for City youth. The mayor also thanked the young athletes for making the City proud.

President Graupera told the athletes it was an honor to have them at the meeting.

City Council approved Council Resolution No. 48-2015 by a unanimous roll-call vote.

PUBLIC COMMENT

Deborah Guy, 741 Dorsey Road, addressed City Council on behalf of the local chapter of the National Organization for the Reform of Marijuana Laws. She noted that last year City Council supported a resolution calling for the legalization of marijuana for medical use. Ms. Guy said she was returning to Council to ask their support for an ordinance which would decriminalize marijuana possession in the City.

Les Stark, also representing NORMAL, said the effort for law enforcement to focus on drug dealers rather than drug users began with a task force established by Gov. Milton Shapp in the 1970s. That task force recommended relaxing penalties for marijuana possession and increased penalties for drug selling. That effort has languished in the legislature for more than 45 years.

Mr. Stark noted that Maryland and Delaware have recently passed decriminalization laws for marijuana. The City of Philadelphia has also done so. He contended the move had saved Philadelphia millions of dollars.

Mr. Stark said he group would like to have Lancaster also treat marijuana possession as a summary offense, similar to a parking ticket. He provided Council members with copies of a proposed sample ordinance.

President Graupera said Council members will discuss the proposal at their September 1 work session. If any Council members is willing to sponsor the proposal, then it will move forward.

INTERIM REPORTS OF COMMITTEES OF COUNCIL

ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION - Mr. Reichenbach reported on the meeting of the City Revitalization and Improvement Zone Authority which occurred earlier in the day. He said authority members unanimously approved McNeese Wallace & Nurick LLC as bond counsel and Concord Public Finance as the financial advisor to the authority. They also authorized Concord Financial to seek proposals for a \$5.4 million bank note. That money would be used to help fund the Conestoga Plaza project and meet the authority's funding obligations to the Lancaster County Convention Center Authority.

LEGISLATIVE AGENDA

City Council considered the following applications and recommendations from the Historical Commission for improvements to properties within the Heritage Conservation District:

- a. Miguel & Marisol Pagan, owners of 524 Poplar Street, propose construction of a new, covered front porch on a brick rowhouse. (Recommended for approval by the Historical Commission)

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

Council approved the recommendation by a unanimous roll-call vote.

ORDINANCES FOR FINAL PASSAGE

Administration Bill No. 9-2015, (the title) was read by the City Clerk as follows:

An ordinance of the City Council of the City of Lancaster, Lancaster County, Pennsylvania rescinding Chapter 202 – Parking Lots of the Code of the City of Lancaster; adopting a new Chapter 202 – Parking Lots, Surface to the Code of the City of Lancaster; 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 a motion to approve the bill. Mr. Reichenbach seconded the motion.

Mr. Roschel said the bill was discussed in Council's July committee meeting. It underwent first reading in July and was approved by a Council vote at the August 11 meeting. It is being voted on again after it was discovered that the bill had not been properly advertised. It has been advertised prior to this meeting.

The bill establishes new construction standards for surface parking lots and furthers the City's objectives in the Green Infrastructure Plan, he said.

City Council approved Bill No. 9-2015 by a unanimous roll-call vote.

Administration Bill No. 10-2015, (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 the Code of the City of Lancaster, Chapter 42 - Fire Bureau, Section 42-7 Promotion Procedures – Reinstatement, Subpart E, to eliminate references to the senior fire prevention inspector, Subpart F(3), to change the reference of senior fire prevention inspector to fire battalion chief, Subpart G, to provide that promotional exam testing shall be in accordance with the rules and regulations of the City of Lancaster Civil Service Board, Subpart N – to make promotions non-mandatory and consistent with the Third Class City Code of the Commonwealth of Pennsylvania; 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.

Councilwoman Sorace made a motion to approve the bill. Councilman Soto seconded the motion.

Councilwoman Wilson made a motion to table the bill until Council's September 8 meeting. That motion was seconded by Mr. Reichenbach.

Mayor Gray noted there was discussion at the August Council committee meeting about clarifying language in the bill. He has met several times with the Fire Chief about amending that language. Due to vacations of himself and the City solicitor, they were unable to finalize an amendment. He said that amendment should be ready for Council's September 1 committee meeting.

City Council approved the motion to table Bill No. 10-2015 until the September 8 Council meeting by a unanimous roll-call vote.

Administration Bill No. 11-2015, (the title) was read by the City Clerk as follows:

An ordinance of the City Council of the City of Lancaster, Lancaster County, Pennsylvania, establishing appropriations for \$998,768 of property sale proceeds received in 2015; 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.

Ms. Sorace made a motion to approve the bill. Ms. Wilson seconded the motion.

Ms. Sorace said the proceeds from the sale of the armory building to Thaddeus Stevens College of Technology need to be allocated to a specific fund. These funds will be allocated to the City Capital Improvement Fund. The sale proceeds are earmarked for use to construct a new Public Works facility to replace the facility which was to be housed on the armory site. The armory was instead sold to the college to allow expansion of the college.

City Council approved Bill No. 11-2015 by a unanimous roll-call vote.

REPORT OF THE MAYOR

Mayor Gray told Council members that he and Mayor Bracey of York represented cities at a General Assembly committee meeting in Harrisburg earlier in the day. Auditor General Eugene DePasquale was one of the primary speakers calling for municipal pension reform. The mayor was heartened that it was a bi-partisan the group of 25-30 legislators who heard the discussion.

He also recently participated in a conference call with four other mayors and the governor's office about the subject.

Mayor Gray then read the following prepared statement:

We sometimes tend to focus our attention on the \$1.5 billion invested in very large public projects in the City, such as Clipper Stadium, the Hotel and Convention Center, and multiple School District of Lancaster capital construction projects.

Unfortunately, we haven't done a very good job of talking about the roughly \$33.8 million dollars that has been invested over the past decade in projects throughout the City. Of this amount, approximately 25 percent or \$8.5 million dollars has been used in the Downtown to fund primarily streetscape improvements, lighting, and Central Market restoration. As shown in the above graphic neighborhood improvement projects account for 75 percent or \$25.3 million dollars invested throughout all four quadrants of the City. Federal, state, and local grants, combined with City Capital Budget funds have been used to fund park renovations; street and

intersection improvements; facade and housing enhancements; and single-family home construction. Not included in this total is the cost of court-ordered ADA ramp construction, improvements to the City's water system, Green Infrastructure and storm water management, or critical capital repairs and investments.

Simply stated, these are dollars invested in projects that improve the quality of life in our neighborhoods. We hope this information is useful to City Council and interesting to residents.

REPORT OF THE PRESIDENT OF COUNCIL

President Graupera noted that Lancaster is a small City, where the lives and business of residents are often intertwined. He noted that the state's Third-Class City Code has rules regarding conflict of interest which should be followed to ensure there is no appearance of impropriety in Council decision making.

In an effort to stay transparent regarding conflict of interest, President Graupera said City Solicitor Barry Handwerger had been consulted. President Graupera then read a statement from the solicitor, as follows:

In accordance with the Third Class City Code, any member of council who, "has a personal or private interest in any question, measure or bill proposed or pending before the Council, shall disclose the fact to Council, and shall not vote thereon, nor take any part in discussion of the same." If a Council member is an employee of a company making a request of Council, that Council member probably should abstain from voting on the matter and, additionally, prior to the vote being taken, publically announce and disclose the nature of his interest as a public record by submitting a written memorandum with the City Clerk.

He asked Council members to keep that in mind as they deal with issues which come before them.

President Graupera also reminded Council members the Lancaster City Alliance will hold a public round-table discussion of "Building on Strength," the City economic development plan, on Wednesday, August 26, at 6:30 p.m., at the Community Action Program building on South Queen Street.

He also noted that there is a YWCA event, "Walk a mile in her shoes," which will be held at Tellus360, On September 18, at 4 p.m. The organizers of the event have asked Council to participate as a team, walking a mile in high heels.

He also noted that Ms. Sorace and the City Clerk have been working on a handbook for Council members. He asked that Council members review the draft which will sent in the next few days and make comments.

COUNCIL COMMENTS

Ms. Wilson asked for prayers for her uncle, former Council President Nelson Polite Sr., whose health is failing and is under hospice care.

President Graupera adjourned the meeting at 8:08 p.m.

John E. Graupera, president

Attest:

Bernard W. Harris Jr., City Clerk