

## STATED MEETING - CITY COUNCIL – DECEMBER 15, 2015

A meeting of the Lancaster City Council was held on Tuesday, December 15, 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. Roschel, Ms. Sorace, Mr. Soto, Ms. Williams, Ms. Wilson and President Graupera – 6

Excused - Mr. Reichenbach - 1

The minutes of the meeting of Council for December 8, 2015 were approved by a unanimous roll-call vote.

### INTERIM REPORTS OF COMMITTEES OF COUNCIL

**ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION COMMITTEE –** Ms. Wilson reported that the committee met earlier in the evening to discuss a resolution to transfer ownership of a City-owned parking lot at 331 North Queen Street to the City Redevelopment Authority. The transfer will enable the parking lot to be leased to Kepple Zamagias LLC, the developers of the adjacent Kepple building.

Ms. Wilson moved to add Resolution No. 58-2015 to the meeting agenda. Mr. Soto seconded the motion.

City Council approved the motion by a unanimous roll-call vote.

**PUBLIC WORKS COMMITTEE –** Mr. Roschel reported his committee had also met earlier in the evening to discuss resolutions seeking multimodal transportation grants from the Pennsylvania Department of Transportation.

Mr. Roschel moved to add Resolution Nos. 59-2015, 60-2015 and 61-2015 to the meeting agenda. Mr. Soto seconded the motion.

City Council approved the motion by a unanimous roll-call vote.

### LEGISLATIVE AGENDA

#### ORDINANCES FOR FINAL PASSAGE

Administration Bill No. 17-2015, (the title) was read by the City Clerk as follows:

**An ordinance of the Council of the City of Lancaster, County of Lancaster, Commonwealth of Pennsylvania, appropriating the specific sums estimated to be required for the specific purposes of the City government, hereinafter set forth during the year 2016; allowing for a severance provision; providing for the repeal of inconsistent ordinances; and providing for an effective date.**

Mr. Roschel made a motion to approve the bill. Ms. Sorace seconded the motion.

Ms. Sorace noted the proposed City budget does not include a tax increase, but does include increases in water and sewer fees. She said Council members had reviewed the budget extensively in public meetings. She praised City officials for their careful stewardship of limited financial resources, while still taking advantage of opportunities, such as refinancing bonds at lower interest rates.

Ms. Sorace made a motion to amend Administration Bill No. 17-2015. Her amendment removes money which had been allocated to the Police Bureau for purchase officer-worn body cameras and personnel costs for a staff member to manage the camera data.

Specifically, her motion:

- Reduced General Fund revenues by \$181,592, which was to come from the Fund Balance Reserve
- Increased the contribution to LEMSA by \$25,000, from \$35,000 to \$60,000
- Increased the contribution to the Public Library by \$5,000, from \$65,000 to \$70,000
- Reduced Police salaried personnel costs by \$76,592, from \$1,191,968 to \$1,115,376
- Reduced Police minor equipment by \$135,000, from \$240,222 to \$105,2222

Mr. Soto seconded the motion.

City Council approved the amendment by a unanimous roll-call vote.

City Council approved amended Bill No. 17-2015 by a unanimous roll-call vote.

Administration Bill No. 18-2015, (the title) was read by the City Clerk as follows:

**An ordinance amending the Code of the City of Lancaster, Chapter 270 - Taxation, Article IV - Property and Residence Tax, Section 270-26 – Levy and Rate, by fixing the tax rate at 14.02 mills on property in the City of Lancaster for general revenue purposes; allowing for a severance provision; providing for the repeal of inconsistent ordinances; and providing for an effective date.**

Ms. Sorace made a motion to approve the bill. Mr. Soto seconded the motion.

Ms. Sorace explained the bill sets the tax rate for the coming year, which is a separate bill from the budget. The tax rate is not being changed from the current rate.

City Council approved Bill No. 18-2015 by a unanimous roll-call vote.

Administration Bill No. 19-2015, (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 Section 295-58 and 295-60 of the Code of the City of Lancaster to change the water rates for customers within the City limits effective January 1, 2016; 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. Mr. Soto seconded the motion.

City Council approved Bill No. 19-2015 by a unanimous roll-call vote.

Administration Bill No. 20-2015, (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 Section 249-27 of the Code of the City of Lancaster to change the quarter annual sewer rentals and charges for customers within the City limits; 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. Mr. Soto seconded the motion.

Ms. Sorace explained the bill was similar to Bill No. 19-2015. It increases sewer rates for customers within City limits. The additional revenue will be used to replace aging infrastructure throughout the City, such as pipes replaced within the past few years which dated to the 1830s.

City Council approved Bill No. 20-2015 by a unanimous roll-call vote.

## RESOLUTIONS

Council Resolution No. 57-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster reappointing Thomas R. Hassler, 715 North President Avenue, Lancaster, Pa. to the City of Lancaster Zoning Hearing Board, for a three (3) year term effective December 31, 2015.**

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

Ms. Williams stated that appointments to Zoning Hearing Board are done by a resolution of Council.

City Council approved Resolution No. 57-2015 by a unanimous roll-call vote.

Administration Resolution No. 58-2015, (the title) was read by the City Clerk as follows:

**A resolution of City Council of the City of Lancaster, Lancaster County, Pennsylvania authorizing the sale and lease of 331 North Queen Street, Lancaster, Pennsylvania.**

Ms. Sorace made a motion to approve the resolution. Mr. Roschel seconded the motion.

Ms. Wilson said the resolution will allow transfer of ownership of the parking lot, thereby allowing the redevelopment of the Kepple building to move forward.

Randy Patterson, the City's Economic Development & Neighborhood Revitalization director, said he has been working for several years with the Kepple building developer to redevelop the former candy factory building. Financing for the project is now complete and must occur before the end of the year. The resolution allows the City to transfer ownership of the parking lot to the Redevelopment Authority. The Authority will then enter into a lease-purchase agreement with the developer. Eventually, the lot is expected to be sold to the developer. During the lease, maintenance of the lot will be the responsibility of the leasee.

City Council approved Resolution No. 58-2015 by a unanimous roll-call vote.

Administration Resolution No. 59-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster requesting a Multimodal Transportation Fund Grant of \$1,476,591 from the Pennsylvania Department of Transportation to be used for bike lanes on five City streets.**

Mr. Roschel made a motion to approve the resolution. Ms. Sorace seconded the motion.

Mr. Roschel repeated that the Public Works Committee had met earlier in the evening to discuss this resolution and two other which will follow. The City is applying to the state Transportation Department's Multimodal Grant program. This is the second round of funding through that program. Although the first round of grants have not been awarded, the City is submitting the second round applications in hopes of additional funding for these projects. The state requires a 30 percent match from municipalities receiving grants. The City is pledging more than 35 percent, to make funding the City projects more attractive.

The particular grant will be used to establish bike lanes on Broad, Chesapeake, South Duke and Hershey Avenue and other streets. The lanes are intended to increase connectivity and provide a safer option for bicyclists and provide greater opportunity for cycling as recreation and an alternative to driving.

City Council approved Resolution No. 59-2015 by a unanimous roll-call vote.

Administration Resolution No. 60-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster requesting a Multimodal Transportation Fund Grant of \$461,251 from the Pennsylvania Department of Transportation to be used for the Christian Street Bicycle Boulevard.**

Mr. Roschel made the motion to approve the resolution. Ms. Sorace seconded the motion.

Mr. Roschel added that the matching funds for these grants, if awarded, would come from PennVest loan funds, CDGB funds or even liquid fuels funds.

This particular resolution is to secure a grant for a bicycle boulevard on Christian Street, which would extend from Chestnut Street to McGovern Avenue. It is intended to cater to cyclists of all abilities and continue to be shared with motorists. Beacons at cross streets would signal cyclists on Christian Street.

City Council approved Resolution No. 60-2015 by a unanimous roll-call vote.

Administration Resolution No. 61-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster requesting a Multimodal Transportation Fund Grant of \$1,305,713 from the Pennsylvania Department of Transportation to be used for the Northeast Trail Extension Project.**

Mr. Roschel made a motion to approve the resolution. Ms. Sorace seconded the motion.

Mr. Roschel said the proposed trail would connect the northeast area of the City to the proposed Greater Lancaster Heritage Path, also known as the “Goat Path.” The trail will enable residents to commute from or to the east to travel to work, school or recreational sites.

City Council approved Resolution No. 61-2015 by a unanimous roll-call vote.

**PUBLIC COMMENT**

Kendra Saunders, 629 North Pine Street, voiced concerns raised following a recent incident in which a Franklin & Marshall College student threw an open can of beer from a third story landing. The can of beer hit the sidewalk in front of three Muslim children, splashing them with beer. The incident occurred on Ms. Saunders’ block. She knows the children and their family and is familiar with the F&M “football house” where the Saturday afternoon party occurred at which the beer was thrown. She did not witness the incident, but said she and many in her neighborhood are upset about what happened.

Ms. Saunders said many people in her neighborhood feel strongly that F&M students are treated differently than other residents when they commit or are accused of committing a crime. She said they also believe there is likely F&M video camera footage of the event which could have been used to determine guilt or innocence. The camera is on the corner of Pine and Frederick streets, on the same corner as the F&M football house. Either City police officers or F&M security officers could have spoken to witnesses quoted in a newspaper article. To her knowledge, the witnesses were not interviewed.

Ms. Saunders said she agreed with a letter from F&M Professor Antonio Callari that it is problematic for the City to rely on private campus security officers to investigate crimes involving F&M students and City residents. Doing so only furthers the perception that F&M students are treated differently than others. In this case, the citizens of Lancaster do not have an independent way of knowing whether a hate crime was committed.

In the future, she recommended that any City residents, including F&M students, who are victims of a crime or accused of a crime be informed of their right to have a City police investigation. She assumes that the Muslim refugee family were not aware they had that right.

Secondly, City police should be informed if F&M’s cameras document a crime or potential crime and City police should always have access to those video images. She did not know if City police had any authority to demand access to that video footage.

She said she hoped this incident will help the City and F&M recognize the importance of reviewing policies regarding how the City and F&M collaborate to ensure safety and justice in the City’s northwest area.

## REPORT OF THE MAYOR

Mayor Gray reported that he had been informed the Countywide property reassessment has been postponed again for a minimum of a year. The last time, it was postponed for four years. The County's policy is to reassess properties every eight years. Patrick Hopkins, City Administrative Services director, attended a County Commissioners' meeting Tuesday morning to express the City's displeasure with the postponement.

Mr. Hopkins then presented a series of slides showing the effect of the postponement. First, he noted, the Penn State Data Center recently reported that only two Pennsylvania cities had experienced an increase in property values between 2010 and 2014, compared to the five previous years. Those were Williamsport, where the natural gas fracking boom had driven up housing prices, and Lancaster, which had a 6.5 percent increase in median home values.

In 2011, the County Commissioner cited unstable housing values nationally in their decision to delay reassessment. That reassessment was to begin in 2013, but was pushed to 2017. Notices of assessments were to be distributed in March 2016 under that schedule.

Now, the Commissioners are citing problems implementing a new computer software program as the reason to delay reassessment for at least another year.

The last reassessment was in 2005. As is typically the case, there are many appeals to the reassessment values in the years immediately following a reassessment. Yet, with the downturn in the economy, there was increase in appeals beginning in 2009 and peaking in 2013. Appeals between 2006 and 2015 have decreased the total assessed value of all City property by \$2 billion. That equates to a loss of \$640,000 per year in real estate tax revenue for the City.

He maintained that it is unacceptable for the County to delay the process. They had four years to implement the new software system but did not start that process for 2 ½ years. Now, they are unable to complete the task in time. Meanwhile, it has been 13 years between reassessments. During that time, there have been a significant increase in market value, particularly in the downtown area.

Appeals are mostly done by owners of larger properties. A lowered assessment for larger commercial or industrial properties means the tax burden is increasingly shifted to residential property owners. It creates inequity in the system, and the longer between assessments, the more unfair the system becomes.

Mayor Gray said the effect of the Commissioners' action is to continue to shift the tax burden from wealthy corporations to low- and moderate-income homeowners. He maintained it is a question of social justice. And, he said it impacts the City directly.

Further, he said, the City has considered implementing a "split tax," in which the value of improvements to a property, such as a building, are taxed at a lower rate and the tax increased on the value of the land. The effect of the change lowers the tax on homeowners and increases it on properties such as parking lots. But, the City's consideration of that change is further delayed by the County's action.

## REPORT OF THE PRESIDENT OF COUNCIL

President Graupera reminded Council members that the next time they convene will be January 4, at 6 p.m., for the monthly committee work session. Following that meeting, there will be a special meeting at 7:30 p.m. for the inauguration of recently reelected Council members and a Council reorganization meeting.

And, he wished everyone a happy and safe holiday season.

Mayor Gray added that there will be a vigil in Penn Square on Thursday, at 6 p.m., being hosted by the Lancaster County Council of Churches. The intent is to show support for tolerance and solidarity with our Muslim neighbors.

Charlotte Katzenmoyer, City Public Works director, invited Council members to attend a holiday bicycle distribution to children. This year, it is being held at San Juan Batista church on January 21, at 5 p.m.

#### COUNCIL COMMENTS

Ms. Sorace thanked Mr. Hopkins for his report. She stated it is a complete lack of accountability on behalf of the County Commissioners and a lack of concern for the impact of their decision on the City and the County's other municipalities. The Commissioners' are not concerned about keeping the lights on in municipal offices. She said their decision lacks courage and accountability and is very frustrating.

Ms. Wilson said she believes the average homeowner probably believes the delayed reassessment is a good thing, yet it is another example of their being misinformed about the process. Until people are better informed the system will not change. She said she wished the seats in the meeting room were full and people were here learning and becoming informed.

President Graupera adjourned the meeting at 8:15 p.m.

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John E. Graupera, president

Attest:

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Bernard W. Harris Jr., City Clerk