

## STATED MEETING - CITY COUNCIL – DECEMBER 8, 2015

A meeting of the Lancaster City Council was held on Tuesday, December 8, 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 November 24, 2015 were approved by a roll-call vote.

### PUBLIC HEARING

A public hearing was held concerning the inter-municipal transfer of a restaurant liquor license. The application was to transfer Pennsylvania restaurant Liquor License No. R-18242 from the CIBO Pizza & Grille, formerly located at 1201 Lititz Pike, Manheim Township, to BJ's Restaurant Operations Company facilities, located at 925 Plaza Boulevard, in the City of Lancaster.

Solicitor Neil Albert submitted proof of publication showing that the hearing was publically advertised on the 23rd and 30<sup>th</sup> of November 2015 in Lancaster Newspapers. He also submitted into the record the recommendation of Mayor Gray that the application be approved. The mayor reviewed the application and determined the transfer would not adversely affect the health, welfare, peace and morals of the City.

Mark E. Kozar, representing BJ's Restaurant Operations Company, said BJ's owns and operates more than 170 restaurants in 19 states and employees about 18,000 people. This will be the company's second restaurant in Pennsylvania. The other location within the state is in McCandless, outside of Pittsburgh. The Park City Center restaurant will operate from 11 a.m. to midnight, Sunday through Thursday, and 11 a.m. to 1 a.m. on Fridays and Saturdays. The restaurant will be 6,700 square feet with seating for 205 people.

Mr. Kozar maintained that alcohol is offered as a compliment to food at BJ's. Alcohol sales comprise 20 percent of total sales of the restaurant chain. Servers of alcohol undergo training and will be served in a responsible manner.

Mr. Reichenbach made a motion to place Administration Resolution No. 54-2015 on the agenda for consideration. Mr. Soto seconded the motion and it was approved by Council.

Administration Resolution No. 54-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster, County of Lancaster, Commonwealth of Pennsylvania, approving the transfer of Restaurant Liquor License No. R-18242 into the City of Lancaster.**

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

City Council approved Resolution No. 54-2015 by a unanimous roll-call vote.

## REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE – No report.

PUBLIC WORKS COMMITTEE – No report.

ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION – Mr. Reichenbach said his committee met December 7, 2015 and discussed Resolution No. 53-2015, which authorizes the sale of the Keystone Opportunity Zone industrial park lot #5, 560 South Water Street. That resolution is on the agenda for this evening's meeting.

FINANCE COMMITTEE – Ms. Sorace reported that her committee, and Council as a whole, met on Saturday, December 5, to review the mayor's proposed budget for 2016. The committee heard from directors of City departments about the accomplishments of their departments in 2015 and initiatives in the coming year.

The committee met again Monday, December 7, and discussed Resolution No. 52-2015, which authorizes a project to be undertaken by the Lancaster Higher Education Authority on behalf of Franklin & Marshall College; Resolution No. 55-2015, a short-term Tax & Revenue Anticipation Note borrowing by the City; and Bill 21-2015, in which the City would guarantee Lancaster Parking Authority bonds being refinanced.

Further, Ms. Sorace said an amendment to Bill No. 17-2015, the City budget for 2016, will be offered at the next Council meeting, on December 15. That amendment will reappropriate \$211,592 proposed for police body cameras. That money will remain in the Fund Balance Reserve, with the exception of \$30,000. That amount represents an additional \$25,000 to be contributed to LEMSA and an additional \$5,000 to be contributed to the Public Library.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Mr. Soto said his committee also meet December 7. Committee members reviewed a memo from the solicitor regarding the possible regulation of satellite dishes on buildings. Council decided on direct the solicitor to prepare a draft ordinance which would:

- Require that satellite dishes no longer in use be removed from the exterior of buildings. (This could possibly be done as a part of building inspections.)
- Require that satellite dishes be placed on the rear or sides of buildings unless clear reception can be received only when placed on the front of a building. (Could be approached as a fire safety issue if dishes impede firefighter access or a historic preservation issue by detracting from the historical character of the Heritage Conservation District.)
- Require that property owners approve the installation and placement of the dishes. (Property owners are sometimes unaware of installation by tenants.)
- Prohibit or minimize damage to the property with installation
- Require companies to provide lists of active dishes

PERSONNEL COMMITTEE – Ms. Williams said her committee met December 7 and reviewed the nomination of Jasmine Kraybill to the Human Relations Commission Board of Directors and Harry Joseph Younger Jr. as an alternate to the Zoning Hearing Board. Mr. Younger’s appointment would be done with the passage of Council Resolution 56-2015, which is on tonight’s meeting agenda.

Mr. Reichenbach made a motion to appoint Jasmine Kraybill to the Human Relations Commission Board of Directors for a three-year term, from October 1, 2015 to December 31, 2018. Ms. Wilson seconded that motion.

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

#### LEGISLATIVE AGENDA

City Council considered the following application and recommendation from the Historical Architectural Review Board for improvements to a property within the Historic District:

1. Sara Pendleton, owner of 226 North Mulberry Street, requests replacement of cedar wood siding on a rear addition with new fiber-cement siding. (Recommended for approval by the Historical Architectural Review Board.)

Ms. Wilson moved to accept the recommendation. Mr. Reichenbach seconded the motion.

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

#### ORDINANCES FOR FIRST READING

Administration Bill No. 21-2015, (the title) was read by the City Clerk as follows:

**Ordinance authorizing incurring of lease rental debt of the City of Lancaster in an amount of [\$19,935,000] by: guaranteeing payment of principal of and interest on the Parking Authority of the City of Lancaster (the “Authority”) Guaranteed Parking Revenue Bond, Series of 2016 (the “2016 Bond”), issued for the purpose of providing funds for the 2016 project which includes: (I) the advance refunding of the Authority’s outstanding Guaranteed Parking Revenue Bonds, Series A of 2007 (the “2007A Bonds”) (the “refunding project”); (II) construction of improvements to the Authority’s facilities (the “capital project”); and (III) the payment of the issuance costs of the 2016 bond (collectively, the “2016 Project”); authorizing execution and delivery of a guaranty agreement; fixing the amount of annual payments of principal of and interest on the 2016 bond guaranteed by the City; authorizing the filing of the debt statement, borrowing base certificate, transcript of proceedings and application for approval with the Pennsylvania Department of Community and Economic Development; authorizing the preparation and filing of an engineering or consultant’s report with respect to self-liquidating debt; and [authorizing the execution and delivery of a reimbursement agreement].**

Ms. Sorace said a vote on the proposed ordinance will be held at the January 12, 2016 City Council meeting. She said the refinancing at lower interest rates is projected to save the authority \$2 million over the life of the bond. The bond also includes funding for future Lancaster Parking Authority capital projects, which have not yet been determined. The City is the guarantor of the Parking Authority debt.

Ms. Sorace also noted that residents of the East King Street area attended the December 7 committee meeting to express their concern about the expansion of the East King Street Parking Garage. The project will be reviewed by the City Historical Architectural Review Board and Planning Commission as a separate matter from the Parking Authority financing measure before Council.

## RESOLUTIONS

Administration Resolution No. 52-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster approving a certain project to be undertaken and financed by the Lancaster Higher Education Authority on behalf of Franklin & Marshall College; declaring that it is desirable for the health, safety and welfare of the people in the area served by the facilities of Franklin & Marshall College to have such a project undertaken and financed by the Authority.**

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

Ms. Sorace explained that Franklin & Marshall College was taking advantage of low interest rates to refinance a \$50 million bond and borrow \$20 million to be used to refurbish several residence halls and academic buildings and construct a new stadium on the former Dillerville Rail Yard site. The City is not guaranteeing the bond nor accepting any liability for the borrowing through the Authority.

Ms. Wilson announced that she would abstain from voting on the resolution, as she is an employee of Franklin & Marshall College.

City Council approved Resolution No. 52-2015 by a roll-call vote of 6-0, with one abstention.

Administration Resolution No. 53-2015, (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 560 South Water Street, Lancaster, Pennsylvania.**

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

Mr. Reichenbach said the resolution will authorize the transfer of the lot to the Lancaster Municipal Authority. The Authority will then sell the lot to Creative Packaging Solutions, a

Willow Street company that will be moving their five-seven employees to the site. The lot was appraised for \$125,000 several years ago. It has since sat vacant. Creative Packaging Solutions will pay \$115,000.

City Council approved Resolution No. 53-2015 by a unanimous roll-call vote.

Administration Resolution No. 55-2015, (the title) was read by the City Clerk as follows:

**A resolution authorizing a borrowing in an amount not to exceed \$6,000,000 in anticipation of current taxes and revenues and the issuance of a Tax and Revenue Anticipation Note; establishing the form of such note; approving and accepting a proposal of Jonestown Bank & Trust Co. to purchase the note and authorizing the negotiated sale thereof to said bank; authorizing and directing certain officials to deliver a certificate as to taxes and revenues to be collected, to cause to be made the filings required by law, to execute and deliver the note, and to take such other actions as may be necessary or desirable.**

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

Ms. Sorace said the note functions as a line of credit for the City to draw upon, as needed. The agreement will be completed January 4, 2016 for a maximum amount of \$6 million, borrowed at a fixed rate of 1.95 percent. The money is expected to be used in the first quarter of the year when receipts from real estate taxes are low, and repaid in March when those revenues are available.

City Council approved Resolution No. 55-2015 by a unanimous roll-call vote.

Council Resolution 56-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster appointing Harry Joseph Younger Jr., 42 West King Street, Lancaster, Pennsylvania, as an alternate to the City of Lancaster Zoning Hearing Board, for a three-year term effective December 8, 2015.**

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

Ms. Williams noted that members of the City Zoning Hearing Board are appointed by resolution and that Mr. Younger had attended the committee meeting the previous meeting to introduce himself to Council members.

Mr. Reichenbach said he had received a message from Mr. Younger. Mr. Younger said he had planned to attend this evening's Council meeting, but he was attending a meeting in West Lampeter Township and was unable to come before Council.

City Council approved Resolution No. 56-2015 by a unanimous roll-call vote.

## REPORT OF THE MAYOR

Mayor Gray reminded Council members that there would be a meeting the next evening at Reynolds Middle School, at 7 p.m., to discuss a proposal for a Chestnut Street bikeway. He urged Council members to attend.

## REPORT OF THE PRESIDENT OF COUNCIL

President Graupera reported the following:

*Council members,*

*Last month, I reported that a letter had been sent to the County Commissioners from the City solicitor regarding the County's change to the Prison Ethics Policy.*

*As you'll recall, the County Commissioners, acting as the Prison Board, removed specific protections for gay, lesbian and transgender individuals from the ethics policy.*

*The solicitor's letter informed the Commissioner's that the City Human Relations Ordinance still applies to the County Prison. The City ordinance bars discrimination based on sexual orientation.*

*Recently, I received a copy of an email sent to our solicitor from County Commission Craig Lehman. Commissioner Lehman states that he agrees the City law applies to the County Prison. He supports keeping sexual orientation as a protected class in the policy. And he opposed changing the policy.*

*So, I wanted to let you know that we are not alone in our position. We have not received a response from the other two Commissioners.*

*Also, I wanted to announce that beginning in January, we will be keeping minutes of our committee meetings as a public record. We will review and approve those minutes at the start of committee meetings as we do now at the start of regular Council meetings.*

*We will have the first approval vote on the agenda at the February committee meeting, to considered approval of the January minutes.*

## COUNCIL COMMENTS

Ms. Sorace noted that removal of police body cameras from the City budget from the coming year does not signal a lack of support for the technology by the administration. Rather, she said it signals the careful consideration the City is giving to rolling out the new technology. Body cameras at their best can demonstrate that the majority of police officers carry out their tasks with professionalism, bound by their duty to serve and protect, and can promote transparency and accountability. District Attorney Craig Stedman's memo to police chiefs in the county cites some of the issues which need to be resolved before the technology is utilized. She stated a hope that use of cameras will foster greater public trust in law enforcement. Yet, she noted that trust had been eroded by incidents between police officers and communities of color

in other parts of the country. She stated a hope that the use of cameras in Lancaster is an opportunity to do better. She looks forward to revisiting the issue when the time comes.

President Graupera adjourned the meeting at 8:09 p.m.

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John E. Graupera, president

Attest:

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Bernard W. Harris Jr., City Clerk