

STATED MEETING - CITY COUNCIL – NOVEMBER 25, 2014

A meeting of the Lancaster City Council was held on Tuesday, November 25, 2014 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, President Graupera – 7

The minutes of the meeting of Council for November 11, 2014 were approved by a unanimous roll call vote.

MAYORAL PROCLAMATION – A proclamation designating Saturday, November 29, 2014, as Shop Local Lancaster Day. Proclamation read by Mayor Gray.

PUBLIC COMMENT – Shawn O’Brien, 831 Columbia Ave., asked council members to consider adoption of an ordinance regulating the removal of leaves and yard waste and snow from businesses, private residences and rental units. O’Brien’s proposal prohibited moving of leaves, yard waste and snow from one property to another without the written permission of the property owner. O’Brien said he has had an ongoing problem with a neighbor and has been told by police that the issue is not addressed by existing ordinances.

President Graupera responded that it will be discussed at the next committee meeting. Mayor Gray offered to have the city solicitor research the issue.

Arthur Morris, 434 W. Chestnut St., called for preservation of the steel pedestrian bridge that spanned the railroad tracks at the former Armstrong floor plant. Morris contended the bridge is an important reminder of the city’s industrial history and should be kept on the redeveloped property.

Morris also asked the city prohibit spray painting of sidewalks, such as was done recently for the Lancaster County Community Foundation’s ExtraOrdinary Give.

Mayor Gray responded the foundation was not given permission to paint the sidewalks. Yet, he noted it was done with non-permanent paint. Foundation representatives apologized and said it would not be done again.

REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY – No report

PUBLIC WORKS COMMITTEE – No report

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Councilman Reichenbach reported that a City Revitalization & Improvement Zone board meeting had occurred earlier in the day. Reichenbach said he would report in detail about projects as they advance.

FINANCE COMMITTEE – Councilwoman Sorace said the budget and tax bills would be presented tonight. A budget overview will be presented at the Council Committees meeting on Dec. 1 and a department-by-department review will be done on Dec. 5.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – No report

PERSONNEL COMMITTEE – Councilwoman Williams made a motion to reappointment of Ken Hammel to the Public Art Advisory Board for a term of July 31, 2014 to July 31, 2016; and reappointment of Robert Ramsey, Patti Connell, Dennis Cox, Nancy Neff and Scott Standish to the Downtown Investment District board for five-year terms; and the appointment of Jean Weglarz to the Higher Education Authority for a term of Jan. 1, 2015 to Jan. 1, 2020.

Councilwoman Sorace seconded the motion. The motion was approved by a unanimous roll call vote.

City Council considered the following applications & (Historic Commission recommendations) for construction and demolition within the Heritage Conservation District:

1. Lancaster General Hospital proposes renovation of a hospital boiler plant facing East Frederick Street at 555 North Duke Street.
2. Michael Chance proposes construction of a frame second story above an existing one-story rear brick wing at 801 North Shippen Street.
3. Beth Elbon & Todd DeKay propose construction of a new two-bay garage facing West James Street at 440 State Street.

Councilman Soto made the motion to approve the applications and Councilman Reichenbach seconded. The recommendation of the Historical Commission was approved by a unanimous roll call vote.

Administration Bill No. 16-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA REQUIRING THE REGISTRATION OF BUSINESSES OPERATING WITHIN THE CITY OF LANCASTER AND THE PAYMENT OF REGISTRATION FEES FOR THE SAME, SETTING FORTH DEFINITIONS UTILIZED IN THE ORDINANCE, PROVIDING FOR THE APPLICABILITY OF THE ORDINANCE, PROVIDING FOR A ONE TIME WAIVER OF THE REGISTRATION FEE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, SETTING FORTH VIOLATIONS AND

PENALTIES, DECLARING THAT THE PROVISIONS OF THIS ORDINANCE ARE NONEXCLUSIVE; 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.

Councilman Reichenbach made the motion to approve and summarized the intent of the ordinance as follows: the city wants to register businesses and have a comprehensive business listing to provide a better understanding of the businesses located within the city. Under the ordinance, a business will pay an annual \$35 fee to fund administration of the registry. The fee will be waived the first year. Reichenbach emphasized the listing will not be made public.

Councilwoman Sorace asked the anticipated revenue from the registration fees in 2016. Economic Development & Neighborhood Revitalization Director Randy Patterson responded that because no registry of businesses now exists, he could not estimate the revenue.

Mayor Gray asked how information could be withheld under a freedom of Information Act request. Patterson responded that names and addresses of businesses will be public but tax and Social Security numbers and other proprietary information is not subject to the right-to-know law.

Councilman Roschel seconded the motion and the bill was unanimously approved by a roll call vote.

Administration Bill No. 17-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE AN ORDINANCE OF THE CITY OF LANCASTER APPROVING AND AUTHORIZING THE MAYOR OF THE CITY OF LANCASTER TO ENTER INTO A COOPERATIVE MAINTENANCE AGREEMENT WITH MANHEIM TOWNSHIP, PURSUANT TO THE INTERGOVERNMENTAL COOPERATION LAW, 53 PA.C.S.A., CHAPTER 23, SUBCHAPTER A.

Councilman Reichenbach made a motion to approve. Councilwoman Sorace seconded.

Councilman Roschel stated that this ordinance will allow the City to enter into a cooperative agreement with Manheim Township to regulate and maintain the traffic signals on New Holland Avenue.

The ordinance was unanimously approved by a roll call vote.

Administration Bill No. 18-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY OF LANCASTER APPROVING AND AUTHORIZING THE MAYOR OF THE CITY OF LANCASTER TO ENTER INTO A COOPERATIVE MAINTENANCE AGREEMENT WITH MANHEIM TOWNSHIP AND EAST HEMPFIELD TOWNSHIP, PURSUANT TO THE INTERGOVERNMENTAL COOPERATION LAW, 53 PA.C.S.A., CHAPTER 23, SUBCHAPTER A.

Councilman Reichenbach made a motion to approve. Councilwoman Sorace seconded.

Councilman Roschel stated that this ordinance will allow the City to enter into a cooperative agreement to regulate the traffic signals on Harrisburg Pike.

The ordinance was unanimously approved by a roll call vote.

Administration Bill No. 19-2014, (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 273-TREES OF THE CODE OF THE CITY OF LANCASTER, SETTING FORTH THE PURPOSES THEREOF, DEFINITIONS OF TERMS, PROVISIONS REGARDING THE ADMINISTRATION AND ENFORCEMENT OF THE CHAPTER, PROVISIONS REGARDING THE ISSUANCE OF NOTICES TO PRUNE OR REMOVE TREES, TREE PLANTING PROVISIONS AND TREE CARE AND PROTECTION PROVISIONS, ESTABLISHING LIABILITY FOR DAMAGES, PROVISIONS REGARDING ELECTRIC WIRES AND FOR THE PROTECTION OF TREES DURING CONSTRUCTION, ESTABLISHING A PERMIT APPLICATION PROCESS, PROVIDING FOR THE PAYMENTS, ASSESSMENTS AND LIENS, ESTABLISHING PROVISIONS REGARDING EASEMENTS, SETTING FORTH VIOLATIONS AND PENALTIES, ESTABLISHING PROCEDURES FOR AMENDMENTS TO THE STANDARDS SET FORTH IN THIS CHAPTER, PROVIDING FOR AN APPEALS PROCESS, AND ESTABLISHING PROVISIONS FOR PROTECTED TREES ON PRIVATE PROPERTY; 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.

Councilwoman Wilson made a motion to approve. Councilman Roschel seconded the

motion.

Councilman Roschel stated that this refers to the changes to Chapter 273 of the City Code which is specific to City Trees. There are 19 pages of changes, including expanding the definitions section from a few words to a few dozen, expanded enforcement and penalty section, revisions to the pruning and planting section and protections for trees during construction projects.

The ordinance was unanimously approved by a roll call vote.

Administration Bill No. 20-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER, COUNTY OF LANCASTER, COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING THE SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE CITY GOVERNMENT, HEREINAFTER SET FORTH DURING THE YEAR 2015; ALLOWING FOR A SEVERANCE PROVISION; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Gray then shared his 2015 budget address to council, including the proposal for a .98 mills/7.5 percent increase in property taxes. The increase will raise the annual city property tax bill by \$74 for average city homeowner. The \$52,668,000 general fund budget is a 4.5 percent increase over the 2014 budget. Much of that increase can be attributed to the nearly \$1 million increased cost of pensions.

The mayor called for state legislators to reform property taxes and public pensions.

Administration Bill No. 21-2014, (the title) was read by the City Clerk as follows:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LANCASTER, CHAPTER 270 - TAXATION, ARTICLE IV - PROPERTY AND RESIDENCE TAX, SECTION 270-26 – LEVY AND RATE, BY FIXING THE TAX RATE AT 14.02 MILLS ON PROPERTY IN THE CITY OF LANCASTER FOR GENERAL REVENUE PURPOSES; ALLOWING FOR A SEVERANCE PROVISION; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

It was first reading of the budget and taxation bills. Councilwoman Sorace reminded council members they would be reviewing the budget in greater detail at upcoming budget meetings.

Councilman Reichenbach said he agreed with the mayor that the legislature's inaction on behalf of municipalities is a bipartisan failure.

Councilwoman Sorace made a motion to add council resolution No. 47 to the agenda, which was seconded by Councilman Soto.

The resolution was read by City Clerk, as follows:

A RESOLUTION OF CITY COUNCIL APPOINTING BERNARD W. HARRIS, JR. TO THE POSITION OF CITY CLERK OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA.

A roll call vote to place the resolution on the agenda was unanimous.

Councilman Reichenbach then praised President Graupera and Councilwoman Sorace, the mayor and the administration for their leadership and participation in the selection process. President Graupera recounted the five month process of that led to the selection. He thanked each council member for their contributions and due diligence that served the citizens of the city. A second roll call vote unanimously approved the resolution.

PUBLIC COMMENT – Arthur Morris spoke in support of the proposed tax increase, done at an incremental amount rather than a large increase after several years.

He also recommended that candidates' positions on pension reform be considered by political party leaders when making decisions on whom to support for public office.

REPORT OF THE MAYOR – No report.

REPORT OF THE PRESIDENT – President Graupera announced that City Council will begin holding committee work sessions in the commission room of the City hall Annex beginning in January 2015.

COUNCIL COMMENTS – Councilwoman Wilson stated that she wanted to publically express her thoughts and prayers for the people of Ferguson, Mo. Many felt a terrible injustice had been done when a grand jury failed to indict police Officer for Darren Wilson for the shooting death of Michael Brown, an unarmed teenager, she said. She expressed hope that the situation can be a learning experience, prompt a positive national discussion of race and that Brown will not have died in vain.

Councilwoman Williams echoed Wilson's views and expressed hope that lessons learned in Ferguson will be carried to other cities and towns with the same underlying problems.

Councilman Soto spoke in support of both Wilson's and Williams' statements and expressed hope that hate could be put aside in favor of discussion.

President Graupera adjourned the meeting at 8:35 p.m.

John E. Graupera, President

Attest:

City Clerk