

## STATED MEETING - CITY COUNCIL – OCTOBER 8, 2013

A meeting of the Lancaster City Council was held on Tuesday, October 8, 2013 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Williams presiding.

Present – Mr. Graupera, Mr. Reichenbach, Mr. Roschel,  
Mr. Smith, Mr. Urdaneta. Ms. Wilson, President Williams – 7

City Council approved the minutes of September 24, 2013 by a unanimous roll call vote.

PUBLIC COMMENT – Nick Rhoades, Silverback Towing, 1103 Ranck Mill Road came to Council with a complaint that the Police are not enforcing the laws that are on the books. He brought a facsimile of a City Parking Ticket to show what laws are listed and said that the police are using their own discretion to have vehicles towed or not.

Jody Davis, 126 North Ann Street, came to Council to ask about enforcing the speed limit on her street. She lives at the corner of North Ann and East Marion Street and her house was plowed into two weeks ago by a pickup truck. She stated that cars go the wrong way on Marion Street which is a one-way street and the speeding is happening on both of these streets. Mayor Gray said that they will do a traffic study there and it will be put on the agenda for the next Traffic Commission meeting.

FINANCE COMMITTEE – Chairman Smith stated that there will be a second reading of Bill No. 10-2013 tonight.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Chairman Reichenbach stated that his committee met last evening and we discussed issues regarding Chapter 109, Building Construction and Floodplain Management. There will be an update of the City's Code to upgrade our floodplain requirements to match up with the State and Federal Regulations. That will be Administration Bill No. 12-2013. We also discussed the new CRIZ legislation will be Administration Bill No. 13-2013 which will be brought up under New Business.

PERSONNEL COMMITTEE – Chairman Graupera stated that the Committee has several appointments: To the Human Relations Commission Board, Ms. Carol Spencer Morris and Ms. Lisa Runge. He made a motion to approve and Councilman Reichenbach seconded. The City Council approved the appointments by a unanimous roll call vote.

Mr. Graupera made a motion to approve the appointment of Pastor Timothy Mentzer, Trinity Lutheran Church to the Downtown Investment District Authority. Councilman Urdaneta seconded. The appointment was approved by a unanimous roll call vote.

Mr. Graupera further stated that the Committee met with seven of the nine members of the new City Revitalization and Improvement Zone Authority and that bill to create that Authority will be on the agenda tonight under New Business. Also discussed were the amendments to the Human Relations Commission.

Chairman Graupera further made a motion to approve the appointment of Gary Hufford to the Shade Tree Commission and Councilman Urdaneta seconded. The appointment was approved by a unanimous roll call vote.

Administration Bill No. 10-2013, (the title) was read by the City Clerk as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA ESTABLISHING APPROPRIATIONS FOR \$700,000 OF ADDITIONAL EARNED INCOME TAX REVENUE EXPECTED TO BE RECEIVED IN 2013; 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 Smith made the motion to approve and Councilman Reichenbach seconded. This year we received \$700,000 additional Earned Income Tax that was unexpected. Out of that \$700,000 that we received, this ordinance will allow us to allocate \$540,000 of it towards the Pavement Management Plan. The other \$160,000 will go back to decrease the amount of money that was originally budgeted to come out of the City reserve fund. City Council approved Administration Bill No. 10-2013 by a unanimous roll call vote, and it will hereinafter be known as Administration Ordinance No. 10-2013.

Administration Bill No. 11-2013, (the title) was read by the City Clerk as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 125-DISCRIMINATION OF THE CODE OF THE CITY OF LANCASTER, SECTIONS 125-5 LANCASTER CITY HUMAN RELATIONS COMMISSION AND 125-6 POWERS AND DUTIES OF THE COMMISSION, TO PROVIDE THAT THE COMMISSION SHALL BE REQUIRED TO MEET AT LEAST TWO TIMES PER YEAR AND TO PROVIDE REPORTS TO THE MAYOR AND CITY COUNCIL NO LESS THAN SEMI-ANNUALLY; 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 Graupera stated that this change was requested by the Human Relations Commission and due to the fact that there are not enough complaints coming before the board, the requested if they could meet less than the 6 meetings a year. That doesn't mean that they can't have more than two, but they felt it wasn't productive enough to meet so many times a year just to meet. Councilman Urdaneta expressed his objection to the bill.

Administration Bill No. 12-2013, (the title) was read by the City Clerk as follows:

**AN ORDINANCE OF THE LANCASTER CITY COUNCIL AMENDING CHAPTER 109, BUILDING CONSTRUCTION AND FLOODPLAIN MANAGEMENT OF THE CODE OF THE CITY OF LANCASTER, TO INSTITUTE REQUIREMENTS REGARDING FLOODPLAINS AND FLOOD PRONE AREAS COMPLIANT WITH 44 CFR SECTION 60.3(D) OF THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS AND WITH PENNSYLVANIA ACT 166, THE PENNSYLVANIA FLOODPLAIN MANAGEMENT ACT, PROVIDING FOR NOTICE OF THE ORDINANCE; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.**

Councilman Reichenbach stated that this bill means that the City's Floodplain Management Updates will go into effect and they are requirements that are mandated by the National Flood Insurance Program. Ultimately it will protect people who may live in flood prone areas because it will encourage them to make the necessary changes when their homes are repaired to protect their properties.

Craig Lenhard, Senior Planner, showed the map which designated flood prone areas and gave a brief presentation on the updates that the City is making to the Code

Administration Bill No. 13-2013, (the title) was read by the City Clerk as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA SIGNIFYING THE DESIRE AND INTENTION OF THE CITY OF LANCASTER TO ORGANIZE AN AUTHORITY UNDER THE PROVISIONS OF THE MUNICIPALITY AUTHORITIES ACT OF 1945 (ACT OF MAY 2, 1945, P.L. 382, 53 PA.C.S.A., CHAPTER 56, AS FROM TIME TO TIME AMENDED) FOR PURPOSES OF DESIGNATING CITY REVITALIZATION AND IMPROVEMENT ZONES, ENGAGING IN AND FINANCING THE CONSTRUCTION, INCLUDING RELATED SITE PREPARATION AND INFRASTRUCTURE, RECONSTRUCTION OR RENOVATION OF**

**FACILITIES WITHIN SUCH CITY REVITALIZATION AND IMPROVEMENT ZONES, FOR PURPOSES OF TAKING ANY AND ALL ACTIONS AND PERFORMING ANY AND ALL DUTIES AUTHORIZED BY A CONTRACTING AUTHORITY AS DEFINED IN AND AUTHORIZED BY ARTICLE XVIII-C OF HOUSE BILL NO. 465, SESSION OF 2013; 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 stated that this is a complex piece of legislation that was passed on the State level recently. Lancaster City was very lucky to have people working hand in hand with us. State Senator Smucker writing this legislation and bring it to fruition.

Mayor Gray stated that obtaining this legislation and getting to this point, Senator Smucker's Office and the Gray Administration have been working on this for at least a year and a half. It is based on what was done in Allentown, which was a Neighborhood Improvement Zone. This gives us more flexibility. We took the concepts involved, which is basically a State TIF, (Tax Incentive Financing) and incorporated that into a CRIZ bill. Senator Smucker's Office and the Mayor's Office worked extremely closely in getting support in the General Assembly, getting support from the Secretary of Revenue, getting the Budget Secretary to approve it and finally, to get the Governor, not only to support it, but also to adopt it as one of his proposals. He included it in his message after the budget was passed as one of the main things that were accomplished in the budget. The bill provides that only 2 cities out of 7 that are eligible for it. Only 2 cities can be initially designated to have a CRIZ. If you aren't designated in the first round, you have to wait 2 years to try to be designated in the 2<sup>nd</sup> round. Lancaster, due to the fact that we have been so active in preparing the legislation is generally conceded to be, in all probability, the first City that would be approved for a CRIZ, though it is not a definite. A rough copy of the regulations that came out on Monday, they are still being written. We want to make application for it as soon as possible, so we are ready when the regulations are approved, which will probably be the end of this month. One of the requirements of the CRIZ is that we have a CRIZ Authority, so we have in this legislation established a CRIZ Authority. He named the appointees to the Authority some of which would be appointed by the Senator's Office and some by the Mayor's Office. Ultimately, they will be approved by the City Council. We want to have a CRIZ Authority in place by the end of the month, so that when the formal applications are filed, they will be ready. Within 3 days after the ordinance is adopted we must file the articles of incorporation which have been prepared pending City Council's action.

We believe we will be the first CRIZ in the State, we believe we have a board that represents the expertise that is necessary to get us approved and get us through the initial technical steps.

President Williams adjourned the meeting at 8:20 p.m.

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Louise B. Williams, President

Attest:

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City Clerk