

**STATED MEETING - CITY COUNCIL – NOVEMBER 10, 2015**

A meeting of the Lancaster City Council was held on Tuesday, November 10, 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, and President Graupera – 6

Excused - Ms. Wilson - 1

The minutes of the meeting of Council for October 27, 2015 were approved by a roll-call vote.

**REPORTS OF COUNCIL COMMITTEES**

**PUBLIC SAFETY COMMITTEE** – Mr. Reichenbach, speaking on behalf of the absent Ms. Wilson, said the committee met November 2 and heard a presentation from Bob May, president of Lancaster EMS. Mr. May thanked Council members for the City's annual financial support and requested additional funding in the coming year. The committee took no action, but requested additional information from Mr. May.

**PUBLIC WORKS COMMITTEE** – No report.

**ECONOMIC DEVELOPMENT & NEIGHBORHOOD REVITALIZATION** – No report.

**FINANCE COMMITTEE** – Ms. Sorace reported that on November 2, her committee heard a presentation from board members of the Lancaster Public Library. The City provided the library \$65,000 in the current year's budget and a request was made for additional funding in the coming year. The committee took no action.

Also discussed were plans for the City to seek a Tax & Revenue Anticipation Note, or TRAN, in the coming year. Patrick Hopkins, City Administrative Services director, said he would be asking for Council approval of a resolution in December for a TRAN of as much as \$6 million. The temporary line of credit will be borrowed in January and repaid by March. The TRAN is needed due to a cash-flow shortage that occurs in winter, primarily due to shortfalls in the water and sewer funds.

And, the committee also discussed Resolution No. 51-2015, which changes appropriations in the Capital Improvement Fund, and Bill No. 16-2015, in which the City would provide a guaranty for borrowing by the City Revitalization & Improvement Zone authority. Both of those measures are on the agenda for this evening's meeting.

**COMMUNITY DEVELOPMENT & PLANNING COMMITTEE** – Mr. Soto said his committee also meet November 2. Committee members discussed a proposal to regulate satellite dishes on the facades of buildings. The committee will await a report from the solicitor before discussing any action on the proposal.

The committee also discussed Bill No. 15-2015, the adoption of a new subdivision and land development ordinance. That will be the subject of a public hearing and first reading this evening.

PERSONNEL COMMITTEE – No report.

#### 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. George Centini & Gary Hufford, owners of 125 South Duke Street, request installation of a new granite landing at the front entry door and new brick walkways. (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

A public hearing was held pursuant to the Pennsylvania Municipal Planning Code for the adoption of a new subdivision and land development ordinance.

President Graupera introduced the hearing, saying the proposed 80-page ordinance will replace in its entirety the existing City ordinance. The proposal was drafted over a two-year period by City Planning staff of the Economic Development & Neighborhood Revitalization department in conjunction with the Public Works department and the Lancaster City Planning Commission.

Randy Patterson, director of the City's Economic Development & Neighborhood Revitalization department, said the rewriting of the subdivision and land development ordinance follows the earlier comprehensive update of the City's zoning law. He said the zoning law regulates how land is used. The subdivision and land development law regulates how the land is developed. He said the proposal has been vetted in a deliberative process.

Sam Wilsker, chairman of the Lancaster City Planning Commission, presented the recommendation of the Planning Commission that the proposed ordinance be adopted. It will replace the ordinance which has been in place since 1997.

City Senior Planner Craig Lenhard presented information on changes being proposed which are intended to reduce the time needed for plan approval. Changes would allow for administrative approval of minor plans which do not result in creation of new driveways, or have stormwater impacts or require a sewer module. There are also criteria in the proposed ordinance to allow for an administrative waiver of preliminary plans for "no impact" projects, such as changes in lot lines and small building additions.

Paula Jackson, the City Planning Bureau chief, said preliminary plans and final plans are very similar and waiver of the preliminary plan step will save developers 45-60 days in the plan approval process for minor plans.

Ms. Jackson said other major changes in the draft ordinance include adding terms and provisions to incorporate “complete streets” initiatives that promote bicycle riding and walking, and “green infrastructure” initiatives to control stormwater. She noted the Traffic Commission meeting, held earlier in the day, at which it was mentioned the proposed ordinance will reduce travel lanes on many City collector streets. Lane width will be reduced from 12 or more feet to 10 or 11 feet in an attempt to slow traffic. The ordinance also calls for bike lanes and shared road markings.

Ms. Sorace praised the Planning staff for the comprehensive approach to rewriting the ordinance. She also questioned Ms. Jackson on a comment made in the County Planning review of the changes. That comment dealt with the calculation of people in dwelling units. The calculation is used to determine requirements for recreation facilities.

Ms. Jackson responded the formula adopted in the 1997 ordinance assumes two people per an efficiency unit and one person for each additional bedroom. With the growth of single living in the City, the formula in the draft proposal assumes one person in an efficiency and continues a 100-person threshold for imposing recreation requirements. Doing so lowers the cost for development and redevelopment in the City.

Mr. Patterson contended the recreational requirements are not as critical in the City – with its established network of parks – as it is in rural townships where there are fewer parks and those that exist are likely more distant from residents.

Kevin Brown, pastor of the Ecclesial Center of Lancaster and the Kingdom of Life Assembly, said the proposed ordinance is very technical in nature. He expressed concern that the new law would make it easier for developers to target wealthy buyers and exclude those without significant financial means. He wanted to ensure people are not priced out of the City.

Ms. Sorace responded the subdivision and land development ordinance is required under state law. Further, it provides an equal playing field for anyone wanting to do development in the City.

Ms. Jackson responded that Mr. Brown’s concerns concerning the use of the land are better addressed in zoning law. The subdivision and land development ordinance regulates such things as curbs, sidewalks, roadway width and sewer laterals. She said it was a technical engineering document. The zoning ordinance deals with housing density and lot sizes, which can limit housing affordability. Lancaster City actually has a high housing density, with an average of 19 housing units per acre. That compares to surrounding townships where five units per acre are considered high density.

Mr. Lenhard sought to clarify the use of the word target. A targeted demographic in terms of the recreational requirement refers to age. A housing project for senior citizens would have

recreational facilities for that age group; as opposed to a project directed at young families which may include playground equipment.

Council Bill No. 15-2015, (the title) was read by the City Clerk as follows:

**An ordinance of the Council of the City of Lancaster amending Chapter 265 of the Code of the City of Lancaster to adopt a new City of Lancaster subdivision and land development ordinance which establishes procedures for the review and approval of subdivision and land development plans, provides for the modification of ordinance provisions, includes provisions consistent with the Pennsylvania Municipalities Planning Code addressing approval of plans and the rights of applicants following plan filing, sets forth design and improvement standards for public and private improvements, requires traffic, floodplain and other impact studies or reports for developments meeting certain thresholds, requires parks or recreational facilities for residential developments exceeding a specific threshold, requires improvement construction assurances, provides for enforcement of violations; provides for the repeal of inconsistent ordinances; provides for the severability of the ordinance; provides for the effect date of the ordinance; and includes a savings clause.**

President Graupera said a vote on the proposed ordinance will be held at the next City Council meeting.

Council Bill No. 16-2015, (the title) was read by the City Clerk as follows:

**An ordinance approving a certain project being undertaken by the City of Lancaster Revitalization Improvement Zone Authority (the “authority”) consisting of, *inter alia*, the financing of a capital project by the authority; stating the realistic estimated useful life of the project for which the authority’s tax revenue bond is issued and setting forth the estimated completion date for the project; authorizing the incurrence of lease rental debt by the City evidenced by the guaranty agreement, as such term is defined herein, in connection with such tax revenue bond being issued by the authority; authorizing the proper officers of the City to prepare, certify and file with the Department of Community and Economic Development a debt statement and borrowing base certificate, with a certified copy of this ordinance and proofs of publication, as required by the Local Government Unit Debt Act, and to pay any necessary filing fees; approving the form of guaranty agreement among the City, the authority and the bank, as such term is defined herein, and authorizing the execution and delivery thereof; stating the maximum annual amounts of principal and interest to be paid under the guaranty agreement, covenanting the payment thereof and pledging the full faith, credit and taxing power of the City therefor; setting forth certain conditions to the execution and delivery of the guaranty agreement, including the execution and delivery by the authority of a reimbursement agreement with the City; authorizing the proper officers of the City to take other appropriate and incidental action; repealing all ordinances and resolutions inconsistent herewith; and stating the effective date.**

Ms. Sorace explained that this is a bond that the City will be guaranteeing that will provide funds for a furniture, fixtures and equipment fund for the Lancaster County Convention Center and for SACA Development's Conestoga Plaza project.

She said this bill was the subject of much discussion before the Finance Committee. The City guaranty is being sought after the revenue for the CRIZ Authority for the year was significantly lower than expected. Yet agreements had already been reached which required this funding. Debt payments will be due beginning in 2021 and could be as much as \$447,000 annually. The decision is really about risk and whether the City is assuming too great a risk or whether the potential failure of these projects outweighs that risk, she said.

Mr. Patterson, responding as acting executive director of the CRIZ Authority, said that when the authority first sought this funding, it did not anticipate a City guaranty. The guaranty became necessary when the state revenue to the authority was lower than expected. The City is not borrowing the money in this case, it is only being asked to provide a guaranty of the debt service reserve fund. The City would only be required to contribute funding if there was a shortfall in that fund which the authority was unable to pay.

## RESOLUTIONS

Council Resolution No. 51-2015, (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 the proceeds of the City of Lancaster General Obligation Bonds, Series of 2011.**

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

Ms. Sorace explained the resolution simply changes a description within the Capital Improvement Fund, without changing the funding itself. The measure allows payment for a water pumping station to the appropriate entity.

City Council approved Resolution No. 50-2015 by a unanimous roll-call vote.

## REPORT OF THE MAYOR

Pat Brogan, Mayor Gray's chief of staff, reported on the mayor's behalf. He was attending the Historic Preservation Trust of Lancaster County's banquet at which several City property owners were presented with awards. At that banquet Mr. Patterson was given an award for his work, she said.

## REPORT OF THE PRESIDENT OF COUNCIL

President Graupera invited Council members and those in the audience to attend the Veterans Day observance in Shreiner Concord Cemetery. At that ceremony, the Shreiner Concord Cemetery Foundation board will be recognizing the contributions of the Occupational Development Center of Lancaster and the City of Lancaster parks workers who have helped

maintain the historical burial grounds. Fredo Pagan leads the City parks crew. Each group will be presented with a flag and a statue of Thaddeus Stevens, who is buried at Shreiner Concord.

#### COUNCIL COMMENTS

Ms. Williams reported that she had attended the opening of the Brightside Opportunities Center fitness center and library earlier in the day. She noted that the church had set a \$1 million goal for fund-raising for the renovation. To date, more than \$900,000 had been raised, she said. Ms. Williams congratulated Brightside for its efforts.

President Graupera reminded Council members that there will be a banquet honoring former Council President Ted Darcus at Brightside on November 14.

Ms. Sorace shared the calendar for the upcoming budget review. The mayor will present his 2016 budget proposal to Council at the next Council meeting, on November 24, at which time there will be a first reading of the budget ordinance. There will be a review of that budget on December 5. On December 15, there will be a second reading and vote on the budget and tax ordinances.

She also reported on the Traffic Commission meeting held earlier in the day. At that meeting, there was a thorough presentation on the proposed Chestnut Street bikeway. The separated, dedicated lane for bicycle riders would be the first in the City. If approved, it would be a pilot project. She said City Council will hear a presentation on the proposal and there will be one or two neighborhood meetings about the plan prior to adoption to gather additional input.

Mr. Soto reminded everyone that on Thursday evening the Lancaster City Alliance will host a community meeting as part of its “Building on Strength” economic development plan for the City. Plans for the East King Street Corridor will be discussed at the meeting, which will be held at the La Academia Charter School on North Ann Street. He urged everyone to attend.

President Graupera adjourned the meeting at 8:28 p.m.

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John E. Graupera, president

Attest:

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Bernard W. Harris Jr., City Clerk