

STATED MEETING - CITY COUNCIL – SEPTEMBER 27, 2016

A meeting of the Lancaster City Council was held on Tuesday, September 27, 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 Ms. Wilson and President Graupera – 7

The minutes of the meeting of Council for September 13, 2016 were approved by a roll-call vote. Mr. Soto and Ms. Sorace abstained.

PUBLIC COMMENT

Arthur E. Morris, 434 West Chestnut Street, addressed City Council's vote on September 13 to approve the redevelopment proposal for a pocket park at 31, 33 and 35 West Lemon Street.

Mr. Morris said he was unable to attend the last Council meeting. After listening to a recording of the meeting, he said he was concerned about Council members' apparent lack of real interest in the concerns of citizens. He maintained that information presented to Council members showed the rowhouses which will be demolished to create the park were not blighted and met property code standards when acquired by the Redevelopment Authority. He contended the City ignored its own ordinance by not maintaining the properties and will violate the historic preservation ordinance again when the properties are demolished.

He contended the more than \$750,000 being used to develop the park could be spent more effectively in other areas, where redevelopment is badly needed.

He expressed disappointment in Council members for their vote, and also for their lack of questioning and unwillingness to table action and seek additional information.

REPORTS REQUESTED BY COUNCIL

PUBLIC HEARING – Inter-municipal transfer of a restaurant liquor license, application filed by Plaza Azteca Lancaster, Inc. President Graupera called the hearing to order.

Jonathan Jordan, 717 Constitution Drive, Exton, Pennsylvania, counsel for Plaza Azteca Lancaster, Inc., was sworn in by the court reporter. He asked that the PLCB application, with restaurant floor plans and menu; the report and recommendation of the mayor; and the proof of publication of notice of this this public hearing be entered into the record as exhibits.

Mr. Jordan said the property was posted with notice of this hearing.

He said that Plaza Azteca has entered into a lease for the 9,100 square-foot restaurant space at Red Rose Commons, located at Fruitville Pike and Route 30. The space was previously occupied by Old Country Buffet. The applicant seeks to transfer a liquor license from Columbia for use at that property.

Mr. Jordan amended the application to change the zoning classification for the site from MU to C3. Further, he said the application lists the seating capacity of the restaurant at 276 seats.

Presently, the applicant is considering renovations which could potentially increase the seating to 325.

He said Plaza Azteca started in Virginia in 1994. The chain has 23 restaurants in Virginia. There are seven Plaza Azteca restaurants in Pennsylvania. All have liquor licenses in good standing.

Plans call for the Lancaster restaurant to be open from 11 a.m. to 10 p.m., Sunday through Thursday, and 11 a.m. to 11 p.m., on Friday and Saturday. Mr. Jordan said alcohol sales typically comprise about 30 percent of total sales at a Plaza Azteca restaurant.

Mr. Reichenbach asked when the restaurant will open. Mr. Jordan responded that the process of receiving the liquor license from the Pennsylvania Liquor Control Board typically take three to four months. Renovations to the building will be done concurrent with that process.

President Graupera then closed the hearing.

Mr. Reichenbach made a motion to add Administration Resolution No. 41-2016 to the meeting agenda for action. Mr. Roschel seconded the motion. The motion was approved by a unanimous roll-call vote of Council members.

Mr. Soto made a motion to approve Administration Resolution No. 41-2016. Mr. Reichenbach seconded the motion.

Council approved Administration Resolution No. 41-2016 by a unanimous roll-call vote.

INTERIM REPORTS OF COMMITTEES OF COUNCIL

PERSONNEL COMMITTEE – Ms. Wilson reported that Mayor Gray had nominated members of the Human Relations Commission and the Human Relations Commission Board of Directors for reappointment.

Ms. Wilson made a motion to reappoint Cheryl Holland-Jones, David Cruz Jr. and Jean Dailey for reappointment to the Human Relations Commission and Mark T. Stoner, Jami L. Rhynes and Meghan O'Donnell McLane to the Human Relations Commission Board of Directors. The new terms for all of these individuals will begin September 30, 2016 and continue until September 30, 2019.

Mr. Reichenbach seconded the motion. The motion was approved by a unanimous roll-call vote of Council members.

FINANCE COMMITTEE – Ms. Sorace reported that her committee had met earlier in the evening to review the results of the City's 2015 audit.

Highlights of the audit report were presented by a representative of MaherDuessel Certified Public Accountants. Highlights include:

- Changes to the government accounting standards will dramatically change the way pension and post-employment benefits are reported.

- The audit reports on calendar year 2015, at which time the City adopted a new accounting computer system; and the audit was done in 2016 as the City was moving to a new payroll computer system.
- An unmodified opinion was presented by the auditors, which is the highest opinion which can be bestowed by the auditors.
- The audit showed a \$1.4 million surplus carried over from 2015 to 2016 in the General Fund. The City has continued difficult efforts to retain a \$10 million fund balance reserve.
- Spending increased by about 1 percent in 2015, while the City has managed in-flows and out-flows of funds to balance the budget.

Ms. Sorace made a motion to accept the audit as presented to the Finance Committee. Mr. Reichenbach seconded the motion. The motion was approved by a unanimous roll-call vote of Council.

LEGISLATIVE AGENDA

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

1. Kunzler & Company, Inc., owner of 653-657 Manor Street, proposes construction of a rear second-story porch and new front entry steps.
2. Tim Glatfelter/Mr. Bill's Seafood, owner of 431 Harrisburg Avenue, proposes construction of new additions to a modern commercial building.

(Both applications were recommended for approval by the Historical Commission.)

Mr. Reichenbach made a motion to accept the Historical Commission recommendations. Mr. Soto seconded the motion.

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

PUBLIC COMMENT

Tony Dastra, 113 North Plum Street, asked for additional information about the planned expansion of the Lancaster Marriott at Penn Square. Specifically, he asked for details within the redevelopment proposal and architectural drawings for the project.

(A copy of the proposal was furnished to him by Mr. Morris.)

REPORT OF THE PRESIDENT OF COUNCIL

President Graupera read the following prepared statement:

Today, September 27th, is Capital Day. It's the 239th anniversary of Lancaster's single day as the nation's capital. And, since passage of a Council resolution in 2011, it is a day that is officially recognized by the City.

For those of you unfamiliar with the history of Capital Day, the Continental Congress fled to Lancaster in September 1777. They did so as the British army was marching on Philadelphia.

They convened in the old courthouse, where the Soldiers & Sailors Monument now stands on Penn Square. On that day, Congress appointed Benjamin Franklin to be America's emissary to France. That eventually led to France's help in our winning that war and our independence.

The next day, September 28, 1777, Congress packed up and moved to their second choice, York, to put some more distance between them and the British.

After independence, Lancaster served as the state capital for 13 years. While it remains the County seat, Lancaster has been both the state and nation's capital. And, it continues to be a capital city.

On Capital Day, we can reflect on our history, but we can celebrate the city that Lancaster has become: a vibrant, growing city whose diverse residents reflect the melting pot and hope of our nation.

COUNCIL COMMENTS

Ms. Wilson read a statement by Franklin & Marshall College graduate Jessica Dunbar, written in response to the killing of two black men by police officers in separate incidents last week in Charlotte, North Carolina and Tulsa, Oklahoma.

The statement highlighted the circumstances of the many shootings of unarmed black males by police across the country which have occurred in recent months, including those who have had their hands raised, been kneeling, reaching for their identification, riding in a car or walking down the street.

Mr. Reichenbach commented that state lawmakers are again moving to enact legislation which would allow lawsuits against municipalities which have firearms ordinances. State lawmakers are forcing cities to repeal ordinances approved to protect citizens. Those were passed after state lawmakers failed in their duty to enact sensible gun legislation. The City of Lancaster and other cities challenged the last version of the state law and prevailed in court. He expressed hope that Lancaster would again stand up to this challenge.

President Graupera adjourned the meeting at 8:08 p.m.

John E. Graupera, President

Attest:

Bernard W. Harris Jr., City Clerk