

## **STATED MEETING - CITY COUNCIL – SEPTEMBER 10, 2013**

A meeting of the Lancaster City Council was held on Tuesday, September 10, 2013 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Williams presiding.

Boy Scout Alex Beidleman 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 August 27, 2013 by a unanimous roll call vote.

**REPORTS REQUESTED BY COUNCIL** – Randy Patterson, Director of Economic Development & Neighborhood Revitalization, presented a report to City Council about a new program, City Revitalization and Improvement Zones, (CRIZ). The purpose of the program is to provide a resource to eligible third class cities in Pennsylvania to improve and develop targeted areas of the City. In Lancaster the approach is to focus on infill development on vacant and underutilized sites and the redevelopment of existing challenging sites within the City which have some barrier to development. The City must create a GRIZ Authority to administer the program, issuing bonds to provide project financing. He noted the allowable uses of bond proceeds and the project financing focus; to create new jobs, create new state tax revenues including sales and use taxes; personal income tax, wine, liquor and malt beverage taxes; a number of State corporate and business taxes; local earned income taxes and local service taxes (but not Property Taxes).

He stated that City Council will establish the CRIZ Authority in September-October 2013. The Authority will approve the application to the State seeking approval to establish the CRIZ. (DCED is currently preparing program and application guidelines) CRIZ Authority is expected to submit the application before the end of the year. He presented handouts to the Council which outlined all of the information that he went over during his report.

Mayor Gray stated that this Program has been put forward in the Legislature by Senator Smucker and that it has been cooperation between the Senator's office and City Staff. He further noted that the Governor's Office, the Budget Secretary and the Secretary of Revenue were all on board with it. He announced the members who are being asked to serve on the Authority, noting that some will be appointed by the Senator's Office and some by the Mayor's Office. The following are recommended as voting members: Thomas Baldrige, Lancaster Chamber CEO; Daniel Betancourt, CEO of Community First Fund; Jill Carson, Fulton Mortgage Co.; Ray D'Agostino, Exec. Director LHOP; Cynthia Kettering; Pres. of Operations Bagnall Shaw Co.; Robert Shoemaker, CEO Lancaster City Alliance; Charles Simms, Senior Vice President, PNC Bank; Rev. Gerald Simmons, Pastor, Faith Tabernacle Church; John Reed, Attorney, Barley Snyder, LLC. None-voting members: Matthew Parido, Chief of Staff for Senator Smucker and Randy Patterson, Director of Economic Development & Neighborhood Revitalization.

Councilman Smith commended the Administration for working together with the State to bring this to fruition. He noted the cooperation as an outstanding moment for this Administration.

**PUBLIC WORKS COMMITTEE** – Chairman Roschel stated that the Committee met on September 3, and there were three items of discussion and two of them are on the agenda tonight. The third was a discussion we had about a resident on South Queen Street who is having problems with parking and brought up the idea of painting lines along the curbs for parking. We talked about and recognized that it is not enforceable and there might be some limitations on an 18 foot space. We agreed to look into it further and perhaps we might do some more research.

**COMMUNITY DEVELOPMENT & PLANNING COMMITTEE** – Chairman Reichenbach stated that the Committee met on September 3<sup>rd</sup>. There are two items on the agenda relating to that committee meeting.

**PERSONNEL COMMITTEE** – Chairman Graupera stated that the Committee interviewed to individuals for the Human Relations Commission, Ms. Jeanne Dailey and Ms. Lisa Koogle. We were given a brief summary of what the Human Relations Commission does. We asked the two if they would prefer being Board members or members of the Commission, and they requested to be on the Commission. He made a motion to approve the appointments and Councilman Urdaneta seconded the motion. City Council approved the appointments by a unanimous roll call vote.

Ms. Kathy Connors, Chair of the Commission, asked for the Ordinance to be amended. We will have the Solicitor look into it. This may come up at the Committee meeting in October.

Councilman Reichenbach apologized for an oversight; he would like to make a motion to add to the agenda the recommendation of the Historic Commission for Magnolia Place. Councilman Smith seconded. City Council approved the addition to the agenda by a unanimous roll call vote.

**PUBLIC HEARING** – President Williams stated the following:

“In accordance with the provisions of the Pennsylvania Municipalities Planning Code, City Council will now conduct a public hearing on the proposed amendment of the City of Lancaster’s Subdivision and Land Development Ordinance as prepared by the Department of Economic Development and Neighborhood Revitalization.

In order to ensure that the City’s various floodplain regulations are in compliance with the National Flood Insurance Program and with the Pennsylvania Floodplain Management Act, City staff has had ongoing communication with DEP officials for over a year. The City’s proposed revisions to its Zoning Ordinance, Subdivision and Land Development Ordinance, and Building Construction and Floodplain Management Ordinance have been reviewed by DEP officials and revised as per their comments to ensure consistency with DEP’s 2012 Model Floodplain Regulations.

The Zoning Ordinance adopted by City Council on July 23, 2013 includes those provisions

needed to properly regulate land uses within identified flood hazard areas. In October, City staff will bring to City Council the changes necessary to bring City Code Chapter 109, Building Construction and Floodplain Management, into compliance with federal and state floodplain regulations.

The purpose of tonight's hearing is to allow public comment on the proposed amendment of the Subdivision and Land Development Ordinance.

Tonight's hearing will be followed by the first reading of a bill to adopt the amendment of the Subdivision and Land Development Ordinance. No action will be taken by City Council this evening.

After a brief introduction by City Staff, I will ask members of City Council if they have questions or comments. Afterwards, I will invite questions or comments from the public."

Mr. Patterson stated that we are in the process of a much broader ordinance amendment to the Building Codes that would address floodplain management. At that time we will have a more significant presentation for City Council and, potentially, the public.

Tonight's public hearing is about a singular amendment to the Subdivision and Land Development Ordinance to bring us into compliance with the current floodplain management regulations. This particular amendment only deals with development proposals that contain at least 50 lots, or at least 5 acres. Looking at development within the City, there are not very many opportunities for 50 lot developments and 5 acre lot developments. This particular amendment, while required by the Floodplain regulations is really not going to be impacting many development projects within the City. What it simply requires is a more detailed hydraulic engineering analysis to address where the actual baseline floodplains would be in terms of those types of projects. So it is a fairly simple straightforward amendment to the Subdivision Land Development Ordinance. It has been reviewed by DEP, our solicitor and presented it to City Council Committee at the last committee meeting earlier this month and would recommend its approval at the next Council meeting.

Administration Bill No. 9-2013, (the title) was read by the City Clerk as follows:

**AN ORDINANCE OF THE LANCASTER CITY COUNCIL AMENDING CHAPTER 265, SUBDIVISION AND LAND DEVELOPMENT OF THE CODE OF THE CITY OF LANCASTER, TO INSTITUTE REQUIREMENTS REGARDING FLOODPLAINS AND FLOOD PRONE AREAS COMPLIANT WITH 44 CFR SECTION 60.3(D) OF THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS AND WITH PENNSYLVANIA ACT 166, THE PENNSYLVANIA FLOODPLAIN MANAGEMENT ACT, PROVIDING FOR NOTICE OF THE ORDINANCE; PROVIDING FOR SEVERABILITY OF THE ORDINANCE; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.**

City Council considered the following application & Historic Commission recommendations for construction and demolition within the Heritage Conservation District:

1. Michael H. Ranck, proposes construction of a new seven-story residential condominium building at 101 East Chestnut Street.

Councilman Reichenbach stated that the Historic Commission met last evening and during that meeting a vote was taken and the project was voted to move forward by a vote of 3 to 2. There were 2 members who were unable to make the meeting last night. This will be a change from the previous vote which was 4 to 3 against the project.

Mr. Patterson related the findings of the Historic Commission and the details that were worked out between the principals.

Councilman Urdaneta made the motion to approve and Councilman Smith seconded. City Council approved the recommendation of the Historic Commission by a vote of 6 – 1.

Graupera, Reichenbach, Smith, Urdaneta, Wilson, Williams – Aye

Roschel – No

Administration Resolution No. 42-2013 (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AUTHORIZING THE MAYOR OF THE CITY OF LANCASTER TO SUBMIT AN APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL APPROVAL FOR A SIGNAL COORDINATION PROJECT FOR FOUR CITY OWNED INTERSECTIONS ON NEW HOLLAND AVENUE.**

Councilman Roschel made the motion to approve and Councilman Urdaneta seconded. Councilman Roschel stated that this resolution is for approval for a traffic signal coordination project which is going to be funded through State Transportation Funds at the intersection of New Holland Avenue with Franklin Street, Ross Street, Plum Street and Coyle Avenue. There are 7 traffic signals involved, 4 in the City and 3 in Manheim Township. This is to get better progression of traffic through that area.

City Council approved Administration Resolution No. 42-2013 by a unanimous roll call vote.

Administration Resolution No. 43-2013, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AUTHORIZING THE ADMINISTRATION TO EXECUTE ALL DOCUMENTS AND AGREEMENTS BETWEEN THE CITY AND THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF**

**PENNSYLVANIA TO FACILITATE AND ASSIST IN OBTAINING A PLANNING GRANT FOR THE KEYSTONE COMMUNITIES DESIGNATION.**

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

Councilman Reichenbach stated that what this resolution states that the City of Lancaster is requesting a Keystone Communities Planning Grant in the amount of \$25,000 from the PA DCED. What we are looking for in that grant is to assist developing a plan that can help us focus on getting Lancaster designated as a Keystone Community.

Mr. Patterson stated that at the Committee meeting it was asked if this requires matching funds. Yes it does, but it can be in kind contributions of staff time and services, but we are also looking to use available planning dollars that we have in the CDBG program, so we will have the budget to cover the consultant as well as the in kind contributions. City Council approved Administration Resolution No. 43-2013 by a unanimous roll call vote.

Administration Resolution No. 44-2013, (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 A MODIFICATION TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) FOR CONTRACT #C000053472.**

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

Councilman Reichenbach stated that the reason for this resolution is that the City is a pass-through for this Emergency Solutions Grant to CAP (Community Action Program). They have been awarded \$180,232 and are asking to be able to reprogram \$90,116 of their grant to re-allocate for the Homeless Rapid Re-housing Program. What they want to do is split the funds to use for two different programs.

City Council approved Administration Resolution No. 44-2013 by a unanimous roll call vote.

Administration Resolution No. 45-2013, (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. Mr. Roschel stated that this is to appoint John G. Gallagher as special counsel whose expertise is in PUC issues. The City put out an RFQ to 6 or 8 law firms. There was a special committee that

interviewed the applicants and Mr. Gallagher was chosen. City Council approved Administration Resolution No. 45 by a unanimous roll call vote.

Council Resolution No. 46-2013, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER RECOGNIZING SEPTEMBER 15, 2013 THROUGH OCTOBER 15, 2013 AS HISPANIC HERITAGE MONTH AND TO ENCOURAGE AWARENESS AMONG THE CITIZENS OF LANCASTER OF THE IMPORTANT CONTRIBUTIONS FROM PEOPLE OF LATINO DESCENT.**

Councilman Graupera made the motion to approve and Councilman Urdaneta seconded. City Council approved Council Resolution No. 46-2013 by a unanimous roll call vote. Mr. Urdaneta will present the Resolution at the Festival on Saturday, in Binns Park.

COUNCIL COMMENTS – Councilman Roschel stated that he had previously mentioned that we were trying to get funding for a public art project at Rodney Park, through Kick Starter, which is an online way to contribute. He reported that we did reach the goal and the project is moving forward. He thanked Tracy Beyl, the Public Arts Manager, and Ms. Katzenmoyer, Director of Public Works, and he also noted that other members of the Administration got on the phone and were calling people. It worked, and he thanked those who contributed, stating that he grew up there and it is meaningful to him.

Councilman Reichenbach congratulated Boy Scout, Alex Beidleman, for enduring the whole Council meeting. He stated that he was able to attend an event at Stevens College where we talked about some great things that are happening down at the Armory. He congratulated the Mayor, Ms. Katzenmoyer, Senator Smucker and others for working together to get something done for the good of the Community.

President Williams adjourned the meeting at 8:50 p.m.

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Louise B. Williams, President

Attest:

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City Clerk