

STATED MEETING - CITY COUNCIL – OCTOBER 22, 2013

A meeting of the Lancaster City Council was held on Tuesday, October 22, 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 October 8, 2013 by a unanimous roll call vote.

FINANCE COMMITTEE – Chairman Smith stated that the Finance Committee has one item on the agenda, Bill No. 13-2013 addressing the new City Revitalization Improvement Zone. Making a motion he further asked Council to approve the third quarter’s Legislative Transfers for Workmen’s Compensation, and Councilman Reichenbach seconded. The motion was approved by a unanimous roll call vote.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Chairman Reichenbach stated that there is a bill on the agenda regarding the City’s floodplain and construction which we will discuss when it comes on the agenda.

PERSONNEL COMMITTEE – Chairman Graupera stated that he has two re-appointments to the Human Relations Commission, Mr. Mark Stoner, Board of Directors, and Ms. Cheryl Holland-Jones, to the Commission. He made the motion and Councilman Reichenbach seconded. The motion carried by a unanimous roll call vote.

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 made the motion to approve and Councilwoman Wilson seconded. Councilman Graupera stated that this change was requested by the Human Relations Commission and the purpose is to make the meetings more efficient and not have unnecessary meetings as they were having in the past. He thinks this amendment will not degrade the ordinance itself. If more meetings are required, he has been assured that more meetings will take place. Councilman Urdaneta expressed his objection to the bill stating that this came up when there were only 2 members sitting on a 5 member board. City Council approved Administration Bill No. 11-2013, by a 6-1 vote and it shall hereinafter be known as Administration Ordinance No. 11-2013. Aye – Graupera, Reichenbach, Roschel, Smith, Wilson, President Williams – 6. No – Urdaneta – 1.

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 made the motion to approve and Councilman Urdaneta seconded. Councilman Reichenbach stated that this Ordinance brings the City's Floodplain Management in line with the Federal mandates as well as the State regulations regarding floodplain management. It has very minimal impact on City residents. City Council approved Administration Bill No. 12-2013 by a unanimous roll call vote and shall hereinafter be called Administration Ordinance No. 12-2013.

PUBLIC HEARING – Randy Patterson, Director of Economic Development and Neighborhood Revitalization, stated that the Public Hearing this evening is related to the establishment of the City Revitalization Improvement Zone Authority. The Authority is being created under the Municipal Authorities Act. The basic purpose of tonight's public hearing is to hear public comment on the City's intention to create this authority. The hearing has been properly advertised in the newspaper. The legislation that was approved by the Commonwealth this past July defines the Authority's purposes as creating a designating City Revitalization and Improvement Zones, engaging in the construction, including site preparation and infrastructure, the reconstruction and renovation of facilities. Facilities is defined as a structure or complex of structures used for commercial, sports, exhibition, hospitality, conference, retail, community, office, recreational or mixed use. It is a broad expanse of the types of buildings within the City that can be included into the City Revitalization and Improvement Zones. The powers of the Authority will be to designate

those zones within the City up to 130 acres, where any facility can be constructed or re-constructed or renovated, as well as infrastructure and site preparation. The CRIZ Authority will also have the power to provide or borrow money, primarily through the issuance of bonds for the developments or improvements within the designated zones. The funded projects will result in economic development within the zones and there will be spill over of economic development throughout the City. The end benefits of this program could be increased jobs, increased tax revenues for the City, re-use of currently vacant and underutilized properties and buildings within the City. The Authority will also establish policy statements that will guide the investments of the funds that it generates through the issuance of bonds for those projects. This ordinance only establishes the Authority. This ordinance does not create the City Revitalization and Improvement Zones, nor does it approve the 130 acres, nor does it create an application or approve an application. Those responsibilities are to the CRIZ Authority when it is approved by City Council. The original authority will have nine (9) members. Six (6) of those members are being presented by Senator Smucker and three (3) of those members are being presented by Mayor Gray. It is important to realize the primary source of revenue to this particular program is State tax dollars. That is part of the reason we have the structure in terms of nominations. The Municipal Authorities Act does, in fact, require City Council to make the appointments. The recommendations will come from Senator Smucker and Mayor Gray being presented to you as part of this ordinance for approval. Once approved and adopted the Board will then meet, develop its own by-laws, develop the application and the CRIZ zones.

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 Smith made the motion to approve and Councilman Urdaneta seconded. Councilman Smith commended the parties involved for the great work in putting this together

City Council approved Administration Bill No. 13-2013 by a unanimous roll call vote and it shall hereinafter be known as Administration Ordinance No. 13-2013.

Council Resolution No. 47-2013, was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER HONORING THE LIFE ACHIEVEMENTS OF NELSON M. POLITE, SR. ON THE OCCASION OF HIS 90TH BIRTHDAY, OCTOBER 31, 2013.

WHEREAS, Nelson M. Polite, Sr. has served the City of Lancaster honorably as a member of City Council and the Lancaster City Planning Commission; and

WHEREAS, Nelson Polite was elected to City Council in 1995 and served a two year term until January 5, 1998; and

WHEREAS, Nelson Polite elected again in 1999 and served on City Council until January 3, 2012 serving as President of Council from 2000 to 2002; and

WHEREAS, he was appointed to the Lancaster City Planning Commission in January 1989 and served as Chairman from March 1994 until December 31, 1995; and

WHEREAS, Nelson M. Polite, Sr. served his country in the Army during WWII, and thereafter dedicated his life to bettering his community with his service to the Boy Scouts of America, the United Way of Lancaster and many boards and commissions.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lancaster is pleased to honor Mr. Nelson M. Polite, Sr. on the occasion of his 90th Birthday and wishes him and his family many happy returns of the day.

Councilman Smith made the motion to approve and Councilman Urdaneta seconded.

Councilman Graupera stated that he is pleased that Council is doing this for Mr. Polite, stating that he has known him since 1990 when Nelson was a founding member of DADD's Demonstrate Against Drug Dealers. He commended him for everything he has done in the Community and in his family. He also mentioned that he spent 8 years with him on City Council and has been mentored by him.

Councilman Urdaneta stated that Mr. Polite has been a shining example for all of the people on Council.

Councilwoman Wilson stated that everyone probably knows that he is her Uncle Nelson, who she affectionately calls “Uncle Babe”. When she came on City Council he mentioned that she would be taking his place, but no one can take his “place”. She thanked him for the path he took that made it possible for her to sit here.

Councilman Smith stated that he hated to see Mr. Polite leave City Council because he learned so much from him, not just as a Councilman, but as a father and a family man. He thanked him for all he has done in his life and is sure that he has influenced more people than he will ever know.

President Williams stated that we salute you tonight for your work in the Community for these many years. He has been an example to men in the community.

Councilman Roschel stated that although this resolution is only one page long it would take many pages to record the things Nelson Polite has accomplished to serve this community. It was a pleasure serving on City Council with him.

Councilman Reichenbach thanked him for his kindness to him when he ran for City Council. He had heard of him, but was pleased and a little intimidating to finally meet him.

Mayor Gray stated that to reflect on Mr. Polite’s 90 years and the things that have changed is amazing. He cited the beginning when he was discharged from the Army after WWII, and the things he was subjected to as an African-American, and then into the Sixties standing up for Civil Rights. He has lived long enough to see an African-American elected President. And here we are still combating many of the same problems that he fought against. Mayor Gray noted that Mr. Polite has not been a spectator in life, that’s for sure, he has been a participant. On behalf of the citizens of the City and the County of Lancaster he thanked Mr. Polite for all he has done and wished him a Happy Birthday.

Reverend Bailey of Mr. Polite’s Church also thanked Mr. Polite, for being a role model for the Community.

City Council approved Council Resolution by a unanimous roll call vote.

Mr. Polite received his resolution and addressed the Council, thanking them for the recognition. He thanked the City employees for all their help over the years. He was happy to be part of the progress the City has made over the years. He thanked his family, who were in the audience, saying that he would not be where he is today without their help. He also thanked the Bethel AME Church who also were in the audience.

REPORT OF THE MAYOR – The Mayor’s report can be read on the City’s website: www.cityoflancasterpa.com

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

Louise B. Williams, President

Attest:

City Clerk