

## **STATED MEETING - CITY COUNCIL – JULY 26, 2016**

A meeting of the Lancaster City Council was held on Tuesday, July 26, 2016 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 and President Graupera – 6

Excused – Ms. Wilson - 1

The minutes of the meeting of Council for July 12, 2016 were approved by a roll-call vote. President Graupera abstained.

### **PUBLIC COMMENT**

Kevin Ressler, 14 Locust Street, addressed the proposal for a Police Athletic League building on the former Shell's Recycling Center site. Mr. Ressler said he believes it is problematic that children would be expected to come to the PAL officers at the facility, rather than have police officers come to the children in places where they are already gathering for programs. Also, he asked that other initiatives be considered, such as theater arts programs where communication skills can be developed, in addition to athletic programs. Further, he asked City officials to consider reusing the vacant Southern Market Center building as a non-profit organization incubator. Organizations could pay rent for use of the space, thereby the building generates financial revenue and cultural revenue.

### **INTERIM REPORTS OF COMMITTEES OF COUNCIL**

**ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION COMMITTEE –** Randy Patterson, City Economic Development & Neighborhood Revitalization director, updated Council members on the City Revitalization and Improvement Zone Authority meeting which occurred earlier in the day. Mr. Patterson said CRIZ Authority board members voted to approve the use of \$100,000 by the Conestoga Plaza project to pay additional costs associated with prevailing wage rates. It is within the \$3 million previously granted to that project.

Mr. Patterson said the second project presented to the CRIZ board members regarded funding for the 110-room tower being added to the Lancaster Marriott as Penn Square hotel. That project was presented by the Redevelopment Authority of the City of Lancaster and Penn Square Partners. The tower is being added to the existing hotel. It will be owned by the Redevelopment Authority and leased to Penn Square Partners. The CRIZ financing approved will pay debt service on a bond obtained by the Redevelopment Authority. Bond revenue will pay for acquisition of the three East King Street properties where the tower will be constructed, some furniture, fixtures and equipment costs and professional services fees related to design of the project. Construction of the tower will be paid from revenue of a separate bond. Debt service on the construction bond will be paid by Penn Square Partners. Approval for the project will come

before City Council, as Council is one of the original signatories of the agreement creating the hotel and convention center project. That approval is expected to be brought before Council on August 23.

**PUBLIC WORKS COMMITTEE** – Mr. Roschel said his committee met earlier in the evening to review Administration Resolutions No. 34-2016 and No. 35-2016.

He made a motion to add those resolutions to the meeting agenda. The motion was seconded by Mr. Reichenbach. The motion was unanimously approved by a roll-call vote of Council members.

**PUBLIC SAFETY COMMITTEE** – Ms. Williams read into the meeting record the following memo from Mayor Gray:

*Pursuant to the Third Class City Code and the Code of the City of Lancaster, and upon the recommendations of Chief Gregg, I have approved promotions of certain firefighters in the Bureau of Fire to the rank of Battalion Chief, Captain and Lieutenant. City Code, Chapter 5 42-7 requires that these promotions be reported to City Council and made part of the minutes of City Council. Accordingly, I hereby report to City Council that the following promotions have been approved and I ask that these promotions be read into the record of City Council.*

*Promotion to Battalion Chief:*

- *Captain Ken Barton*
- *Captain Fred Lenhart*

*Promotion to Captain:*

- *Lieutenant Todd Hutchinson*
- *Lieutenant Jason Greer*
- *Lieutenant Ken Wright*

*Promotion to Lieutenant:*

- *Firefighter Chris Delong*
- *Firefighter David Martin*
- *Firefighter William Nonnemacher*

**COMMUNITY DEVELOPMENT & PLANNING COMMITTEE** – Mr. Soto reported that his committee met earlier that evening to review Administration Bill No. 8-2016, which would amend the zoning ordinance by adding a chapter to regulate wireless antennas.

Mr. Soto made a motion to place the ordinance on the meeting agenda for first reading. Mr. Reichenbach seconded the motion. The motion was unanimously approved by a roll-call vote of Council members.

**PERSONNEL COMMITTEE** – Mr. Soto reported that Mayor Gray had nominated members of the Board of Plumbing Examiners and of the Fire Appeals Board for reappointment.

Mr. Soto made a motion to reappoint Steve Schwanger, Chad R. Walton, Daniel Moser and Doug Martin to the Board of Plumbing Examiners, for a term of September 12, 2016 to

September 12, 2017. That motion also included the reappointment of Patrick M. Egan, Lloyd W. Henry and Denise Freeman to the Fire Appeals Board, for a term of July 31, 2016 to July 31, 2019. Mr. Reichenbach seconded the motion. The motion was approved by a unanimous roll-call vote of Council members.

#### LEGISLATIVE AGENDA

City Council considered the following application and recommendation from the Historical Commission for improvements to a property within the Heritage Conservation District:

1. Gardner Russo & Gardner LLC, owner of 221-223 East Chestnut Street, proposes construction of a new elevator tower and entrance vestibule on the building's west elevation. (Recommended for approval by the Historical Commission.)

Ms. Sorace made a motion to accept the Historical Commission recommendation. Ms. Williams seconded the motion.

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

#### ORDINANCES FOR FIRST READING

Administration Bill No. 8-2016, (the title) was read by the City Clerk as follows:

**An ordinance of the City of Lancaster, Lancaster County, Pennsylvania; providing for the amendment of the Zoning Ordinance of the City of Lancaster, providing for purposes and findings of fact related to the adoption of the amendment, providing for definitions; establishing certain general and specific standards relating to the location, placement, construction and maintenance of telecommunications towers and telecommunications antennas; providing further for the regulation of such facilities within the public rights-of-way and outside the public rights-of-way; amending the table of permitted uses to allow telecommunications antennas by special exception; providing for the enforcement of said regulations; and providing for an effective date.**

Mr. Patterson said the proposed ordinance will address the issues related to telecommunications towers and telecommunications antennas, specifically wireless antennas. The proposal was generated by a review of the existing ordinance. It was determined that the existing ordinance needed to be updated due to federal case law from the Federal Communications Commission and other case law related to the location of telecommunications facilities. The proposed ordinance would add a chapter to the zoning law to more fully address wireless towers.

More specifically, the proposed ordinance was prompted by a recent ruling by the state Public Utility Commission in which third-party companies erecting towers on behalf of utility companies were given status as public utilities. That ruling gives third-party companies more power to locate towers where they choose to do so. That prompted quick action by the City.

This proposed ordinance establishes requirements related to location of wireless towers on private property and in the public right-of-way, tower design, removal of towers not in use, and requiring that construction permits be obtained for erection.

He said minor amendments may be offered at the time of the second reading.

Administration Resolution No. 34-2016, (the title) was read by the City Clerk as follows:

**A resolution of Council of the City of Lancaster accepting the Green Light-Go grant.**

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

Mr. Roschel said the City was awarded a Green Light-Go grant in the amount of \$387,825 from the Pennsylvania Department of Transportation. The grant is for the installation of audible pedestrian signals at 20 intersections throughout the City. The grant requires a dollar-for-dollar match. The City's matching funds will come from either Liquid Fuels Funds or Capital Funds.

Tony Dastra, 113 North Plum Street, asked if the pedestrian signals will aid people who are visually impaired and where they would be located.

Mr. Roschel responded that they are designed to aid the visually impaired cross streets. He did not know the locations where they will be installed, but directed Mr. Dastra to Charlotte Katzenmoyer, the Public Works director, for that information.

Ms. Katzenmoyer clarified that the pedestrian signals will be added to intersections where there are traffic lights, but where there are no pedestrian signals. The pedestrian signals will include an audible signal.

Council approved Administration Resolution No. 34-2016 by a unanimous roll-call vote.

Administration Resolution No. 35-2016, (the title) was read by the City Clerk as follows:

**A resolution of Council of the City of Lancaster requesting a Multimodal Transportation Fund grant of \$3,000,000 from the Commonwealth Financing Authority to be used for the construction of Phase I of the Northeast Trail extension.**

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

Mr. Roschel said the grant application is for the construction of a cantilever bridge over the Conestoga River at the Walnut Street extension. Construction of the bridge would extend pedestrian and bicycle access from the City to what is called the "Goat Path," which is being developed as the Greater Lancaster Heritage Path. The grant will require a one-third match, or \$1 million. The City will look for federal grant funds to meet that match.

Council approved Administration Resolution No. 35-2016 by a unanimous roll-call vote.

## PUBLIC COMMENT

Luis Torres, executive director of The Mix at Arbor Place, 520 North Street, raised three issues:

1. Another child was recently struck by a vehicle on South Duke Street. When that happened previously, he had gone to the Traffic Commission and School District of Lancaster meetings and asked for safety improvements. Improvements have not been made. School will be starting again in a month and he fears additional children will be struck.
2. He attended a recent meeting in which a proposal for a Police Athletic League facility at the former Shell's Recycling Center site was discussed. He supports the PAL program, but believes it should benefit the entire City. He does not believe a stationary facility will effectively benefit children citywide. He also believes the proposed facility will duplicate existing nearby facilities. He said the proposal is an example of the "Philly PAL Movement," where PAL facilities are located in dilapidated areas of Philadelphia. When those areas are revitalized, the PAL operation moves to another location. Instead, he called for Lancaster to follow the "Boston PAL" model, where officers are encouraged to commit hours to youth service and utilize existing facilities. Such a program would serve the entire City.
3. The Mix at Arbor Place was a partner in launching the City's PAL program two years ago. That relationship has ended. He expressed gratitude that the PAL program is successful and can stand on its own. Yet, he feared that creation of a PAL facility will dilute participation and funding from existing programs and organizations in the southeast part of the City.

Pat Brogan, Mayor Gray's chief of staff, responded that several options are being explored for use of the former Shell's Recycling site. If a PAL facility is eventually constructed, it would simply be an office that the PAL police officer would use. That facility would also be available for use by other groups. She maintained that nothing will happen at the site quickly. She further noted that a press event will soon be held to announce a grant which the City has received. Those grant funds will be used to beautify the site. The mayor's preference is to use the site for a park. While she would not dismiss the use of the site for a PAL facility, she emphasized that other options are also being considered.

Pastor Kevin Brown, 223 West Orange Street, volunteered to be part of a process to establish a Police Advisory Commission. Such a commission would foster relations between the police and the community. He cited recent events in Dallas, Baton Rouge and Minnesota as examples Lancaster can avoid with better police-community relations. A Police Advisory Commission would be an oversight body to review complaints from citizens about police actions. It would also recognize officers who provide exceptional police service.

Tony Dastra, 113 North Plum Street, invited Council members and others in the room to join him for food and music at his home next Tuesday, August 2, from 7-9 p.m. The event is being held in honor of his great-grandmother, who always invited everyone to join her for National Night Out.

## REPORT OF THE PRESIDENT OF COUNCIL

President Graupera said he recently attended the grand open of the SolarCity location on Garfield Avenue. He said there has been improvements in solar technology that have allowed smaller, lighter solar panels and systems at lower cost. These are now financially viable for the average homeowner. He said he has invited representatives of SolarCity to come to a future City Council meeting to make a presentation. He predicted Council members would find it worthwhile.

## COUNCIL COMMENTS

Ms. Sorace said she attended a NAACP event last evening at Ebenezer Baptist Church, which was also attended by City Police Lt. Smith, a State Police representative, the executive director of the Black Caucus and several others. About 50 people were in attendance.

She said there are several upcoming NAACP events which people should consider attending, including the Freedom Fund banquet and a community roundtable with local police chiefs, which will be held on August 3.

Mr. Reichenbach thanked the David Cruz, chairman of the Human Relations Commission, for being receptive when Mr. Reichenbach contacted him to discuss an issue. And he reminded everyone that the City Human Relations Commission is available to investigate discrimination or even answer questions when something seems unfair.

President Graupera adjourned the meeting at 8:07 p.m.

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John E. Graupera, President

Attest:

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Bernard W. Harris Jr., City Clerk