

STATED MEETING - CITY COUNCIL – AUGUST 11, 2015

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

Excused - Ms. Sorace - 1

The minutes of the meeting of Council for July 28, 2015 were approved by a roll-call vote.

PROCLAMATIONS, HONORS, AWARDS AND RESOLUTIONS OF RECOGNITION

Council Resolution 43-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster honoring former Mayor Janice C. Stork for her contributions to the City and changing the name of the park she helped create from the Northwest Corridor Linear Park to the Mayor Janice C. Stork Corridor Park.

Councilman Roschel made a motion to approve the resolution. Councilman Soto seconded the motion.

Councilman Roschel introduced the resolution. He said the resolution came before his committee on August 3. Pat Coller and Amy Hopkins presented an application requesting the name of the park be renamed. They presented letters of recommendation from eight community leaders: Craig Lehman, Mike Sturla, Bruce Evans, Ron Ford, Robert Pfannebecker, Carole Kirchner, Chester Stewart Jr., and Jean Martin. The renaming was appropriate because Janice Stork was instrumental in creation of the park. As a City Councilwoman, Ms. Stork proposed the resolution to purchase the abandoned former railroad bed from Conrail. As mayor, Ms. Stork secured funding for development of the park and presided over its opening in December 1994.

Ms. Coller had said she wanted to bring overdue attention to Mayor Stork and more attention to the park. Ms. Hopkins said the park has increased in relevance in the past 20 years, particularly with the City's current focus on walkability.

The City naming ordinance requires that applicants show significant public support for a renaming. The letters of recommendation do that, Mr. Roschel said. To fulfill another provision of the ordinance, at the August 3 committee meeting Ms. Coller had offered to raise funds for new park signs. President Graupera, at that meeting, noted that Council members could vote to waive that provision if it chose to do so. Public Works Director Charlotte Katzenmoyer said at the committee meeting that existing park signs need to be upgraded to the current standard regardless of a name change.

Mr. Reichenbach noted that a supermajority of City Council, or the votes of at least five members, are needed for a naming or renaming of a public facility and the approval of the mayor. The ordinance also requires the show of public support. President Graupera echoed that the ordinance does have a process that needs to be followed. He said the resolution had been discussed at committee work sessions in July and August and all procedures had been properly followed.

Ms. Lisa Colon, 441 North Prince Street, said that earlier that day she had submitted to Council members a letter and two-page petition from residents of the Northwest area asking that the name of the park not be changed. She maintained the park was named for the Northwest Neighborhood Association, which had worked with the City to develop the park. She proposed the placement in the park of a historical marker that would cite the contributions of the neighborhood association, Mayor Stork, the County Commissioners and others who had made the park possible.

Kedren Crosby, 1400 Meadowbrook Road, said she lived on West Lemon Street when her children were young. She said her young daughter didn't understand why the park was named for a coin, the quarter. Her son was confused the park was named for pants: corduroy. She said she loved the park because it was created by a woman who knew it would build social connections and economic vibrancy. She said Janice Stork was a role model and broke the glass ceiling when she was elected mayor. She said the park was gift to neighborhood children, dog owners, joggers, bicyclists and everyone else in the neighborhood. She said it was a particular benefit to nearby business owners; specifically citing the Lancaster Arts Hotel which may not have been built without the park.

She also praised Janice Stork for her humble, civic contributions to the community that go far beyond the park.

Gregory Paulson, 311 Nevin Street, speaking on behalf of LancasterBikes, a local cycling advocacy organization, praised Mayor Janice Stork for helping to make Lancaster a bicycle-friendly city long before that designation was sought by other cities across the country. He cited her encouragement of the former Wachovia professional bicycle race in the city and local bicycle races. He noted neighborhood children learn how to ride bicycles in the park and, given Mayor Stork's forethought, he felt it entirely appropriate that the first tangible steps to promote cycling-friendly corridor be named for her.

Norman Bristol Colon, 1522 Millersville Pike, said Mayor Stork made history by appointing the first Latina to serve on City Council, when she named Maggie Roman as her replacement to Council when she was elected mayor. Doing so, she changed the lives, hopes and dreams of the Latino community who for the first time in Pennsylvania history had a representative on a City Council. For all she has done for the Latino community and others, Ms. Stork deserves the park to be named for her, he said.

Darlene Byrd, 243 South Ann Street, praised Mayor Stork for supporting South Ann Concerned Neighbors. The mayor came and helped the fledgling group in the late 1980s to do litter cleanups in the neighborhood and encouraged the group in other ways. She said Mayor

Stork was deserving of the honor of having the park named after her and called on Council to support the renaming.

Craig Lehman, 271 Browning Road, read the letter of recommendation he had sent to City Council members. In the letter, he said Janice Stork played an important role in the establishment of the park, but it is the breadth of her service to the City which justifies the honor of having the park renamed for her. Beyond being the first woman mayor, she also steered the City through a bi-partisan budget compromise in an era of hyper partisanship. The renaming is a way to say thank you to Mayor Stork for her service.

President Graupera said the establishment of the park on the abandoned railroad bed is an example of adaptive reuse. The renaming is a celebration of Janice Stork's efforts at adaptive reuse. He further cited the Umbrella Works which was redeveloped under the Stork administration and said there were many other examples.

President Graupera noted there are people who are not happy about the proposed renaming. He said Council members had heard their concerns. Yet, he had not heard a compelling argument that changing the name of the park would affect neighborhood litter pickups, children learning to ride their bikes, people playing basketball or people lounging in the park grass. He invited the neighbors to be involved as the City designs permanent historical markers for the park.

Mr. Reichenbach commented that in 1994, when the park was dedicated, he was still in high school. The issue has given him the opportunity to research the early 1990s and an appreciation of the tough decisions that had to be made at that time. It also gives him an appreciation of how far the City has come since that time. He said after reading City Council minutes and other information that was provided, he is assured that Mayor Stork had an integral part in the founding of the park that he and his family enjoy at least three times a week.

City Council approved Council Resolution No. 43-2015 by a unanimous roll-call vote.

President Graupera said the park renaming must also be approved by the mayor and it will be forwarded to the mayor for his consideration.

President Graupera asked former Mayor Stork if she would like to comment. She did not. He then asked her to accept the renaming of the park as an overdue expression of gratitude.

PUBLIC COMMENT

Pastor Kevin Brown, of Kingdom of Life International Assembly, praised Mayor Gray's recent announcement that he will establish a Mayor's Commission to Combat Poverty. Yet, he said that an increase in poverty was inevitable with the redevelopment plan of 1998 and the resulting gentrification which occurred. The Lancaster City Alliance's economic development plan further does not take gentrification into account and will reinforce the poverty of many in the city, he contended.

He called for safeguards to be put in place by Lancaster City government. He called for programs for development of affordable housing and programs that would help people remain in their homes and not be displaced by higher taxes and rents.

REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE – Ms. Wilson said the committee met August 3 and discussed Bill No. 10, which revises the Civil Service Code of the Fire Bureau. That bill is on the agenda for a first reading this evening.

PUBLIC WORKS COMMITTEE – Councilman Roschel said his committee met August 3 and discussed four items. The first was Resolution No. 43-2015, which was just passed. Also discussed were Resolution Nos. 41-2015 and 42-2015, which will be discussed later in the meeting.

Mr. Roschel said there was also a presentation by Lancaster County Cat Rescue representatives about efforts to address feral cats. Pat Burns said the organization uses a program of Trap-Neuter-Return for wild cats. Yet, the volunteer organization is in need of funds to have neutering performed. Mayor Gray directed her to City staff to consider having the City apply for grant funds on the organization's behalf.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Councilman Reichenbach reported his committee met August 3 to discuss Resolution No. 44-2015, in which the City would adopt the Lancaster City Alliance's economic development plan "Building on Strength." With adoption, the data of the plan will be used to support grant applications by the City. Also discussed was Resolution No. 47-2015, which concerns the swap of two small tracts of land on the Sunnyside peninsula by the City and Lancaster County. The swap will support the planned housing development of Community Basics and save the non-profit developer \$2 million. Lastly discussed was Resolution No. 45-2015, which authorizes the sale of Lot #13 of the Keystone Opportunity Zone industrial park, at 212 Hazel Street.

FINANCE COMMITTEE – Councilman Roschel, speaking on Councilwoman Sorace's behalf, said the committee discussed Bill Nos. 7-2015 and 8-2015. Those are pension obligation bond refinancing bills, which underwent first reading in July. Since then, interest rates have not been favorable in the market to allow the City to save enough to justify the refinancing. Those bills remain on hold.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Mr. Soto reported his committee met on August 3 and reviewed the recommendation of the Historical Commission to deny a certificate of appropriateness for 706-708 St. Joseph Street. Also discussed was the Historical Architectural Review Board's recommendation of approval for 103 South Duke Street. Those recommendations are on tonight's agenda.

PERSONNEL COMMITTEE – Councilwoman Williams moved to reappoint Lin Hanks and Carl Pike to the Shade Tree Commission, for terms of December 31, 2014 to December 31,

2019. And, she moved to reappoint Ken Hammel to the Noise Control Board, from February 1, 2015 to February 1, 2020.

Mr. Reichenbach made the motion. It was seconded by Mr. Soto.

The reappointments were approved by a unanimous roll-call vote.

LEGISLATIVE AGENDA

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

1. Jose Huertas and Edna Lizardi, owners of 706-708 St. Joseph Street, propose installation of a stucco finish on a brick duplex house. (Recommended for denial by the Historical Commission.)

Mr. Reichenbach made a motion to accept the recommendation. That motion was seconded by Mr. Roschel.

Mr. Soto said his committee voted to move the recommendation to the full Council for action, but the intent is to have the application return to the Historical Commission for further consideration.

Mr. Carlos Gonzales, of CG Plumbing & Electric, said Mr. Huertas and Ms. Lizardi are concerned about spending \$11,000 to repaint the brick of the building and that the work will not solve the problem of dampness in the building.

President Graupera said that the committee discussion revealed that there were other things that can be done that had not been investigated. He encouraged all parties to return to discussion to find a resolution to the issue.

City Council voted to deny the application by a unanimous roll-call vote.

2. Marotta Main Architects, owners of 103 South Duke Street, requests construction of a new, accessible wooden landing, new entry steps and a brick walkway. (Recommended for approval by the Historical Architectural Review Board.)

Mr. Reichenbach moved to accept the recommendation. Mr. Soto seconded the motion.

City Council voted to approve the application by a unanimous roll-call vote.

ORDINANCES FOR FIRST READING

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.

Councilman Roschel said Bill No. 11-2015 provides for appropriation of proceeds from the sale of the armory property, which was sold to the state for expansion of Thaddeus College of Technology. Whenever money comes in, it has to be appropriated. This funding is being appropriated to the Capital Budget for various City projects.

Ms. Darlene Byrd, 243 South Ann Street, asked that the money be spent on projects where there is the greatest need in the City, specifically in the Southeast area. She said placing the money in the Capital Budget provides only a slim chance that it will return to Southeast, where the armory is located. Ms. Byrd further noted that this money is a windfall from a property that the City was not even aware it owned until the state closed the armory and returned the property to the City.

Ms. Patricia Brogan, the mayor's chief of staff, and acting mayor while he is away on vacation, reminded Council members of the history of the armory sale and advised newer Council members who may not be aware of that history. She noted the City was and remains in desperate need of a new Public Works facility. The city garage, on New Danville Pike, is in poor condition. It would be less expensive to build a new facility than to make the extensive repairs necessary to that building. When the armory reverted to the City, the decision was made to move Public Works operations to the armory site. Darlene Byrd and others, however, persuaded the mayor that it was in the best interests of the community and the College to sell the property to the College. The proceeds of the sale are now earmarked for construction of a Public Works Operations Center off Grofftown Road, on the eastern edge of the City. That project is expected to cost about \$5 million, or about \$2 million more than it would have cost to retrofit the armory site.

ORDINANCES FOR AMENDMENT

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 Wilson said Fire Chief Tim Gregg appeared before her committee on August 3 and outlined three changes to the ordinance. The first changes a typographical error in the ordinance, in which the minimum required score for the oral exam in the ordinance is 79 percent. The Fire Bureau, however, has always used a 70 percent threshold. The Civil Service Board bylaws and all other documents also use the 70 percent minimum. The second change eliminates the title of senior fire prevention inspector, which is no longer used in the Fire Bureau, and replaces it with fire battalion chief. The third change eliminates a sentence in the ordinance in which the mayor chooses from three candidates for promotion. Sometimes there are fewer than three candidates and the existing wording could imply that the mayor must promote from the list. The alteration would preserve the discretion which the mayor has always exercised. That third change generated significant discussion at the committee meeting. Ms. Wilson said she anticipates an amendment will be proposed at the next Council meeting to alter the wording of that section.

Fire Chief Tim Gregg said the first two changes were minor. They are continuing to work on the wording of the third change. They want to ensure it does not restrict the administration's rights regarding promotions.

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 to 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. Mr. Reichenbach seconded the motion.

Councilman Roschel proposed an amendment that changes the review and waiver process and some other minor changes to the version of the bill which underwent first reading last month. Councilman Reichenbach seconded the motion.

Ms. Byrd asked whether the ordinance would affect public alleyways. She was told that it does not.

The motion to amend was approved by a unanimous roll-call vote.

The motion to approve the amended Bill No. 9-2015 was then approved by a unanimous roll-call vote.

RESOLUTIONS

Administration Resolution No. 41-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster approving the adoption of an amendment to the Act 537 Official Sewage Facilities Plan for the City of Lancaster.

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

Mr. Roschel said an administrative resolution is required by the state Department of Environmental Protection whenever a sewer module for a new project is added to the plan. This resolution is for a duplex project being constructed by the Thaddeus Stevens College of Technology Foundation at 633 & 637 East Fulton Street.

City Council approved Resolution No. 41-2015 by a unanimous roll-call vote.

Administration Resolution No. 42-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster approving the adoption of an amendment to the Act 537 Official Sewage Facilities Plan for the City of Lancaster.

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

Mr. Roschel repeated that whenever a new sewer module is added to the plan, passage of a resolution is required by City Council. This one is for the Tippetts Weaver Architects project at 311-317 East Orange Street.

City Council approved Resolution No. 42-2015 by a unanimous roll-call vote.

Administration Resolution No. 44-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster adopting “Building on Strength: An Economic Development Strategic Plan for the City of Lancaster” as the economic development plan for the City of Lancaster.

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

Mr. Reichenbach explained that adoption of the Lancaster City Alliance’s plan will allow the City to use the data collected as part of the process, as well as the community input from the many meetings involved in the process, as the city’s own when applying for state grants.

Ms. Wilson said she appreciated the comments regarding the plan made by Pastor Brown earlier in the evening and she invited him to stay engaged to help guide the process and ensure that economic development in the city is beneficial to everyone.

Mr. Reichenbach said Lancaster City Alliance leaders at public meetings have said that this plan is a malleable document which provides a framework, the details of which can be changed. This was not the end of the process, but the beginning, they had said. Mr. Reichenbach said he hopes that public meetings, such as the recent one at the Crispus Attucks Community

Center, continue to be well attended. And the looks forward to the plan changing and being updated in response to community input.

Ms. Williams said input from the proposed Mayor's Commission on Poverty will strengthen the plan.

Mr. Soto said it is important that the community continue to be given a voice in the economic development process. Their voice is what makes the community thrive and move forward. Continuing to give people the opportunity to voice their concerns can only be to the betterment of any plan.

Pastor Brown said he takes issue with several aspects of the plan. Specifically, he said the public has not been adequately informed and given opportunity to express their concerns. He said he had contacted the Lancaster City Alliance seeking dates and locations of meetings and never got a response. Poverty is just one of the issues that bring gentrification. He reiterated his call for safeguarding programs and said those have not yet been developed.

Responding to a question from Darlene Byrd, Mr. Reichenbach and President Graupera emphasized that the plan can be changed in response to community input.

Ms. Wilson emphasized that this is an endorsement of a plan created by the Lancaster City Alliance. The Alliance is not a government entity but undertook the year-long challenge of crafting the plan and she praised them for doing so on behalf of the City. She noted that hundreds of people had attended many of the Alliance's meeting to develop the plan.

Marshal Snively, Alliance vice president and chief operating officer, said that indeed, this is the beginning of a process. It came about over a year and through meetings with more than 1,500 stakeholders. He encouraged people to read the plan. He said is about strengthening the corridors into the neighborhoods. He said it is not about gentrification. He maintained it is a community-owned plan.

City Council approved Resolution No. 44-2015 by a unanimous roll-call vote.

Administration Resolution No. 45-2015, (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 sale of 212 Hazel Street, Lancaster, Pennsylvania.

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

Mr. Reichenbach explained that with changes in the state's Third-Class City Code, Lancaster is now prohibited from selling the lot in the Keystone Opportunity Zone industrial park directly to Usdin Realty LP. The resolution transfers the lot to the Lancaster Municipal Authority, which will handle the negotiated sale.

City Council approved Resolution No. 45-2015 by a unanimous roll-call vote.

Administration Resolution No. 46-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster approving an amended Capital Project List to be funded by proceeds of the City of Lancaster General Obligation Bonds, Series of 2014.

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

Mr. Roschel said the resolution approves the spending of an additional \$100,000 for the reconstruction of the Martin Luther King Jr. Elementary School wading pool. It was found that the pool was built over rubble filled into the basement of an old church which had once stood on that site. Without a proper foundation the pool would crack and leak within a few years, as the previous pool had done. Construction of a new foundation accounted for project cost overruns. The project cost is now estimated at \$477,000. With additional funds, there will be \$500,000 available for the project.

Mr. Reichenbach praised Charlotte Katzenmoyer and the Public Works Department for efforts to complete construction and open the pool before the end of the summer. Mr. Reichenbach, who is chairman of the Lancaster Recreation Commission, said the commission hopes to staff the pool and have it open to the public for an extended period, beyond the usual end of the wading pool season.

Ms. Wilson praised Ms. Katzenmoyer and Administrative Services Director Patrick Hopkins for working to make the long-planned project a reality. She said the neighborhood is looking forward to the opening.

Pastor Brown thanked the Council and City administration for the project, on behalf of the children of the neighborhood.

City Council approved Resolution No. 46-2015 by a unanimous roll-call vote.

Council Resolution No. 47-2015, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster approving the transfer of property on the Sunnyside peninsula to the County of Lancaster in exchange for property owned by the County of Lancaster on the peninsula.

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

Mr. Reichenbach explained that the swap of small tracts of land on the peninsula will save non-profit housing developer Community Basics \$2 million as it goes forward with plans to construct 300 housing units on the peninsula. Without the land swap, Community Basics would need to construct large, unsightly retaining walls. The County Commissioners authorized the transfer of the land at their meeting two weeks ago. The Council resolution will authorize the transfer and also amend the master developer agreement with Community Basics to reflect the property change. The cost of the transfer will be borne by Community Basics.

County Commission Craig Lehman said he Sunnyside peninsula housing project was one he began working on when taking office in 2007. It goes back to his predecessor, Commissioner Ron Ford, who pushed for the project and even had a groundbreaking before leaving office in 2003. He hopes this land swap will clear the way for the project to move forward, and the next time they are talking about Sunnyside will be at a groundbreaking for construction of the project.

City Council approved Resolution No. 47-2015 by a unanimous roll-call vote.

COUNCIL COMMENTS

Mr. Reichenbach highlighted three recent events. The First Thursday Latino event drew business owners, entrepreneurs and others from all races and walks of life. The new superintendent of the School District of Lancaster attended and was given a warm welcome. On Saturday, the Unstoppables parade and festival had hundreds of youth participating and wide community support. And on Sunday, he attended the kick-off of Youth Week in Binns Park. More than 500 youth are registered for events in the City this week.

You don't have to look hard to find people who are working to make Lancaster a great place to live and he is proud to be a part of it, he said.

Ms. Wilson took the opportunity to praise former Mayor Janice Stork for paving the way for her and other women in public office. She said she hopes the placement of signage in the renamed Mayor Janice C. Stork Corridor Park will be a teaching moment that will highlight Mayor Stork's contributions and those of others who made the park possible. Future generations should know of their contributions.

President Graupera adjourned the meeting at 8:48 p.m.

John E. Graupera, president

Attest:

Bernard W. Harris Jr., City Clerk