

STATED MEETING - CITY COUNCIL –NOVEMBER 10, 2009

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A meeting of the Lancaster City Council was held on Tuesday, November 10, 2009, in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with Vice President Polite presiding.

City Council led the assembly in the Pledge of Allegiance.

Present – Ms. Coller, Mr. Morales, Mr. Polite, Mr. Roschel
Ms. Saunders, Mr. Urdaneta – 6

Excused - President Williams – 1

City Council approved the minutes of October 27, 2009 by a unanimous vote.

PUBLIC WORKS COMMITTEE – Councilman Roschel stated that his committee met on November 4, to hear from Valerie Moul, of the Central Market Trust. Beginning in January there will a \$7 million renovation project to the Central Market. The goal is to restore and enhance the functionality of market, and also it will be a greener environment.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Councilman Urdaneta stated that the Committee met on November 4, and we had two issues on the agenda. One is an agreement of cooperation with TCH Realty for the development of the Stockyard property.

He asked Mr. Patterson to talk about the LERTA which will be on the agenda for the 24th of November. Mr. Patterson stated that LERTA is a tax exemption program the City has had in place since 1978. It comes up for renewal every five years, and must be approved by the County, the school district and the City. It is primarily a program that encourages investment in the City, to take advantage of tax exemptions on increased assessed values. We are considering a few minor changes to the schedule to include mixed use property. We are also looking to encourage further development of owner occupied properties whether it be condominiums or single family homes. We will present the new ordinance at the next meeting of Council November 24.

FINANCE COMMITTEE – Councilwoman Saunders stated that the Finance Committee met on November 4th and we discussed Resolution No 16 and Resolution 74-2009 and she will discuss them when they come up on the agenda.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Councilman Morales stated that the Committee met on November 4th also and we discussed Resolution No. 72 which outlines the Cities plan for CDBG money for 2010.

PERSONNEL COMMITTEE – Councilman Polite stated that the Personnel Committee met on November 4 and interviewed Mr. Willie Morant, Sr, 306 Conestoga Blvd.,

who is a candidate for the Planning Commission and will fill the unexpired term of Fred Ward. That term will end on December 31, 2012. He made the motion and Councilwoman Saunders seconded. The appointment of Mr. Willie Morant, Sr. to the Planning Commission was approved by a unanimous roll call vote.

City Council considered the following applications & (HARB recommendations for improvements to properties within the Historic District:

1. Randall & Monica Whalen, request reconstruction of front entry steps, replacement of a rear porch railing and replacement of vinyl windows.

2. The City of Lancaster, requests relocation of entry doors from recessed alcoves, reconfiguration of dormer windows, restoration of tower windows, removal of lighting fixtures, and installation of security card readers and handicapped signage, at Central Market.

3. The City of Lancaster, requests replacement of a restroom doorway with a new window on the east elevation, and installation of new handrails at entry doors, at Central Market.

4. The City of Lancaster, requests removal of a non-historic chimney on the west elevation at Central Market.

Councilman Roschel made the motion to approve and Councilwoman Saunders seconded.

City Council approved the decisions of the HARB, by a unanimous roll call vote.

Administration Resolution No. 75-2009,(the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER RECOGNIZING AND COMMENDING CITY RESIDENT FRED WARD FOR HIS YEARS OF SERVICE TO THE LANCASTER COMMUNITY AS A MEMBER OF THE LANCASTER CITY PLANNING COMMISSION.

Mayor Gray stated that he would like to say a special thanks to Fred. He was always attentive to his task, could be consulted. He always has a positive outlook on things and always an insightful outlook. He offered his personal thanks for all he has done for the City to make it a better place to live.

Mr. Roschel read the resolution in its entirety as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER RECOGNIZING AND COMMENDING CITY RESIDENT FRED WARD FOR HIS YEARS OF SERVICE TO THE LANCASTER

COMMUNITY AS A MEMBER OF THE LANCASTER CITY PLANNING COMMISSION.

WHEREAS, citizen participation in the enhancement of the City of Lancaster is essential for the well-being of our community; and

WHEREAS, City Council recognizes the importance of citizen involvement and appreciates the willingness of citizens to volunteer their time and energy to the City by serving on various Boards and Commissions; and

WHEREAS, occasionally, a member of the Lancaster community makes an extraordinary commitment of volunteer effort to the improvement of the City and the advancement of community goals; and

WHEREAS, Fred Ward was appointed to the Lancaster City Planning Commission by City Council on September 26, 2000, and has been reappointed three times, attending 148 semimonthly meetings for over 9 years and serving as Chairman for over two years; and

WHEREAS, Mr. Ward was appointed by the City to serve on the *Growing Together* Comprehensive Plan Steering Committee and participated in monthly Committee meetings and special public meetings from 2002 to 2007; and

WHEREAS, Mr. Ward has served as a City representative on the Lancaster County Transportation Coordinating Committee, as an active representative of the Region 3 Planning Region, and as a participant on the *Growing Together* Land Use Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster that the Council commends and thanks Fred Ward for his outstanding service to the City of Lancaster.

City Council approved Administration Resolution No. 75-2009 by a unanimous roll call vote.

Mr. Ward accepted the award and thanked City Council

Administration Bill No. 16-2009, (the title) was read by the City Clerk as follows:

AN ORDINANCE AUTHORIZING THE INCURRENCE OF NONELECTORAL DEBT OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, BY THE ISSUANCE OF UP TO \$_____ PRINCIPAL AMOUNT GENERAL OBLIGATION NOTE, SERIES OF 2010 (THE

“NOTE”); ISSUED FOR THE PURPOSE OF PROVIDING FINANCING FOR COSTS OF THE CURRENT REFUNDING OF [A PORTION OF] THE CITY’S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2003 (THE “2003 BONDS”); APPROVING THE REFUNDING AND AUTHORIZING THE REDEMPTION OF [A PORTION OF] THE OUTSTANDING 2003 BONDS; DETERMINING TO SELL THE NOTE AT A PRIVATE SALE BY NEGOTIATION OR INVITATION; APPROVING THE FORM OF THE NOTE; FIXING THE DATE, INTEREST AND MATURITY OF THE NOTE; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THIS CITY IN SUPPORT OF THE NOTE; PROVIDING FOR THE FILING OF REQUIRED DOCUMENTS; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITARY FOR THE NOTE; AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF, AND OTHER NECESSARY ACTIONS.

Councilwoman Saunders stated that Concord Public Finance has been tracking refinancing opportunities for the City’s almost \$10 million 2003 bonds. We may refinance the outstanding amount, almost \$8.3 million, for a one time savings depending on how rates change over the next few months. We will start the refinancing process by having a first reading today, but only have a second reading if the market conditions allow us to save at least 2% or about \$163,000.

Administration Resolution No. 72-2009, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AUTHORIZING THE MAYOR TO SUBMIT THE 2010 *ANNUAL ACTION PLAN* (YEAR FIVE OF THE CITY’S FIVE-YEAR *CONSOLIDATED PLAN*) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD). THE SUBMISSION INCLUDES THE PROJECTED USE OF FUNDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DURING THE 2010 PROGRAM YEAR.

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

Councilman Morales stated that we are looking at an allocation of about \$1.8 million that the City’s required to map out between now and 2010.

Mr. Patterson stated that we are anticipating an entitlement similar to last year’s

entitlement from the CDBG Program. The allocations this year are same as the allocations for last year's entitlement. Under public and human services a continuation of the Neighborhood Crime Reduction Program. Under Economic Development we are looking at two small grants, to ASSETS and BASE to provide technical assistance to entrepreneurs within the City of Lancaster. We'll continue our blighted property acquisition program, our homeowner rehab program which also includes a critical repair program to help homeowner's who have emergency repairs that are required. We also continue to use CDBG to pay for our housing and code enforcement program. The remaining funds are for street improvement and the continuation of ADA accessibility ramps. The remaining goes to administration efforts in those programs with a \$10,000 grant to the Fair Housing Programs. Because Congress has not yet passed the 2010 budget even though the fiscal year began October 1, 2009, we have to submit our application by November 15, 2009, there is an opportunity that our entitlement could go higher based on the Administration's budget for the CDBG Program. If that happens we would then come back and look at potential opportunities.

Councilwoman Saunders stated that \$180,000 if this budget is allocated to the Bureau of Police to pay for overtime. About \$20,000 goes to Economic Development and about \$708,000 goes to housing. Each year she finds it discouraging a significant amount of this money goes to the Bureau of Police instead of to projects for which this grant was originally intended. However, she also realizes that as the budget becomes more and more strained, it becomes necessary to use any extra money increasingly for needs rather than for wants.

Councilman Morales asked Mr. Patterson if this is the kind of grant that could in the future be impacted by the census count in the City and in the County. Mr. Patterson stated that yes, the formula is based on population, based on poverty level, based on age of housing and based on low and moderate income population.

City Council approved Administration Resolution No. 72-2009 by a unanimous roll call vote.

Administration Resolution No. 73-2009, (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 TCH REALTY & DEVELOPMENT CO., LLC TO CONSTRUCT A COMMERCIAL OFFICE BUILDING ON THE FORMER LANCASTER STOCKYARDS SITE.

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

Councilman Urdaneta stated that the City serves as a bridge for this money to get to the developers of the Stockyard. We are not responsible for the expenditure nor are we responsible for any reimbursements that they may incur. This is standard procedure in the process of revitalization in the City.

Council Resolution No. 74-2009, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER URGING THE PENNSYLVANIA GENERAL ASSEMBLY TO SUPPORT THE PASSAGE OF HB 1660 AND SB400 AT THE EARLIEST OPPORTUNITY.

Councilman Urdaneta made the motion to approve and Councilwoman Collier seconded.

Councilwoman Saunders stated that House Bill 1660 and Senate Bill 400 would provide affordable comprehensive health care for every Pennsylvanian with no co-pay or caps on benefits. It creates a publicly funded privately run system. Such bills would save Lancaster City \$6 million a year the School District almost \$9 million a year.

Lisa Armellino, 5th Street, stated that she is in opposition with both of these bills. She has reservations with HB 1660 and SB 400. Her most grave concerns lie in chapter 9 of these bills. In order to fund the bills they are putting a 10% tax on business's gross payroll. All over the Commonwealth, including those who are self employed. There is also going to be a 3% increase on all personal income taxes to the Commonwealth, but unions are exempt from paying 9% of this tax. Her concern is with the small businesses and how they will survive through an increase of taxes.

Council approved Council Resolution No. 74-2009 by a unanimous roll call vote.

REPORT OF THE MAYOR – Mayor Gray gave his report to City Council and it can be viewed on the City's website at www.Cityoflanasterpa.com

REPORT OF THE PRESIDENT - Vice President Polite mentioned the passing of John Jarvis, former Headmaster of Lancaster Country Day School and noted that there will be a service celebrating his life on Saturday.

Vice President Polite adjourned the meeting at 8:00 p.m.

Nelson M. Polite, Sr, Vice-President

Attest:

City Clerk