

STATED MEETING - CITY COUNCIL –MARCH 22, 2011

1

A meeting of the Lancaster City Council was held on Tuesday, March 22, 2011 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. Roschel,
Mr. Smith, Mr. Urdaneta, Vice President Polite– 6

Excused –President Williams - 1

City Council approved the minutes of March 8, 2011 by a unanimous vote.

READINGS OF PETITIONS, COMMUNICATIONS & MEMORIALS –

A Public Hearing was held by Attorney Aaron Ziemer representing Kevin Brown and Linda King Brown who are applying for a Liquor License to the Pennsylvania Liquor Control Board, to be used at 534 North Mulberry Street at an establishment which will feature craft beers and diverse pizza.

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

Councilman Smith made the motion to amend the agenda by adding the resolution to tonight's meeting and Councilwoman Coller seconded. City Council approved amending the agenda by adding Administration Resolution No. 16-2011 by a unanimous roll call vote.

Mr. Frank Byrne, President of the Musser Park Civic Association, and members of the Association presented commendations with thanks to Donna Jessup, Superintendent of Streets and Parks and Public Property and Fredo Pagan, who oversees the workers in Parks and Public Property. Ms. Jessup and Mr. Pagan were in attendance and accepted the awards.

At this point the subject of the National Guard Building and the South Ann Street Concerned Neighbors came up. The Neighbors were in attendance. It was decided that the Administration would meet with the Neighbors at a future date and perhaps have a tour of the facility. The Mayor also added that the City would investigate beautifying the area which separates the Parks facility from the neighborhood.

REPORTS REQUESTED BY COUNCIL - Mayor Gray stated that about 3 and a half years ago we developed a strategic plan. In that plan there were numerous strategic focus areas, priorities and success indicators. As that plan was implemented it became out of date and we embarked on a new strategic plan for the administration, understanding and incorporating what we felt were the needs of the City. We've developed 5 strategic focus areas in the new strategic plan, the Arts, Business Development, Green and Sustainable, Neighborhood Quality of Life and Public Safety. They are listed in alphabetical order, because to prioritize them would be extremely difficult. Mr. Patterson, Ms. Katzenmoyer, Mr. Hopkins, Chief Gregg

and Chief Sadler gave the City Council reports on these focus areas.

Mayor Gray stated that in Government, without a plan that includes specific goals and measurements, you might have the best intentions but you might end up someplace else. A strategic plan challenges us to establish our priorities and indentify the path to measure success over the coming years. This is our second strategic plan and unusual in a government setting, where the safe approach is merely to react to each crisis as it occurs with little consideration of long term consequences.

Though ambitious, this strategic plan must be tempered with the reality that our ability to accomplish these goals might be out of our hands. The fiscal realities of local government impose certain limits. That said, the plan does not specifically include City finances as a focus area because the financial distress experienced by local municipalities is a result of state laws that force an over-reliance on property taxes, impose unfair arbitration awards and labor contracts and establish unaffordable pension benefits for public safety employees. These laws combined with unfunded state mandates that result in tax shifting to local governments threaten our success. Thus meaningful reform to remove these impediments must occur at the state level if our goals are to be achieved. Yet Lancaster continues to be one of the most exciting and diverse small cities in the country. This is our plan, not to just keep it that way, but to make it even better.

PERSONNEL COMMITTEE – Chairman Polite asked to reappoint Dr. William Fife, to a five-year term on the Board of Health. Councilman Smith made the motion to approve and Councilman Urdaneta seconded. Dr. Fife’s re-appointment was approved by unanimous roll call vote.

City Council addressed the following application to the Historical Architectural Review Board:

1. James F. Eddy, requests installation of new carriage house style doors, a new window in a loft opening and a new storage shed at 242 East Grant Street.

The HARB did not have a quorum and sent the application to City Council for review. The Board members that were in attendance had no objection to what Mr. Eddy proposes to do.

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

Administration Bill No. 5-2011, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY OF LANCASTER AUTHORIZING AND DIRECTING THE PROPER OFFICERS OF THE CITY OF LANCASTER TO EXERCISE THE CITY’S POWERS OF EMINENT DOMAIN AS SET FORTH IN SECTION 2801 OF THE THIRD CLASS CITY CODE (53 P.S. §37801) AND SECTION 303 OF THE OPTIONAL THIRD CLASS CITY CHARTER LAW (53 P.S. §41303) APROPRIATE AND TAKE THAT CERTAIN PROPERTY KNOWN AS 124 CRYSTAL STREET IN LANCASTER CITY, LANCASTER COUNTY, PENNSYLVANIA; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

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

Councilman Roschel stated that this is the second reading. The park in the Southwest is Rodney Park. It is a macadam park, essentially, and there is a senior center located within the park. A lot of the space is used for parking for the seniors who use the center. The neighbors would rather have that space for play activities for the children. It comes at a time when the City has a new urban park and open space plan. Rodney Park is one that is targeted for improvement. A half block up the street on Crystal Street is a parking lot for sale. It is appraised for \$25,000 and the Lancaster Recreation Commission agreed to pay that sum. Where this ordinance comes into play, it gives the Administration the authority, through the PA Eminent Domain Code, to obtain the property. The advantage of taking the property through eminent domain with the concurrence of the property owners would ensure that the City obtains clear title of the property and it may also have some tax advantages for the current property owner.

Charlie Smithgall, Lancaster, stated that when the Schwalm Dial Company building was converted to apartments, this lot was designated to the Zoning Board for parking for the apartments, and wanted to know why this lot is being sold. Mr. Patterson stated that this was reviewed by the Zoning Officer and he didn't bring any issue like that to our attention that it was a parking lot that was being used by another entity.

City Council approved Administration Bill No. 5-2011 by a unanimous roll call vote and it will hereinafter be known as Administration Ordinance No. 5-2011.

Administration Resolution No. 16-2011, (the title) was read by the City Clerk as follows:

“A RESOLUTION OF CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA APPROVING THE PROPOSED TRANSFER OF PLCB LIQUOR LICENSE R-15977 FROM CRISTINO INVESTMENTS, LLC, T/A CRISTINO’S BAR AND GRILL AT 50 NORTH 4TH STREET, COLUMBIA, PENNSYLVANIA TO THE FRIDGE, LLC, AT 534 NORTH MULBERRY STREET, LANCASTER, PENNSYLVANIA ALONG WITH A PROPOSED APPLICATION FOR SUNDAY SALES PERMIT AND ADOPTING A DECISION APPROVING THE FOREGOING.”

Councilman Morales made the motion to approve and Councilman Smith seconded. Administration Resolution No. 16-2011 was approved by a unanimous roll call vote.

PUBLIC COMMENT – Willie Shell, Lancaster, asked if there is a plan in place if there is another nuclear disaster at Three Mile Island like the one in Japan. Mayor Gray responded that FEMA has a plan in place that our Emergency Management Officer, Chief Gregg, is well versed in. He also stated that the County has a disaster plan in place which we would follow in an emergency of that nature.

Pastor Kevin Brown, Ray’s Temple, South Ann Street, asked about the parking lot on Mifflin Street, which is right off South Ann Street. He would like to have access to parking for the congregation. He stated that they pursued this several years ago, but the plan fell through. Mayor Gray asked him to come in and see him and they will see what can be done.

Cobbie Burns, West Lemon Street, expressed his concern about the long term objective without using economic development instead of just building homes.

Darlene Byrd, South Ann Street, questioned if the summer movies are going to be shown in parks in the City, what will her neighborhood do since there are no parks in her area?

REPORT OF THE VICE PRESIDENT OF COUNCIL – Mr. Polite stated that President Williams was not here tonight because of a death in the family. He further encouraged citizens to pick up the paper bags at City Hall and the Treasury to use for yard waste, and the City will pick it up.

Mr. Smith noted that there were a lot of citizens here and suggested that perhaps we could schedule the City Council Committee meetings in different areas of the City in hopes of getting more people involved.

Vice President Polite adjourned the meeting at 9:45 p.m.

Nelson M. Polite, Sr., Vice-President

Attest:

City Clerk