

## **STATED MEETING - CITY COUNCIL – MAY 12, 2015**

A meeting of the Lancaster City Council was held on Tuesday, May 12, 2015 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, Mr. Sorace, Mr. Soto, Ms. Wilson, President Graupera – 6  
Excused - Ms. Williams - 1

The minutes of the meeting of Council for April 28, 2015 were approved by a roll-call vote.

### **READING OF PETITIONS, COMMUNICATIONS & MEMORIALS**

President Graupera, Mayor Gray and Councilman Reichenbach presented awards of academic excellence to the J.P. McCaskey High School students who had earned the best grades in their Small Learning Communities.

Awards were presented to: Halah A. Badri, Health Careers; Tiffany L. Lam, International Baccalaureate/Honors; Brandon H. Tang, Institute of Technology; Kayla-Ann Bain, Arts and Humanities; Genesis L. Rodriguez, Media Studies and Communication; Shirley M. Roman Vigo, Public Leadership and Service; and Tommy Tang, Technical and Business Careers.

President Graupera explained there are seven Small Learning Communities within the McCaskey campus. He also commented that he believes it was the first time two brothers – Brandon and Tommy Tang – had been so honored.

Mayor Gray said that often it is athletes who are recognized and people seem to forget what school is about. Education is something that no will ever be able to take away from them, he told the students. To see people their age excelling in education makes him proud of the city and confident for its future. He also thanked the parents of the students in the audience.

### **PUBLIC COMMENT**

Mrs. Mary Moore, 240 West Liberty Street, said her street is now being reconstructed. She presented a Council members with copies of a 2001 letter from real estate developer Ed Drogaris, owner of Liberty Place, in which he granted Liberty Street residents permission to park in his parking lot. She said residents are now being harassed for doing so.

President Graupera asked her to stay until the end of the meeting and he would speak with her further.

Mr. Jeff Cooper, 39 North Mulberry Street, said he had planned to inform Council members of several issues in his neighborhood. His first concern, regarding dumpster bags, is now being resolved by city staff. Next, he spoke of parking issues on Mulberry Street, between Grant and Orange streets, due to employees of the Pennsylvania Counseling Service and patrons of the Mulberry Arts Studio. He said counseling service employees are parking along the street, instead of rented spaces in the church parking lot. With angled parking coming with the conversion of Mulberry Street to two-way traffic, Mr. Cooper fears the parking situation will worsen.

President Graupera asked whether Mr. Cooper had gone to the Traffic Commission with his concerns.

Mr. Cooper replied he had not. He added that there does not seem to be much enforcement of the residential parking permits by police. Parking enforcement aides come about once every two weeks to mark tires. The counseling center employees seem to know their routine and soon return to parking along the street. He asked for a sustained effort for a month or two. At night, patrons of the arts studio take the parking spaces.

President Graupera asked Mr. Cooper to stay until after the meeting and discuss his concerns further with Councilwoman Wilson, who is a Traffic Commission member.

Mr. Charles Lowery, 24 Prospect Street, said the Manor Auto car wash owner had built a vacuum island without a permit, after telling city inspectors that he was replacing a vacuum which had existed there previously. Mr. Lowery said he had photos to prove the island was new. He complained about the noise from cars patronizing the car wash and loud music coming from the cars.

President Graupera asked Mr. Lowery to stay and discuss his concerns further after the meeting.

## REPORTS OF COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE – No report.

PUBLIC WORKS COMMITTEE – Councilman Roschel said his committee met May 4 to discuss Resolutions 27-2015 and 28-2015. Mr. Roschel said he would discuss those items at the appropriate time on the agenda.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – No report.

FINANCE COMMITTEE – Councilwoman Sorace said her committee had met May 4 and discussed the Sandy Hook Principles. Ms. Sorace said that after investigating the effects on the city's pension boards of adopting the investment principles, the Finance Committee decided not to pursue a resolution in support of their adoption.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Councilman Soto said his committee met May 4 and discussed a proposal to amend the city's animal ordinance to allow chickens to be kept in the city. After discussion, the committee decided not to move forward with amending the ordinance.

The committee also discussed the Historical Architectural Review Board recommendations of denial for after-the-fact replacement of wooden windows with vinyl windows in the Historic District. The committee voted to uphold the HARB's recommendations of denial, which come before the full council this evening.

Also on May 4, the committee discussed the creation of a bicycle/pedestrian advisory commission. That proposal also did not move forward.

PERSONNEL COMMITTEE – Ms. Wilson, on behalf of the absent Ms. Williams, said the committee had met May 4 and discussed two items: a resolution designating Nelson M. Polite Sr. Day, which will come before council at the May 26 meeting; and revision of City Council's meeting agendas and public comment rules, which are being developed by Councilwoman Sorace and the City Clerk. Those are expected to come before Council at a future meeting.

Also, at the request of Mayor Gray, Ms. Wilson put forth the name of Mr. Benjamin Bamford for reappointment to the Lancaster Industrial Development Authority. His term would be from December 31, 2014 to December 31, 2019.

Councilman Reichenbach made a motion to approve Mr. Bamford's reappointment. Ms. Sorace seconded the motion.

City Council approved the reappointment by a unanimous roll-call vote.

City Council considered the following application and Historical Commission recommendation for improvements to properties within the Heritage Conservation District:

1. Edward Krow, 430 Poplar Street, requests replacement of wooden windows on the ground-floor façade with new vinyl windows (after-the-fact). (Recommended for denial by the Historical Architectural Review Board.)
2. Stephen S. Stoltzfus, 436 Poplar Street, requests replacement of six wooden windows on the building façade with new vinyl, replacement windows (after-the-fact). (Recommended for denial by the Historical Architectural Review Board.)

Councilman Reichenbach made the motion to accept the Historical Architectural Review Board recommendation of denial. Councilman Soto seconded the motion.

Councilwoman Sorace asked whether a determination had been made about financial responsibility for the replacement of the windows at 436 Poplar Street.

Mr. Randy Patterson, city director of Economic Development and Neighborhood Revitalization, responded that the building had recently been sold, but that the prior owner had recently engaged a contractor to do the replacement and would bear the cost.

Mayor Gray commented that recent discussions regarding contractor liability for the addition of formstone without a building permit are also applicable with the installation of unpermitted replacement windows. The mayor said he believes window replacement contractors are preying on the ignorance of homeowners. He suggested the city send letters to contractors threatening legal action for doing such work without a permit. Previously, the city has only pursued the property owners in such cases.

In response to a question from President Graupera, the mayor said that in the case of 436 Poplar Street, the former owner bears responsibility because he would have signed an affidavit at settlement that the property complied with all city codes, which it did not. He said it would be a civil court matter between the previous and new owner.

City Council approved the Historical Architectural Review Board recommendations of denial by a unanimous roll-call vote.

3. Carmalena Stoltzfus Iyengar, 410 West Marion Street, requests installation of new exterior lighting fixtures and house numbers on the building. (Recommended for approval by the Historical Architectural Review Board.)
4. Excelsior LLC, 125-131 East King Street, requests alterations and new construction to windows, doors and walls to renovate buildings at 125-127 East King Street and 129-131 East King Street. (Recommended for approval by the Historical Architectural Review Board.)

Councilman Reichenbach made a motion to approve the Historical Review Board recommendations. Councilman Soto seconded the motion.

Councilwoman Sorace commented she is very excited to see something done with the long-vacant Excelsior building.

City Council approved the Historical Architectural Review Board recommendations of approval by a unanimous roll-call vote.

#### NEW BUSINESS

Administration Resolution No. 27-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster celebrating National Public Works Week in commemoration of the tens of thousands of men and women in North America and in the City of Lancaster who provide and maintain the infrastructure and services collectively known as public works.**

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

Mr. Roschel said the annual recognition is done to honor the men and women responsible for the city's sewer and water systems, trees, public art, engineering, vehicles, facilities and other services and infrastructure. He asked City Public Works Director Charlotte Katzenmoyer to convey City Council's thanks for the work they do.

Ms. Katzenmoyer said she was proud of her hard-working workforce. She said it was a pleasure to work with them every day to make the city operate.

City Council approved Resolution 27-2015 by a unanimous roll-call vote.

Administration Resolution No. 28-2015, (the title) was read by the City Clerk as follows:

**A resolution of the Council of the City of Lancaster to permit and construct improvements for the Mulberry Street conversion to two-way project utilizing funding from PennDOT through the Smart Growth Transportation Funds Federal Aid Reimbursement Agreement.**

Mr. Roschel made a motion to approve the resolution. Mr. Reichenbach seconded the motion.

Mr. Roschel said passage of the resolution allows City officials to apply for grant funding for the conversion of Mulberry Street from one-way to two-way traffic. Contract bidding for the project is expected to be done this summer and work will begin with fall, he said. It is a continuation of the City's efforts to make streets more walkable and bike-friendly, Mr. Roschel said.

In response to a question from President Graupera, Ms. Katzenmoyer said the project will not wait on grant funding. Rather, the City will receive reimbursement for the project as it moves forward.

City Council approved Resolution No. 28-2015 by a unanimous roll-call vote.

## REPORT OF THE MAYOR

Mayor Gray read the following prepared statement:

*Last week, Randy Patterson and Ray D 'Agostino joined me in a meeting with representatives of the Departments of Revenue, DCED and the Governor's Office to discuss the concerns related to the complexity of CRIZ reporting requirements. The meeting was convened and hosted by Senator Smucker. While the discussion was productive, we did not receive commitments to make any changes in the process at this time. State officials did agree to meet again to discuss the issues in more detail and try to reach consensus on changes to the reporting process and to other CRIZ legislative and administrative changes we have advocated for in recent months. We expect to have this follow-up meeting in late May or early June.*

*In order to assist businesses with the 2014 reporting requirements, the CRIZ Authority has engaged Four-Score, LLC to provide technical assistance to businesses. New information booklets have been emailed to all businesses that provided an active email address. Postcards are being distributed this week with contact information for Four-Score staff, and with information that is needed to complete the CRIZ reports. Beginning May 15, a store front office will be set up by the Four-Score team at 35 North Queen Street. Four-Score will man the store each day from May15-June15. The office will be closed on Memorial Day, but staff will be available to answer calls and emails that day. If businesses receive a voice mail response when they call, they should leave their contact information and the Four-Score team will do everything to respond within 24 hours by email or phone call. The services provided by Four-Score are provided free of charge to the business seeking their assistance.*

*The City has also posted the CRIZ Information booklet, and the State's Guidebook on the City website. Click on Business, then CRIZ, and then CRIZ menu options for additional information. Businesses are reminded that if they did receive a Penalty Assessment notice from the state at the end of April all they must do to avoid that assessment is file their CRIZ reports for 2014.*

*The City, in cooperation with the Lancaster Inter-municipal Committee (LIMC) is soliciting proposals from consultants to prepare a Comprehensive Bicycle Plan for Lancaster and a Non-Motorized Transportation Network Master Implementation Plan for the LIMC. The Bicycle Plan will serve as the guiding document for the development of a network of bicycle routes linking activity centers within the City, as well as to the larger regional network. Consultants will deliver a comprehensive plan that identifies potential bicycling routes on existing streets and alleys; new off-street trails; and costs of improvements such as lane restriping, signage, way finding, pavement markings, and safety and road-sharing enhancements. The plan will also assist in establishing a bike share system in the City including a business model for the best form for operating the system.*

*Funding for this project is partially provided by the Lancaster County Transportation Coordinating Committee (MPO) through a Smart Growth Transportation Grant, and the PA Department of Conservation and Natural Resources Community Conservation Partnerships Program. The total budget for this Comprehensive Bicycle Plan is \$85,000. The plan will be completed by the end of 2016.*

Ms. Sorace commented that she hopes the parks plan developed in the early 2000s, by landscape architect John Hershey, will be incorporated into the Comprehensive Bicycle Plan. Hershey's plan, while not detailed, connected to other bicycling facilities in the county.

## COUNCIL COMMENTS

Mr. Reichenbach reminded council members, the public and media that the Lancaster Recreation Commission will sponsor an Open Streets event this Sunday from 11 a.m. to 3 p.m. The event has been expanded in its second year. Water and Chestnut streets will have portions of the street closed to motorized traffic to allow the connection of Farnum and Musser parks for pedestrians and bicyclists. Vendors will be arrayed along the closed streets.

He also said the Rec has begun its “Big Green Gym” program, with exercise workouts that can be done with existing equipment in city parks.

And, he conveyed thanks to President Graupera on behalf of Martha Good, of Lancaster Unity, for his help in procuring tables and chairs for Lancaster Unity’s community potluck event in Lancaster Square last Saturday.

President Graupera asked Ms. Wilson if she could share an update on Nelson Polite Sr.’s health. She responded that she had seen the former City Council president a few days before. While he was obviously ill, his spirits were good. She hopes to have him at the next City Council meeting, when he will be honored with the resolution proclaiming Nelson M. Polite Sr. Day.

President Graupera adjourned the meeting at 8:15 p.m.

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John E. Graupera, President

Attest:

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Bernard W. Harris Jr., City Clerk