

STATED MEETING - CITY COUNCIL – FEBRUARY 14, 2012

1

A meeting of the Lancaster City Council was held on Tuesday, February 14, 2012 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Williams presiding.

City Council led the assembly in the Pledge of Allegiance.

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

City Council approved the minutes of January 24, 2012 by a unanimous roll call vote.

President Williams announced that prior to this meeting there was an executive session held in regards to a personnel matter.

Councilman Roschel made a motion to move Resolutions 7 and 9 to this part of the agenda to accommodate our guests. Councilman Smith seconded. The motion was approved by a unanimous roll call vote.

Council No. 9-2012 was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER, PENNSYLVANIA COMMENDING AND RECOGNIZING THE 2011 LANCASTER CATHOLIC HIGH SCHOOL BOYS VARSITY FOOTBALL TEAM FOR WINNING THE PIAA “AA” STATE FOOTBALL CHAMPIONSHIP.

WHEREAS, Lancaster Catholic High School’s football team completed another undefeated season in 2011; and

WHEREAS, this is the 5th undefeated season in the past 9 years: and

WHEREAS, the Boys Varsity Football Team won the Section 3 Title on November 4, 2011 and will be moving on to Section 1 for the 2012 season; and

WHEREAS, Lancaster Catholic High School’s 2011 football team won the Class AA District title on November 25, 2011; and

WHEREAS, on December 17, 2011 the Lancaster Catholic High School Boys Varsity Football Team became the Class AA State Champions.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lancaster commends and honors the 2011 Lancaster Catholic High School Football Team and Coach Bruce Harbach for their State-wide Championship; and

BE IT FURTHER RESOLVED that the Mayor of the City of Lancaster, J. Richard Gray, is pleased to present Red Rose Awards to the Coaches and Team of the 2011 PIAA “AA” State Football Champions.

Councilman Smith made the motion to approve and Councilman Urdaneta seconded. City Council approved the resolution by a unanimous roll call vote.

Mayor Gray, John Graupera, Councilman Roschel and Councilman Smith assisted Mayor Gray in giving the attendant players their Red Rose Awards. Coach Harbach called the names of the team members.

Council Resolution No. 7-2012 was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER RECOGNIZING AND COMMENDING THE LANCASTER EMERGENCY MEDICAL SERVICES (LEMSA) FOR ITS RE-ACCREDITATION BY THE COMMISSION ON ACCREDITATION OF AMBULANCE SERVICES (CAAS) WHOSE STANDARDS EXCEED STATE LICENSING REQUIREMENTS, AND FOR THE EXCELLENT SERVICE IT PROVIDES TO THE CITIZENS OF THE CITY OF LANCASTER.

WHEREAS, Lancaster EMS was first accredited by the Commission on Accreditation of Ambulance Services (CAAS) in 2005; and

WHEREAS, Lancaster EMS, is one of only 6 services in the State of Pennsylvania and only one of just over 100 accredited ambulance services in the United States; and

WHEREAS, the Citizens of the City of Lancaster are fortunate to be able to rely on the excellent services of Lancaster EMS; and

WHEREAS, Lancaster EMS gives back to the Community in many ways, including sharing the Christmas season with Clare House, collecting toys in conjunction with Toys for Tots, and useful items donated by the employees of Lancaster EMS; and

WHEREAS, Lancaster EMS, for the second annual Warm Up Lancaster, collected two ambulances full of donated items and dropped them off at the Lancaster County Council of Churches facility on North Marshall Street for distribution to the needy.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lancaster is pleased to commend and recognize the Lancaster Emergency Medical Services for the valuable services they provide for the citizens of the City of Lancaster, and for their new accreditation received in December 2011.

Councilman Smith made the motion to approve and Councilman Urdaneta seconded. City Council approved Council Resolution No. 7-2012 by a unanimous roll call vote. Mr. John May accepted the resolution on behalf of Lancaster EMS.

PUBLIC WORKS COMMITTEE – Councilman Roschel made a motion to add Administration Resolution No. 10-2012 to the agenda and Councilman Smith seconded. City Council approved adding the resolution to the agenda by a unanimous roll call vote.

PUBLIC SAFETY COMMITTEE - Councilwoman Wilson stated that the Committee met last Monday and discussed Administration Bill No. 2-2012, which will make modifications to the Permit Parking Ordinance. It is on the agenda tonight.

FINANCE COMMITTEE –Councilman Smith stated the Committee met last week and we have two items on the agenda tonight and he will talk about them when they come up.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Councilman Reidenbach stated that we will be talking about a change in the Zoning Classification at 1004 New Holland Avenue a little later on the agenda.

There will be something coming up in the future concerning Lancaster General Hospital and some partnerships that LGH is interested in with the City. He will bring it to the full council later on.

PERSONNEL COMMITTEE – Councilman Graupera stated that the Committee met last Monday and approved and recommended the appointments and re-appointments of the following individuals. Patricia Collier to the Historical Commission, the re-appointment of Lois Goshong, Veronica Urdaneta, to the Historical Commission, the re-appointment of Donald Main and Mimi Shapiro to the HARB, the re-appointment of Michael Sprunger to the Lancaster City Housing Authority. To the new noise control board, the appointment of Clair McCormick, Ken Hammel, Shelby Nauman, Carmen Garcia-Hommel, Moirajeane Fitzgerald. Councilman Urdaneta seconded. City Council approved the appointments and re-appointments by a unanimous roll call vote.

We also discussed several resolutions honoring, Black History Month, Lancaster Catholic Boys Varsity Basketball team, Lancaster Emergency Medical Services, and resolution to abolish Corporate Personhood. The Women’s History Month resolution was also moved out of Committee and it will be on the agenda, the 28th of February.

Mr. Graupera stated, “In accordance with the Separation Agreement entered into between the City of Lancaster and Officer José Diaz and upon the recommendation of the Bureau of Police Officers’ Relief (the Police Pension Board), the Personnel Committee met in Executive Session to review the disability pension application of Officer Diaz. Based upon the vote of the Personnel Committee, I move to accept the recommendation of the Bureau of Police Officers’ Relief to approve Officer Diaz’s application for a disability pension.” Councilman Urdaneta seconded. City Council approved the motion by a unanimous roll call vote.

Administration Bill No. 1-2012, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER CHANGING THE ZONING CLASSIFICATION OF A 6.873 ACRE TRACT OF LAND IN THE CITY OF LANCASTER, PENNSYLVANIA, LOCATED AT 1004 NEW HOLLAND AVENUE FROM CM – CENTRAL MANUFACTURING DISTRICT TO MU- MIXED USE DISTRICT, CHANGING THE ZONING ATLAS ACCORDINGLY, PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE, THE REPEAL OF INCONSISTENT ORDINANCES, AND FOR THE ORDINANCE’S EFFECTIVE DATE.

Councilman Urdaneta made the motion to approve and Councilman Roschel seconded

Randy Patterson, Director of Economic Development and Neighborhood Revitalization, said that changing this to mixed use is in compliance with “Growing Together” which is the LIMC Regional Comprehensive Plan as well as Balance, which is part of the County’s Comprehensive Plan and the City’s Comprehensive Plan. The application was submitted by TLC Aquatic, they will be constructing a multi-purpose facility at the sight. That project will actually be going through a land development planning process. This rezoning is necessary to move that process forward. We have presented this at neighborhood meetings and at public meetings, and with little comment. We are working with Manheim Township on traffic issues.

City Council approved Administration Bill No. 1-2012 by a unanimous roll call vote, and will hereinafter be known as Administration Ordinance No. 1-2012.

Administration Bill No. 2-2012, (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 285 OF THE CODE OF THE CITY OF LANCASTER; 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 stated that this change would permit residents to easily obtain parking permits without having to go before the board.

Administration Resolution No. 3-2012, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AUTHORIZING THE DISPOSAL OF CERTAIN OBSOLETE RECORDS (DAILY CASH REPORTS, BILLING CYCLES, ACCOUNTS PAYABLE RECORDS, CANCELLED CHECKS, EMPLOYEE ROSTERS, ETC.) IN CONFORMITY WITH THE RETENTION AND DISPOSITION SCHEDULE FOR RECORDS OF PENNSYLVANIA MUNICIPALITIES.

Councilman Smith made the motion to approve and Councilman Urdaneta seconded. City Council approved Administration Resolution No. 3-2012 by a unanimous roll call vote.

Administration Resolution No. 4-2012, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER EXONERATING 2011 WATER CHARGES IN THE AMOUNT OF \$22,452.07 AND SEWER CHARGES IN THE AMOUNT OF \$23,821.18 FOR CITY-OWNED PROPERTIES AT 31 LOCATIONS.

Councilman Smith made the motion to approve and Councilman Roschel seconded. City Council approved Administration Resolution No. 4-2012 by a unanimous roll call vote.

Council Resolution No. 5-2012 was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER DESIGNATING FEBRUARY 2012 AS BLACK HISTORY MONTH IN THE CITY AND URGING ALL CITIZENS OF LANCASTER TO PARTICIPATE IN THIS CELEBRATION.

WHEREAS, African-Americans have been an important part of this community since the founding of Lancaster in 1741; and

WHEREAS, to acknowledge the contributions of African-Americans to the progress of this country, February has been designated nationally as Black History Month each year; and

WHEREAS, numerous community events to celebrate Black History Month have been planned throughout the City of Lancaster; and

WHEREAS, the City of Lancaster is enriched by the African-American community for its contribution to our culture and to our history.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster that all citizens have been urged to observe February 2012 as Black History Month.

BE IT FURTHER RESOLVED that all citizens have been encouraged to participate in the community events held in Lancaster during Black History Month.

Councilman Smith made the motion to approve and Councilman Urdaneta seconded. City Council approved Council Resolution No. 5-2012 by a unanimous roll call vote.

Councilwoman Wilson thanked City Council for recognizing the contributions that African Americans have made not only here in Lancaster, but throughout the country. Tonight on behalf of Black History Month, we have the Executive Director for the local NAACP, Mr. Blanding Watson. On top of that it is the 103rd anniversary of the National NAACP. Mr. Watson accepted the Resolution on behalf of the African American community, and thanked the Council for the recognition.

Administration Resolution No. 6-2012, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT WITH ARBOR PLACE, INC. IN CONNECTION WITH THE CONSTRUCTION OF THE COMMUNITY CENTER PROJECT.

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

Councilman Reichenbach stated that the City of Lancaster has been designated as the recipient of a \$500,000 grant from the Redevelopment Assistance Capital Grant Program of the Commonwealth. The grant was for the construction of the Community Center, at 520 North Street in the City. City Council approved Administration Resolution No. 6-2012 by a unanimous roll call vote.

Administration Resolution No. 8-2012, was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER, PENNSYLVANIA, TO CALL ON OUR LEGISLATORS, AND ELECTED OFFICIALS, TO JOIN THE TENS OF THOUSANDS OF CITIZENS, GRASSROOTS ORGANIZATIONS AND LOCAL GOVERNMENTS ACROSS THE COMMONWEALTH IN THE “MOVE TO AMEND CAMPAIGN” TO CALL FOR AN AMENDMENT TO THE CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD AND RETURN OUR ELECTIONS TO THE CITIZENS OF THE UNITED STATES AND RECLAIM OUR RIGHT TO SELF-GOVERNANCE.

WHEREAS, free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, corporations can exist in perpetuity, can exist simultaneously in many nations, need only profit for survival, and exist only through the legal charter imposed by the government of We the People; and

WHEREAS, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying citizens the right to exercise our constitutional rights; and

WHEREAS, corporations are not mentioned in the Constitution, and the people have never voluntarily or democratically granted constitutional rights to corporations, nor have we decreed that corporations have authority that exceeds the authority of the people of the United States; and

WHEREAS, the unconstitutional judicial bestowal of civil and political rights upon corporations usurps basic human and constitutional rights guaranteed to human persons, and also empowers corporations to sue municipal and state governments for adopting laws that violate corporate rights even when those laws serve to protect and defend the rights of human persons and communities; and

WHEREAS, the recent Citizens United v. the Federal Election Commission decision of the United States Supreme Court is contrary to the constitutional intent to free speech for individual human beings.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lancaster, Pennsylvania hereby calls on our legislators and elected officials to join the tens of thousands of

citizens, grassroots organizations and local governments across the Commonwealth in the Move to Amend Campaign to call for an amendment to the Constitution to abolish corporate personhood and return our elections to the citizens of the United States and reclaim our right to self-governance.

BE IT FURTHER RESOLVED that the Council of the City of Lancaster calls on other communities and jurisdictions to join with us in this action by passing similar resolutions.

City Council approved Council Resolution No. 8-2012 by a unanimous roll call vote.

Mr. Kip Adams accepted the Resolution and thanked the Council for all they have done, and commended the people who started this movement.

Administration Resolution No. 10-2012, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER
APPOINTING SPECIAL COUNSEL FOR THE CITY OF LANCASTER.**

Councilman Roschel made the motion to approve and Councilman Urdaneta seconded. Councilman Roschel stated that this resolution appoints Eckert & Seamans Law Firm to represent the City in a matter before the Public Utility Commission. City Council approved Administration Resolution No. 10-2012 by a unanimous roll call vote.

REPORT OF THE MAYOR – Mayor Gray presented his report to City Council and it can be viewed on the City website. www.cityoflanasterpa.com

President Williams adjourned the meeting at 8:40 p.m.

Louise B. Williams, President

Attest:

City Clerk