

STATED MEETING - CITY COUNCIL – JULY 12, 2016

A meeting of the Lancaster City Council was held on Tuesday, July 12, 2016 in Council Chambers, 120 North Duke Street, (Rear Annex) Lancaster, PA, at 7:30 p.m., with Vice President Wilson presiding.

The Council led the assembly in the Pledge of Allegiance.

Present – Mr. Reichenbach, Mr. Roschel, Ms. Sorace, Mr. Soto, Ms. Williams and Ms. Wilson – 6

Excused – President Graupera - 1

The minutes of the meeting of Council for June 28, 2016 were approved by a roll-call vote.

PUBLIC COMMENT

Pastor Kevin Brown, 223 West Orange Street, Kingdom of Life International Assembly, joined by Yvette Wood Brown and David Martin, said many people are concerned about recent events (in which police officers killed black men in Louisiana and Minnesota, and a black man shot five police officers in Dallas and wounded seven others). Pastor Brown said he was thankful for a administration and City Council in Lancaster who are willing to listen to residents' concerns. He asked Council to consider convening a series of symposiums to be attended by Council members, law enforcement and City residents. The symposiums could encourage a dialogue and positive respect between officials, police and the community.

Further, Pastor Brown announced that the Innercity Progressive Pastors will hold a press conference at Ebenezer Baptist Church on Friday, July 15, to call for unity in the wake of recent events. He asked City Council members to attend.

Mr. Reichenbach responded by announcing that a forum will be held the following evening, at the First Spanish Assembly of God, 626 South Duke Street. The mayor, police chief and Council members will meet with religious leaders and the public to discuss Lancaster's response to the racial violence. A prayer vigil will be held following the forum.

Mr. Reichenbach also praised Pastor Brown and Ms. Brown for the work they have done to bring the community together, through Lancaster Unity events.

REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE – No report.

PUBLIC WORKS COMMITTEE – Mr. Roschel said his committee met on July 5 and discussed Resolution No. 32-2016 and Resolution No. 33-2016. He said those are on the agenda and he will discuss them when they are brought forward.

ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION COMMITTEE – No report

FINANCE COMMITTEE – Ms. Sorace reported three items from her committee. The first is a legislative budget transfer of \$4,500 from the Administrative Services Department budget to the City Council budget. Those funds will pay for City Council members to attend the National League of Cities Summit in Pittsburgh in November. Those funds come from savings generated by the recent refinancing of bonds.

Ms. Sorace asked for a motion to approve the legislative transfer. Mr. Reichenbach made the motion. Mr. Soto seconded the motion.

It was unanimously approved by a roll-call vote of Council.

The second item was a legislative budget transfer for quarterly workers compensation costs. She asked for a motion to transfer the \$14,271.91 to the Administrative Services Workers Compensation line item. Mr. Reichenbach made the motion. Mr. Soto seconded the motion.

It was unanimously approved by a roll-call vote of Council.

The third item was a summary of the pension briefing held during the July 5 committee meeting. At that meeting, Patrick Hopkins, Administrative Services director, reported that combined Lancaster City’s pensions for police, fire and non-uniformed employees has a funding ratio of 77 percent. Those pension funds had a combined market value of \$114,640,577 at the end of March. Lancaster is considered a “minimally distressed” community under the state’s Act 205 guidelines. The City has been consciously making contributions to the pension plans for the employees who serve the City.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – No report

PERSONNEL COMMITTEE – Ms. Wilson reported that the mayor has nominated Matthew Johnson for appointment to the Human Relations Commission. His term would begin immediately and continue through September 2019. Dr. William Fife was nominated for reappointment to the Board of Health. His term begins retroactively on March 31 and continues through March 2021. And, Rosa Graupera was nominated for reappointment to the Civil Service Board. Her term begins July 31 and continues through July 2020.

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

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

LEGISLATIVE AGENDA

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

1. RL2 Development LLC, owner of 28 East Vine Street, requests installation of new signage on the façade and reconstruction of a rear entrance enclosure to include installation of a new awning above the rear entry door. (Recommended for approval by the Historical Architectural Review Board.)

Mr. Reichenbach made a motion to accept the Historical Architectural Review Board recommendation. Ms. Sorace seconded the motion.

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

2. City of Lancaster, owner of Farnum Park, at 238 South Water Street, proposes construction of a new utility building facing South Water Street.
3. City of Lancaster, owner of Mayor Janice C. Stork Corridor Park, at 449 North Mulberry Street, proposes construction of a new utility building at the northwest corner of North Mulberry and West James streets.

Both applications were recommended for approval by the Historical Commission.

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

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

ORDINANCES FOR FINAL PASSAGE

Administration Bill No. 7-2016, (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 182 of the Code of the City of Lancaster – lead poisoning, to establish definitions, prohibit use and distribution of sources of lead hazards, provide procedures for determinations of lead source health hazards, provide for notification of violations and testing procedures and standards, provide procedures and requirements for monitoring the abatement of lead hazards, providing exemptions from the provisions of the ordinance, providing for the protection of occupants of residences containing lead hazards, providing for the protection of children in home-based child care facilities, providing for fines and remedies for violation of the ordinance, providing for inspection and access to properties and sales of properties; 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. Reichenbach made a motion to approve the bill. Mr. Soto seconded the motion.

Mr. Soto offered the following amendment to the bill:

I hereby move to amend Administrative Ordinance No. 8-2016 as set forth in the red-lined version of the Ordinance which I provided to the City Clerk and all members of Council in advance of making this Motion.

In summary, the changes delete the definition of Certified and Licensed Lead Abatement Contractor and remove all references to that throughout the Ordinance, delete the definition of Diminimus Level, modify the definition of Day Care Center, Dwelling, Residential Child Care Center, add the definition of Licensed Lead Abatement Contractor, change all references throughout the Ordinance from Certified and Licensed Lead Abatement Contractor to Licensed Lead Abatement Contractor, change all references of Lead Risk Assessor to Lead Based Paint Risk Assessor, and add a new Section 182-7. F., to provide that safe work practices are not required when maintenance or hazard reduction activities do not disturb painted surfaces that do not total

more than twenty (20) square feet or less, or an exterior surface six (6) square feet in any one interior room.

Mr. Reichenbach praised the mayor and administration for their attention to detail in this matter. He stated that regulation of new home-based daycare centers will be beneficial for children and for the peace of mind of parents. He noted scientific studies showing the dangers of lead in the development of young children. There will be nominal costs for testing of daycare centers, but that cost is more than compensated by the value of the safety of children, he said.

Ms. Wilson noted that the ordinance will regulate new daycare centers. Existing centers will not be included. Randy Patterson, director of the Economic Development & Neighborhood Revitalization department, clarified that the regulation in the ordinance is directed at home-based daycare centers. And, while existing centers will not be required to do testing, they will be encouraged to do so, he said.

Mr. Soto made the motion to amend the bill. Mr. Reichenbach seconded the motion.

The motion to amend the bill was approved by a unanimous roll-call vote of Council.

Council approved Administration Bill No. 7-2016 as amended by a unanimous roll-call vote. It will hereafter be known as Administration Ordinance No. 8-2016.

RESOLUTIONS

Administration Resolution No. 32-2016, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster authorizing the director of Public Works to submit a request for the Department of Transportation to provide a fixed 75.00 per centum reimbursement to the City of Lancaster for all costs incurred in relocating the City's sanitary sewer facility and affected by S.R. 0462, Section 000 bridge replacement necessitated by the Pennsylvania Department of Transportation highway improvement in Lancaster County.

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

Mr. Roschel said Public Works Director Charlotte Katzenmoyer explained the reason for the resolution at the committee's July 5 meeting. The state is replacing the bridge on Columbia Avenue. The City has a siphon for the sewer line at the bridge, which needs to be moved as part of the project. PennDOT will reimburse the City 75 percent of its costs for the relocation, estimated to be nearly \$273,000. The remaining cost will be paid from the City's Sewer Capital Bond Fund. Ms. Katzenmoyer said the infrastructure is in need of replacement. Doing so in conjunction with the bridge project means the state will pay 75 percent of that cost.

City Council approved Administration Resolution No. 32-2016 by a unanimous roll-call vote.

Administration Resolution No. 33-2016, (the title) was read by the City Clerk as follows:

A resolution of the Council of the City of Lancaster calling on the United States Congress to address Climate Change by considering and exploring a carbon fee and dividend.

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

Mr. Roschel explained that he was not in attendance at the July 5 committee meeting at which the resolution was discussed. He thanked Ms. Sorace for leading that meeting and read notes of the meeting:

Douglas Smith, the City's sustainability planner, spoke in support of the resolution being proposed by the Public Works department. He said passage of the resolution will demonstrate support for action on climate change and support for a carbon fee and dividend plan as a means to incentivize reduction of greenhouse gas emissions. Mr. Smith noted that the City could be taking additional steps to address climate change. Specifically, he cited the City of Philadelphia's revision of its procurement ordinance to require suppliers to meet standards of energy efficiency.

Jerry Lee Miller, a founder of the Lancaster Chapter of the Citizens Climate Lobby, said the language of the resolution was taken from a resolution approved by the City of Philadelphia last year. The resolution states that climate change has economic impacts on the City of Lancaster, regionally and beyond. The resolution calls on members of Congress to explore action to address climate change. Specifically, the resolution supports proposals to implement a carbon fee and dividend program. Mr. Miller said he believes that is the best way to move the nation's economy toward clean energy. He called it a market-driven approach, which relies on legislation rather than regulation.

Jim Sandoe, of Ephrata, a member of the Citizens Climate Lobby, the state Environmental Quality Board, and the Citizens Advisory Council for the Department of Environmental Protection, also spoke in support of the resolution. Mr. Sandoe said the resolution is completely compatible with the Clean Power Plan. He believes the carbon fee should be part of the Clean Power Plan.

Jerry Lee Miller said the Citizens' Climate Lobby has been urging members for to act on the carbon fee and dividend plan for several years. He hopes that passage of the resolution – and those of other municipalities and support from clergy and others – will help members of Congress to have the political courage for action. Lancaster becomes the second Pennsylvania municipality to pass the resolution. The first was Philadelphia.

Mr. Reichenbach thanked the Citizens' Climate Lobby for their efforts. He noted that he had recently seen photos depicting New York City, Pittsburgh and elsewhere from 40-60 years ago. Those photos reminded him that the air and waterways are visibly cleaner now, decades after the passage of the clean air and clean water legislation. He noted that tremendous progress has been made.

City Council approved Administration Resolution No. 33-2016 by a unanimous roll-call vote.

PUBLIC COMMENT

Yvette Wood Brown, representing Lancaster Unity, said her group is supporting events which strive to bring Lancaster residents together. Lancaster Unity sent memorial stones to the

families in Dallas, on behalf of the City of Lancaster. She said that Lancaster Unity is a resource for Council members to employ.

Ms. Wilson thanked Lancaster Unity for its efforts, such as bringing people together at potlucks and other event intended to introduce residents to their neighbors.

David Martin, 831½ East Orange Street, also representing Lancaster Unity, presented Council members with a draft of a proposal by Shana Watson. Ms. Watson's proposal is for "The Spirit of Lancaster: 100 Clergy Strong Conference." She hopes to unify religious leaders in the community. She wants the support of the mayor and City Council as plans for the conference come together.

Tony Dastra, 113 North Plum Street, asked for information about Lancaster Square and about future plans for the public space. He was directed to Randy Patterson, City EDNR director, who agreed to speak with him about plans for the square.

REPORT OF THE MAYOR

Mayor Gray read the following prepared statement:

Beginning tomorrow, contractors for UGI will be milling and paving Manor Street between Old Dorwart and Hershey Ave/West End Avenue. During daytime hours, traffic will be restricted to one lane and managed with flaggers at all times. Traffic will be detoured as needed between the hours of 9:00am and 3:00pm to facilitate completion of the work. The work is expected to take approximately one week. Traffic will be significantly delayed and/or detoured during this project, and parking restrictions will be widespread.

Next Monday, contractors for the Streetscape Project at Penn Square will be installing a new traffic pole and mast arm at Penn Square. As a result, there will be a period of time that day, when traffic is delayed and detoured. Traffic heading north on Queen will be detoured east on King Street (to Lime and then Orange, then back to Queen). Traffic heading east on King will be forced to detour to continue east on King (again, to Lime then Orange then Queen). We are installing a message board on South Queen at Church Street to try and get people to detour early, and travel north via Lime Street to avoid the downtown congestion.

Recent events surrounding police-involved shootings have prompted questions from several residents as to what the City of Lancaster is doing to prevent racial bias and the unnecessary use of force by police. For nearly three decades, the Lancaster Police Bureau has used a community policing model as the basis for its programs, policies, practices and personnel management.

The hiring process for law enforcement officers is lengthy and meticulous. Each of the past few years, our Police Bureau has hired 3-4 officers out of an average of 200 applicants. Every new hire completes a 20-week Police Academy training regimen. In addition, all of Pennsylvania's 23,000 officers must attend 24 hours of classroom training and 8 hours of firearms training each year in order to maintain their certification.

The Police Academy is reviewed and certified each year by the Municipal Police Officer Education and Training Commission (MPOETC). This commission regulates the training and hiring of all Pennsylvania Police departments and officers. Lancaster Police Chief Keith Sadler serves on this Commission along with other police executives, elected officials, attorneys and educators. The

Chief also serves on the Pennsylvania Commission on Crime and Delinquency's Disproportionate Minority Contact executive board, and Lancaster Police Bureau Officers participate with School District of Lancaster students in the annual Disproportionate Minority Contact forum.

Chief Sadler and his Senior Command staff are members of the International Association of Chiefs of Police (IACP) and members of the Police Executive Research Forum (PERF). These organizations provide a daily exchange of data, practices, procedures and policies. Our Police Command Staff has participated in numerous conferences and seminars sponsored by the IACP and the PERF in order to remain current as to 21st century policing concepts. Over the last two years, these conferences have emphasized training on use of force and community relations in diverse settings.

Our Police Bureau has several programs that foster police-community relations. These programs include: The Police Athletic League, the Citizen's Police Academy, the School Resource Officer program, and the Police Cadet program. Chief Sadler has participated in several forums over the last few years with the local chapter of the NAACP. The Chief and his Officers are regular and frequent visitors to City churches, community events, and neighborhood gatherings.

The Bureau's Office of Professional Standards serves as the liaison between the community and the Police Bureau. The primary function of this office is to investigate civilian complaints against police officers and other employees of the Bureau. A secondary function involves mediation of and efforts to resolve neighborhood disputes. Two full-time Officers are assigned to this office: Sgt. Roberto Lopez and Lt. James Smith.

The City is divided into nine police sectors, each with its own Patrol Officers. Each Officer is uniquely familiar with their assigned sector. Sector Officers build relationships and maintain regular communication with residents of their sector, often meeting with community groups and speaking at neighborhood meetings. City residents are encouraged to contact their Sector Officer if they're planning a neighborhood meeting or if they want to discuss a neighborhood issue.

Brutality and racism occur in every sector of our society, and those in the police profession are subject to the same ills as every profession. Still, Police Officers must be held to a higher standard in all aspects of their service. Police officers who fail to meet those standards face discipline, dismissal, or – if warranted – arrest.

Quoting Chief Sadler: "There are 18,000 Police departments and 600,000 Police officers in the United States. The overwhelming majority, especially urban departments, make a tremendous effort to resolve problems in fellowship with the communities they serve."

Vice President Wilson adjourned the meeting at 8:13 p.m.

John E. Graupera, President

Attest:

Bernard W. Harris Jr., City Clerk