

STATED MEETING - CITY COUNCIL –JULY 13, 2010

A meeting of the Lancaster City Council was held on Tuesday, July 13, 2010 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 – Ms. Coller, Mr. Polite, Mr. Roschel
Mr. Smith, Mr. Urdaneta, President Williams – 6

Excused – Mr. Morales - 1

City Council approved the minutes of June 22, 2010 by a unanimous vote.

PUBLIC WORKS COMMITTEE- Councilman Roschel made the motion to add Resolution No. 42-2010 to the agenda. It is a resolution designating the City's intention to erect a banner and permanent cables for the erection of a banner over East King Street. Councilman Urdaneta seconded. City Council approved adding the amendment to the agenda by a unanimous roll call vote.

FINANCE COMMITTEE – Chairman Smith made a motion to add Ordinance No. 13-2010 to the agenda this evening and Councilman Roschel seconded. The motion was approved by a unanimous roll call vote. He further made a motion to approve the Legislative Budget Transfers for the last quarter. Councilman Urdaneta seconded. The Legislative Budget Transfers were approved by a unanimous roll call vote.

COMMUNITY DEVELOPMENT AND PLANNING COMMITTEE – Councilman Roschel presented a report for Mr. Morales. The Committee met last week and discussed two topics which are Ordinance No. 11 & 12. He will discuss them when they come up.

Council considered the following applications & (Historic Commission recommendation(s) for construction & demolition within the Heritage Conservation District:

1. Joyce Qujiano, proposes construction of a covered front porch at 106 Coral Street.
2. The Hammer Group, LLP proposes construction of a parking lot attendant's booth at 353-357 North Queen Street.

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

John Hershey, 135 North Duke Street, stated that he just learned of the proposed parking lot at North Queen and East Lemon Street and he is opposed to a parking lot, stating that it is not a good use of that property. It is a wrong use at the wrong location. We need to focus on the

redevelopment of the North Queen Street Corridor.

Because the Historical Architectural Review Board met last week and there was no quorum present, the following applications have been submitted to City Council for their approval:

1. Nancy Keneff, to replace asphalt shingle siding....remove existing deck...., construct a new one story addition to include rooftop deck...at 344 East Orange Street.

2. Meagher Management, to install a new wooden alley gate at 105½ Church Street.

3. Hilles Architects, to construct a new fourth-story roof deck...., install new aluminum sash windows at 141-147 East King Street.

4. Hilles Architects, to construct a new fourth-story balcony with a railing including replacement of an existing window with an access door, construct a new fourth-story balcony with a railing including replacement of windows with doors, install a roof overhang across the ground-floor center bay of new construction at #153 at 149-155 East King Street.

5. Susan Lape, construct a new one-story garage with a flat roof facing Washington Street, construct a new second-floor open deck with railings above the new garage, install a new doorway opening on the house's second-story to new deck, and install metal roofing or synthetic slate shingles on the roof of the new third-floor rear addition at 125 South Christian Street.

Councilwoman Collier made the motion to approve the applications and Councilman Urdaneta seconded. City Council approved the applications by a unanimous roll call vote.

Administration Bill No. 9 – 2010, (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 THE CODE OF THE CITY OF LANCASTER, CHAPTER 238 – REAL PROPERTY, ARTICLE 1 – REGISTRATION OF RESIDENTIAL RENTAL PROPERTIES, SECTION 238-9 – RENTAL UNIT OCCUPANCY LICENSE, SUBPARAGRAPH H AND ADDING SUBSECTION “I” TO EXCLUDE RESIDENTIAL HEALTH CARE FACILITIES LICENSED BY THE COMMONWEALTH OF PENNSYLVANIA FROM THE LICENSING PROVISIONS OF THIS CHAPTER OF THE CITY CODE, AND AMENDING SECTION 238-10 – INSPECTIONS, SUBPARAGRAPH D TO PROVIDE THAT THE INSPECTIONS SET FORTH IN THAT SUBPARAGRAPH WILL BE AT THE DISCRETION OF THE CODE ENFORCEMENT OFFICIAL; 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 Roschel made the motion to approve and Councilman Urdaneta seconded. Councilman Roschel stated that this ordinance makes three modifications to Article I of Chapter 238 – Registration of Residential Rental Properties. The first change adds an agreement between the City of Lancaster and the Housing Authority by listing the registration fees for various Housing Authority properties; the second change adds a section to the Code that allows current Health Care facilities, that have a PA State License to apply for an exemption from licensing fee provisions of Chapter 238; the third change gives the Code Enforcement Officer discretion inspecting properties prior to their sale or initial occupancy. City Council approved Administration Bill No. 9-2010 by a unanimous roll call vote and shall hereinafter be known as Administration Ordinance No. 9-2010.

Administration Bill No. 10-2010, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA REWRITING CHAPTER 182 OF THE CODE OF THE CITY OF LANCASTER – LEAD POISONING, TO ESTABLISH DEFINITIONS, PROHIBIT USE AND DISTRIBUTION OF SOURCES OF LEAD HAZARDS, PROVIDE PROCEDURES FOR DETERMINATIONS OF LEAD SOURCE HEALTH HAZARDS, PROVIDE FOR NOTIFICATION OF VIOLATIONS AND TESTING PROCEDURES AND STANDARDS, PROVIDE PROCEDURES AND REQUIREMENTS FOR MONITORING THE ABATEMENT OF LEAD HAZARDS, PROVIDING EXEMPTIONS FROM THE PROVISIONS OF THE ORDINANCE, PROVIDING FOR THE PROTECTION OF OCCUPANTS OF RESIDENCES CONTAINING LEAD HAZARDS, PROVIDING FOR FINES AND REMEDIES FOR VIOLATION OF THE ORDINANCE, PROVIDING FOR INSPECTION AND ACCESS TO PROPERTIES AND SALES OF PROPERTIES; 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 Roschel made the motion to approve and Councilman Smith seconded. Mr. Roschel stated that at the first reading Mr. Patterson reported that the City currently has Chapter 182- Lead Poisoning. Working with the Board of Health and Pinnacle Health, which is the group that does the testing of children with elevated blood

lead levels, the decision to rewrite the chapter was preferred over amending the existing chapter. This new chapter is written in the format that better guides the reader through the process, which includes the violation notices, testing procedures, abatement issues and the other listed that the City Clerk went over in reading the title.

City Council approved Administration Bill No. 10-2010 by a unanimous roll call vote and it will hereinafter be known as Administration Ordinance No. 10-2010.

Administration Bill No. 11-2010, (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 SECTIONS 116-3 THROUGH 116-4.1 OF THE CODE OF THE CITY OF LANCASTER TO MODIFY THE CITY'S CONSTRUCTION CODE TO IMPLEMENT AND MODIFY PROVISIONS OF THE INTERNATIONAL BUILDING CODE OF 2009 AND THE MANNER IN WHICH IT IS APPLIED AND ENFORCED; 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 Roschel stated that this bill was discussed at our meeting last week. It deals with Uniform Construction Code, Chapter 116. The ordinance will modify and update our code in response to 2009 Update of the International Building Code of 2009. It also replaces all references to Department of Housing and Neighborhood Development with the Department of Economic Development and Neighborhood Development. It also replaces existing fee charts with a note that such fees shall be established from time to time by a resolution of City Council.

Administration Bill No. 12-2010, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA RE-WRITING AND AMENDING CHAPTER 142 – FIRE PREVENTION AND TO ADOPT THE 2009 INTERNATIONAL FIRE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC. AND ALL OF ITS INCORPORATED STANDARDS AND CODES AS AMENDED AND REPUBLISHED FROM TIME TO TIME AND TO MAKE AMENDMENTS, ADDITIONS AND/OR DELETIONS THERETO; 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 Roschel stated that this offers amendments to Chapter 142 of the City Code. Fire Prevention. The major change is replacing references to 2006 International Fire Code with 2009 Code. The Chapter on Incident Rescue and False Call Charges has also been updated. Fire Chief Gregg stated that the main changes are numbering, wording and the placement of Fire Detectors in Single and Multi-family residences.

Administration Bill No. 13-2010, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA APPROVING, AUTHORIZING AND RATIFYING THE EXECUTION OF AN AGREEMENT OF SALE BY AND BETWEEN THE CITY OF LANCASTER AND THE SCHOOL DISTRICT OF LANCASTER PURSUANT TO WHICH THE CITY WILL SELL BICYCLES WHICH THE CITY HAS OBTAINED FROM ABANDONMENT, THEFT OR LOSS TO THE SCHOOL DISTRICT OF LANCASTER IN ORDER FOR THE SCHOOL DISTRICT TO PROVIDE THEM TO A COMMUNITY ORGANIZATION THAT WILL TRAIN SCHOOL DISTRICT STUDENTS IN BASIC JOB SKILLS AND BICYCLE REPAIR; SETTING FORTH THE TERMS OF THE AGREEMENT; PROVIDING, THAT NO FINANCING NOR ORGANIZATIONAL STRUCTURE IS NECESSARY TO IMPLEMENT OR FINANCE THE AGREEMENT; 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 stated that the City has collected about 150 bicycles that were stolen, abandoned or lost. We collect those and store them. In the past they were sold at auction, but only brought a minimal amount of revenue. This program will allow the City to sell the bicycles to the School District of Lancaster for a nominal fee and they, acting as a pass through, to this community organization that will train students to repair bicycles for sale.

Administration Resolution No. 42-2010, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER DESIGNATING THE CITY'S INTENTION TO ERECT A BANNER AND PERMANENT CABLES FOR THE ERECTION OF A BANNER OVER EAST KING STREET, SR 0462.

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

Councilman Roschel stated that this is a resolution to allow Tabor Community Services to erect a banner across E. King Street which will advertise the Eastern Market. East King Street is a State Road and we need the resolution to obtain a permit from PennDOT to place the banner. The City Solicitor is working on the agreement and it will be ready soon.

City Council approved Administration Resolution No. 42-2010 by a 5 – 1 vote.

Aye – Coller, Polite, Roschel, Smith, Williams - 5 No – Urdaneta – 1

REPORT OF THE PRESIDENT OF COUNCIL – President Williams wished the Mayor well on his recuperation. She further appointed Councilwoman Coller representing the City Council on the Public Art Commission.

COUNCIL COMMENTS – Councilman Roschel stated that he is a member of the County Planning Commission and at their meeting yesterday they designated several City sites that were designated Heritage Resources. The Shreiner Concord Cemetery, Heritage Tour – 2010 Architectural History Tour has been designated, highlighting the architecture of C. Emlen Urban. Heritage Lodging – the Lancaster Arts Hotel and Heritage Dining – John J. Jeffries Restaurant.

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

Louise B. Williams, President

Attest:

City Clerk