

STATED MEETING - CITY COUNCIL – SEPTEMBER 9, 2014

A meeting of the Lancaster City Council was held on Tuesday, September 9, 2014 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Graupera presiding.

The Council led the assembly in the Pledge of Allegiance.

Present – Mr. Reichenbach, Ms. Sorace, Mr. Soto,
Ms. Wilson, President Graupera – 5

Excused – Mr. Roschel, Ms. Williams – 2

The minutes of the meeting of Council for August 26, 2014 were approved by a unanimous roll call vote.

Councilwoman Sorace stated that she will not be able to attend the October meeting of the Committees and thanked the Council and the Administration for allowing her to introduce something for discussion this evening. Ban-the-Box initiative or fair chance policy is something we have discussed in the past few months. It is a national movement that asks that the box on job applications that asks about past criminal history be removed reducing barriers from employment for persons with criminal history that may keep them from getting work. It has been found that it reduces recidivism and thereby making our communities stronger. She mentioned options which can be considered: Pass a Resolution supporting these efforts nationally, pass a Resolution that effectively eliminates the question which currently appears on the employment application, and a summation of the first two.

Mayor Gray stated that we have been discussing this over the last several months. He is talking to the head of the NAACP about this. It may be that we will need to ask the question of housing inspectors, Police and Fire. We may ask applicants to sign a slip that gives permission to the City to check into a background.

PERSONNEL COMMITTEE – Councilwoman Wilson offered the appointment of the Mayor for Staci Jasin to the Shade Tree Commission and the reappointment for Patrick Snyder and Larry Hinnenkamp to the LCCCA.

Councilman Soto made the motion to approve and Councilwoman Wilson seconded. Council approved the reappointments by a unanimous roll call vote.

Councilwoman Wilson made the motion to approve the appointment of Staci Jasin to the Shade Tree Commission and Councilwoman Sorace second. Council approved the appointment by a unanimous roll call vote.

City Council considered the following applications and (HARB recommendation(s) for improvements to properties within the Historic District:

1. Nubiola Salazar, requests construction of a one-story concrete-block garage facing a rear alley, at 124 North Mary Street.

2. James Mummert & Terry Scheneck, requests installation of a new entry door and steps on the building's west elevation to access a side yard, at 100 John Hoff Place.

Councilwoman Wilson made the motion to approve and Councilman Reichenbach seconded. City Council approved the recommendations of the HARB by a unanimous roll call vote.

Council Resolution No. 37-2014, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER
RECOGNIZING SEPTEMBER 15, 2014 THROUGH OCTOBER 15, 2014 AS HISPANIC
HERITAGE MONTH AND TO ENCOURAGE AWARENESS AMONG THE CITIZENS
OF LANCASTER OF THE IMPORTANT CONTRIBUTIONS FROM PEOPLE OF
LATINO DESCENT.**

Councilman Reichenbach made the motion to approve and Councilman Soto seconded.

Councilman Soto stated that during National Hispanic Heritage Month we recognize the contributions made and the important presence of Hispanic and Latino Americans in the United States and celebrate their heritage and their culture. Hispanics have had a profound and positive influence on our country through their strong commitment to family, faith, hard work and service. They have enhanced and shaped our national character with centuries of old traditions that reflect multi-ethnic and multi-customs to our communities. Hispanic Heritage Month roots go back to 1968 and begins each year on September 15, the anniversary of independence of 5 Latin American Countries: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua. Chile and Belize also celebrate their independence during this period. The term Hispanic or Latino refers to Puerto Rican, South or Central American or other Spanish cultures or origins regardless of race.

From the earliest days of our republic, Hispanic Americans have written a cultural chapter in our National History. Hispanics have honorably defended our Country in war, built prosperity in times of peace, they teach our next generation of leaders and pioneer scientific and technological breakthroughs. This month America acknowledges this contribution and celebrates our Hispanic heritage. He added that we have a Supreme Court Justice who is Puerto Rican and in Lancaster, we have a School Superintendent who is also Hispanic. We have community leaders in Lancaster that are Hispanic or Latin. In this Chamber we have several former Councilmembers who are Hispanic and sitting at this table is our President. This is a diverse community of Hispanics and Latinos and we celebrate them this month.

President Graupera stated that he just happens to be taking his daughter to Washington this weekend to attend a reception for Justice Sotomayor.

Councilman Reichenbach stated that Saturday there will be a Latino Festival in Binns Park and over 10,000 people are expected. What a better way to kick off the month.

Former Councilman Urdaneta stated that school has started this month and noted that in 17 out of the 50 states, one in five of students starting kindergarden are of Hispanic descent. So when we celebrate Hispanic Heritage Month we are also celebrating our Country.

Former Councilman Mendoza stated that he served in this Chambers for eight years and when he ran his campaigns, it was said that his chances were minimum. He came to this Country in 1965 and he has been welcomed. We have contributed incredibly and we have been part of who we are today. So we need to celebrate who we are and pronounce our language, our music and our culture. We are American.

Council approved Council Resolution No. 37-2014 by a unanimous roll call vote.

Council Resolution No. 38-2014, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER SUPPORTING AT&T'S PROGRAM TO FIND SOLUTIONS TO END TEXTING AND DRIVING, MAKE AND KEEP THE PLEDGE NOT TO TEXT AND DRIVE, AND TO DECLARE FRIDAY, SEPTEMBER 19, 2014 AS "IT CAN WAIT DAY OF ACTION" IN THE CITY OF LANCASTER.

Councilman Reichenbach made the motion to approve and Councilwoman Wilson seconded.

Mr. Divis, of AT&T, explained that AT&T has developed a program to encourage drivers to not text and drive. They are asking drivers to make and keep a pledge not to text and drive. We are declaring Friday, September 19, 2014 as "It Can Wait Day of Action" in the City of Lancaster, Pennsylvania.

City Council approved Council Resolution No. 38-2014 by a unanimous roll call vote.

At this time, Mayor Gray, read a proclamation proclaiming October 2014 as Down Syndrome Awareness Month in the City of Lancaster.

Council Resolution No. 39-2014, (the title) was read by the City Clerk as follows:

A RESOLUTION OF COUNCIL OF THE CITY OF LANCASTER IN SUPPORT OF PENNSYLVANIA HOUSE BILL 2182 & SENATE BILL 1182, WHICH ALLOW FOR THE MEDICINAL USE OF CANNABIS (MEDICINAL MARIJUANA) AS PRESCRIBED BY A BONAFIDE MEDICAL PRACTITIONER LICENSED IN THE STATE OF PENNSYLVANIA

Councilman Reichenbach made the motion to approve and Councilwoman Wilson seconded.

Councilman Reichenbach stated that he wanted to point out that this is not the first time the City of Lancaster has been in the forefront of issues. He is proud of the City Council and the Administration for being willing to take on tough issues, and stated that he will support this resolution.

Councilwoman Wilson stated that she wanted to remind Council that there was another part of this resolution, the decriminalization of small amounts of marijuana. She stated that African Americans and other people of color are 5 times more likely to be pulled over and charged with a crime for a small amount of marijuana. In this case it brings along a misdemeanor charge, which then holds back, in most cases, youth, losing driving privileges, from being able to get financial aid, sometimes their college entrance, and a lot of times, definitely, jobs that they apply for. She hopes that this is just a start of a conversation, because studies show that as many whites participate as do people of color, but in most cases the charge is on your record for life. Today Mayor Nutter of Philadelphia signed into law, a decriminalization bill, for the City of Philadelphia making possession of up to 1 oz. of cannabis a \$25.00 fine, and a \$100.00 fine and community service for public consumption

President Graupera stated that we have been discussing this resolution for some time and it has taken several forms. We finally decided on targeting the legal medical use of it in this resolution. The reason we did that is because on September 16 the Senate will vote on Senate Bill 1182 and we wanted our voice heard on this bill. For now it is strictly targeted at SB 1182 and the vote on the 16th.

Councilman Soto stated that he supports this resolution, because it is personal to him. Both his parents passed away from cancer. They suffered tremendously under the treatment that they had to go to just to get rid of the disease. Sometime the cure is worse than the disease. Hopefully, in the future someone else's loved ones may benefit from it.

Les Stark, Executive Director for the Keystone Cannabis Coalition working hand-in-hand with Lancaster Norml to introduce the concept of this resolution. We really appreciate Council taking the time to discuss and consider this resolution. We are in a unique position because of our advocacy. We get to hear the stories of many patients from throughout Pennsylvania who pour their hearts out to us. Through our advocacy we have become good friends with the people in the Medical Marijuana movement.

Daniel Ramirez, stated that he appreciates Council's support of this resolution and the medical marijuana bill in Pennsylvania, however, he thinks that now we should seriously consider decriminalization in Lancaster. He stated that Philadelphia believes it will save \$4 million a year when decriminalization goes into effect. It will also decrease the amount of non-violent marijuana offenders that enter the criminal system with life-changing consequences.

Mark McCabe, registered nurse, stated that his mother passed away from cancer. In the last two weeks of her life she was doped up on Narcotics and Alcohol. He can't help thinking that if she had access to medical cannabis her last two weeks she would have been coherent and able to spend time with her family. The Pennsylvania Nurses Association and the American Nurses

Association both endorse medical cannabis. It is not only for people with cancer and nausea, but you can also see lots of literature out there. They are using it for children with certain forms of epilepsy, veterans with post traumatic stress syndrome, etc.

Deb Guy, Executive Director of the Lancaster Chapter of Norml, stated that she would like to thank Council from all of us educators and activists alike for your attention and support on this resolution. Senate Bill 1182 is one of the best bills in the Country. We have an opportunity to make great strides in this country and this State to give people a healthier and cleaner alternative to some of the medications and vices that are out there in the world. It is time to make our people safe, and not make them criminals for using something that saves lives.

Roger Cohen, 526 West Chestnut, commended Council for their forward looking step. With leadership such as yours and around the state 1182 will be enacted within our near lifetimes. He stated that decriminalization and legalization are two different issues. He further saluted, Les, Erica, and Albert, and other people he has worked with on this issue in the past for their leadership in the Commonwealth. It has been critical to bring this issue into the public forum in a way that it can be discussed rationally and forthrightly. He stated that if it was legalized the State could regulate it and tax it. He stated that in the Commonwealth of Pennsylvania, \$350 million is spent on enforcement of marijuana laws and prohibition in the Commonwealth. Imagine if that \$350 million was dedicated to mental health, addiction services and education.

Connie Guy, stated that Senate Bill 1182 will open the door for other bills to follow. She thanked Council for taking this on to relieve the suffering of patients, especially children with epilepsy who need the oils. It is known to help limit the seizures.

Dave Smith, stated that he asks Council to support this and to continue to support it. He suffers from Crohn's Disease. It is a horrible disease at times. At one point he was taking 38 pills a day. There is no cure for Crohn's and the most it can be is managed. Marijuana is the only thing that helps. It will take care of more than 80% of the side effects of the disease. The side effects of the medicines that they give you for this disease are much worse. He is now taking a drug that is a THC derived from the plant and is prescribed in this State and in this City from a local doctor. He gets it at LGH, it is pure THC derived from the Cannabis plant.

City Council approved Council Resolution No. 39-2014 by a unanimous roll call vote.

PUBLIC COMMENT – Former Councilman Todd Smith stated that he wanted to tell the gentleman who accepted the proclamation that we have in Lancaster the Lancaster Autism Resource Center, which is the only one of its kind in the entire country, right on Duke Street at the Public Library which provides resources for families with children who have Down Syndrome or Autism.

Former Councilman Nelson M. Polite, Sr. thanked whoever gathering together a bi-partisan group to take a photograph of this chamber.

REPORT OF THE MAYOR – The report of the Mayor can be viewed on the City's website www.cityoflancasterpa.com

REPORT OF THE PRESIDENT – Tonight we say goodbye to the home of City Council for the last 26 years. Since the first meeting in January 1988, 38 Council members and 4 Mayors have served in these chambers. We saw 18 former Council members join us for a group photograph tonight, a homecoming of sorts, to bid this great building a farewell. That photograph will be displayed in the new Council Chambers Annex and he hopes it will appear on the City’s website for those who can’t make the trip to the new Council Chambers. We wish this building well and hope that the next tenant will be kind to her and maintain her as an important downtown historical destination.

He said he thinks it is an appropriate time to announce the retirement of our long time City Clerk, Janet Spleen. For 24 years of service to the City, Janet will be leaving us this year. She has graciously agreed to stay with us until December 31, to help train and mentor the new clerk which should come on board sometime in November. Janet has worked with every Councilmember past and present, and has seen major changes to this City. She will be missed, but we will have plenty of time to acknowledge her in the next few months. So it is not goodbye just yet.

He further stated that he wants to say a few words on how Council uses and spends time on resolutions, which has come under some scrutiny recently. Resolutions have various purposes in the legislative process. They are used as requirements to obtain financing and secure grants for City and other governmental entities. They are also used to recognize and honor public servants and private citizens or to celebrate the achievement of groups and organizations, which have positively impacted the general good. And as we did tonight, resolutions are used to express the opinion of Council on issues that may have a direct or indirect effect on our residents. The opinions expressed by this Council in these resolutions usually reflect the wishes of a large portion of our constituency. Proposing, discussing the merits of and voting on resolutions as we did tonight does not detract in any way from the important and meaningful work that Council does on a daily basis. They are proper and useful tools that have been used countless times in the past and will be used countless times in the future.

Former Councilman Polite also thanked our City Clerk, Janet Spleen for her service, and “especially when I was President, she supported me and got me through so many humps. President Graupera, Council members, your president has allowed me tonight to close out this last Council meeting in this place, so at this time I would like to call for the adjournment of Council” Councilman Reichenbach seconded.

President Graupera adjourned the meeting at 8:45 p.m.

John E. Graupera, President

Attest:

City Clerk