

**STATED MEETING - CITY COUNCIL – MAY 8, 2007**

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A meeting of the Lancaster City Council was held on Tuesday, May 8, 2007, in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Dickson presiding.

Present – Mr. Graupera, Mr. Polite, Mr. Roschel, Ms. Saunders  
Mr. Urdaneta, Ms. Williams & President Dickson - 7

City Council approved the minutes of April 24, 2007 by a unanimous roll call vote.

READING OF PETITIONS, COMMUNICATIONS & MEMORIALS -

PUBLIC HEARING - Barry Handwerger, Solicitor for the City, conducted a hearing for an application for the transfer of a Pennsylvania Liquor License to the Red Rose Luncheonette and Confectionery Company.

The Court Reporter swore in Mr. John Sampson, Esq., Mr. Nicholas Flouras and Mr. Spencer Spiros.

Mr. Handwerger stated that Mr. Sampson submitted an application for approval of a liquor license transfer on April 19, 2007, which was completed by supplementation of that application on April 27, 2007. The application was complete and became part of the official record on April 27, 2007. It is maintained in the files of the City Clerk and the City Solicitor.

Mr. Handwerger noted for the record that tonight's hearing was advertised in the Lancaster New Era and the Lancaster Intelligencer Journal on April 30, 2007 and a copy of the proof of publication will be maintained in the Solicitor's files.

Mr. Handwerger went on to say that in accordance with the local ordinance, the Mayor has issued a report and recommendation and he read that into the record. "Document and report recommendation of the Mayor of the City of Lancaster" -- "Based upon a review of the application to the City of Lancaster for approval of a liquor license transfer submitted by John L. Sampson, Esquire, on behalf of Red Rose Luncheonette and Confectionery Company, I hereby report to City Council of the City of Lancaster that the addition of a restaurant liquor license at the applicant's address at 101 King Street, Lancaster, PA 17602, would not adversely affect the health, welfare, peace and morals of the City, and I therefore recommend that City Council approve the request of a transfer of a liquor license from West Hempfield Township to that location, approve the request for Sunday sales permit to be made by the applicant to the Pennsylvania Liquor Control Board and approve the application to be made by the applicant to the Pennsylvania Liquor Control Board for an extension of the premises." Signed, J. Richard Gray.

Mr. Sampson agreed to these statements to be put in the record and further stated that his name is John Sampson and he is representing the applicant. The applicant is Red Rose Luncheonette and Confectionery Company, probably better known as the Red Rose Restaurant at the corner of South Duke and East King Street. Nicholas Flouras is the stockholder and applicant. The real estate

is owned by Mr. Flouras and his wife, Fetini. All of them have joined in the application pursuant to the City Code requirement. Mr. Flouras is the only one who will have a financial interest in the license. The business is intended to be operated at the same location at 101 East King Street. He stated that there are no other locations owned or operated by Mr. Flouras or Red Rose, which currently hold any liquor licenses. Red Rose had a beer license for over 50 years at that location, but gave it up several years ago. During that time that he had a beer license, there were no citations for any violations of any liquor laws, stating it was a clean run operation. The current license is in safekeeping because the sole shareholder of the corporation that is actually the current licensee died and the restaurant closed. That is the license that we are attempting to have transferred. This is a restaurant liquor license and Mr. Flouras is also applying for a Sunday sales permit and an extension of premises permit which would enable him to have outside tables. Mr. Flouras hopes that he would be able to begin using the license by July 31 of this year. There have not been any felony or misdemeanor convictions against the applicant. The nearest licensee is Annie Bailey's, nearest school is Martin Luther King, nearest park is Musser Park and the nearest church is Trinity Lutheran. The proposal is to operate Monday through Saturday, but possibly Sunday if a Sunday sales permit is obtained. Hours of operation are anticipated to be 11:00 a.m. until 11:00 p.m. The restaurant does serve breakfast, lunch and would serve dinner if the license is granted. The seating capacity is currently 82. A bar would be installed inside and that would reduce the seating capacity to 77. It's in a CB1 District so it would not need any Zoning relief. He stated that he needs to make two amendments to the application based on the information that was obtained from the Liquor Control Board subsequent to the time we filed the application. In paragraph No. 18, we indicated that there were no existing liquor licenses in the City, that were either inactive, in safekeeping or for sale as the ordinance required them to report. The PA Liquor Control Board subsequently told them that there were three (3); however, the agent for Red Rose has made contact with all three of those licensees and his understanding is that none of those are available. The other amendment is to paragraph 19. They indicated the number of liquor licenses in the City to be 68 and actually, they understand that is correct as to the retail licenses; however, there are different kinds of licenses and the Liquor Control Board has corrected us and said there were 68 liquor licenses, 5 hotel licenses, 10 club licenses, 8 catering licenses and one (1) O license which is a club that can sell beer only and one (1) performing arts license. He does not know where all of these are, but that is the information that the LCB gave them and he would like to amend the petition to make those corrections.

The property has been posted with a notice of this hearing and of the application for approval on April 24, 2007 and has remained posted.

Mr. Handwerger stated that he has been notified by the Chief of Police that he concurs with the Mayor's report and recommendation. That is also in accordance with Chapter 88 of the City Code.

Councilman Graupera made the following motion:

I hereby move to grant the application of Red Rose Luncheonette & Confectionery Company for approval of a transfer of Pennsylvania Liquor Control Board Restaurant Liquor License Number R-11637, LID 33777 from a location in West Hempfield Township to 101 East King Street in the City of Lancaster pursuant to the terms of 56 P.S. Section 4-461(b.3), the extension of the premises covered by the license to cover the outside café and a Sunday sales application, all as set forth in the

application to the City of Lancaster for approval of liquor license transfer submitted to the City on April 27, 2007, and considered by City Council at tonight's public hearing and direct the City Solicitor to prepare a written decision in conformity with this motion to be adopted by Resolution at Council's next meeting on May 22, 2007. Councilman Polite seconded the motion.

In response to President Dickson's question about the Sunday sales and the outdoor café in the motion, Mr. Handwerger stated that what City Council is doing is approving the application, which is the Red Rose Luncheonette & Confectionery Company's request to PLCB. The application ultimately has to be approved by the PA Liquor Control Board. There is some ambiguity in the statute as to whether the municipality is required to approve those two, but because they are being done in conjunction with the transfer of a license, the applicant and the solicitor is asking Council to give their approval to all three as a package. So they will not need to come back to Council.

City Council approved the motion by a unanimous roll call vote. Thus ended the Public Hearing.

**PUBLIC SAFETY COMMITTEE** - Chairwoman Williams introduced Police Chief Sam Gatchell who gave a report on the Community Policing and some new initiatives being undertaken by the Police Bureau. The City Clerk read the regulations of the Traffic Commission into the record.

**PUBLIC WORKS COMMITTEE** - Chairman Graupera stated that on April 2, 2007, the Committee met. Mr. Patterson presented to the Public Works Committee a list of six projects that the Administration recommended for the Lancaster County Urban Enhancement Grants. Those projects were endorsed by the Committee at that time. At last night's meeting Mr. Patterson presented a resolution, which asks City Council to authorize a submission of applications for those six projects totaling \$1.27 million to Lancaster County for the Urban Enhancement Grants.

**ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE** - Chairman Urdaneta stated that during last night's meeting the Committee had an informational report from Mr. Jack Howell regarding the streetcar initiative that we have in the City of Lancaster. Judging by the number of questions that were asked after his presentation, this was a very productive meeting. It was very timely, it is at a time when a lot of questions regarding the streetcar project in Lancaster City are coming about and it gives us the opportunity in Council to give informed answers to some of those questions.

He called Mr. Patterson to the podium to talk about the Vacant Property Reinvestment Board procedures. Mr. Patterson stated that the purpose of the Vacant Property Reinvestment Board program is to take properties within the City that are vacant and move them forward either in correcting code enforcement violations or expediting the rehabilitation of those properties and resale. The primary purpose of the program is to have those properties occupied by homeowners, rather than have them be rental properties. It is a five-step process and there is an interesting flowchart that has been prepared for this process that is in a manual and is available at City Hall. We are going to try to put it on our website. The flowchart is kind of convoluted and would not indicate an expedited review process, but it is a legal process that the City must go through, there really is no opportunity to shortcut any of these steps. The first step that really happens is that the City Housing Inspectors are out looking at properties. They will inspect a property and notify their supervisor of properties

that are vacant in the City or meet other conditions of blight. Those are then brought to the Lancaster Vacant Property Reinvestment Board. It is a 5-member board appointed by the Mayor to make decisions on these properties. The VPRB determines whether or not a property is first, vacant, and second, if that property is blighted. The way it is set up currently to determine that a property is vacant is, if it is vacant for a period of 6 months before it comes before the VPRB. We are trying to see if we can somehow shorten that 6-month period to bring properties a little bit faster to the Board. The other way to bring properties that appear to be vacant are if they meet a certain condition of blight. There is a state law that defines the conditions of blight. There are actually 11 conditions of blight. They are listed in the manual. Primarily, they are properties that are not fit for human habitation. They are safety hazards for children or the neighbors. There are tax liens on the properties that haven't been paid. There might be a one-year period from the time the property was identified by a code enforcement officer to be rehabilitated, to address conditions that are cited under the Property Maintenance Code and those conditions have not been abated. If a property is abandoned it can also be brought to the board. The Board takes that as a condition of blight. We decide that it appears to meet the condition of blight and we send a notice to the property owner. The owner has the opportunity to respond back to the Board and indicate that either they are going to make the repairs that are necessary, or we receive no response, which is quite often the case. If the property comes back to us and our housing inspector makes a determination that it meets at least one of the conditions of blight, we will issue a letter to the property owner notifying them that the property appears to be blighted, they have 30 days to appeal that decision. If we do not hear from them within 30 days, the Board has the opportunity to take it to the next step which is to issue a second notice of blight and during that second notice it then goes to the City's Planning Commission who has to certify the VPRB's designation as a blighted property. Once it goes to the Planning Commission, assuming they agree with the VPRB, the property owner is again notified of that decision. The Property owner throughout this process has the opportunity to rehab their property, bring it up to code and stop the process. What we have begun to do is not give any time lines other than the one we are supposed to be following through this possible. What we have encouraged property owners to do is fix their properties, and if they do, we'll stop the process. But otherwise the process continues because it can take up to two years. Assuming the Planning Commission does certify the property as blighted, the property is then referred to the City Redevelopment Authority, which has the opportunity and the right to take that property, by eminent domain. Then the Redevelopment Authority has its process that it must go through in order to ensure fairness to the property owner. Again, the property owner can notify the Authority of their intent to rehab the property. Generally, the Authority will not stop its process if it receives that notification. The Authority solicits proposals from the Public to purchase the property from the Authority, rehabilitate it and then sell it to a homeowner. It is generally done at auction depending on the number of bids. The new property owner has 12 months to rehabilitate the property.

Mr. Urdaneta stated that one of the things that he has found as a member of the Board; many times property owners do fix their properties when they know that the City is really serious about this.

FINANCE COMMITTEE - Chairwoman Saunders stated that later on the agenda is Resolution No. 26-2007, which refers to approval of a project undertaken by the Lancaster Municipal Authority on behalf of the New Holland Recreation Center.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE - Chairman Roschel stated that the Committee met last evening and Randy Patterson gave the Committee an update on several state redevelopment assistance capital project grants that are expected later this summer. Two of the grants will go through the City. One is for SACA for a school project, another one goes to the Puerto Rican Cultural Committee of the Puerto Rican Cultural Center project. There is also another potential grant that will go through the Redevelopment Authority for a joint F&M, Lancaster General Hospital and Armstrong project. Regarding that project, two actions that the City may need to vote on would be acting as a host for the grant and signing a cooperative agreement with the RACL, F&M, LGH & Armstrong. Our committee also briefly discussed Resolution No. 28, which is on tonight's agenda. He reminded Council that the County Planning Commission Regional Breakfast for the City is Monday, May 14 from 7:30 to 9:00 a.m. in Conference Room 1&2.

PERSONNEL COMMITTEE - Chairman Polite stated that the Mayor has made two appointments and Council needs to approve them. His first is a re-appointment of Charles Simms, Jr. to the Redevelopment Authority of the City of Lancaster, which he made a motion to approve, and Councilwoman Saunders seconded. City Council approved the re-appointment of Charles Simms by a unanimous roll call vote. He further made a motion to approve the appointment of Mr. Dwight Hess to the Downtown Investment District Authority to replace Martha Benedum. Mr. Hess will fill the term, which ends December 31, 2009.

Administration Bill No. 8-2007, (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, SECTION 22-17 TO PROVIDE THAT REGULATIONS ADOPTED BY THE TRAFFIC COMMISSION SHALL BE EFFECTIVE UPON THEIR ADOPTION BY THE TRAFFIC COMMISSION AND TO PROVIDE THAT THE TRAFFIC COMMISSION SHALL IMMEDIATELY PROVIDE THEM TO CITY COUNCIL; SECTION 285-42A TO PROVIDE THAT DECISIONS OF THE TRAFFIC COMMISSION SHALL BECOME EFFECTIVE IN THE SAME MANNER AS IS SET FORTH IN SECTION 22-17C; SECTION 285-54B TO PROVIDE THAT A DETERMINATION OF THE TRAFFIC COMMISSION UNDER THIS SECTION SHALL BE SUBJECT TO PROVISIONS OF SECTION 22-17C; AND SECTION 285-55 TO PROVIDE THAT THE APPROVAL OF THE REFERENCED REGULATION SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 22-17C; 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 Williams stated that this Ordinance amends the Code so that the minutes of the Traffic Commission would no longer come to the Council to be read. Matters that are brought before the Traffic Commission must be in compliance with State Regulations before they are acted upon. It is redundant to bring them again to City Council to just approve the decisions of the Traffic Commission.

Administration Resolution No. 24-2007, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER AMENDING THE PROMULGATED RULES AND REGULATIONS FOR EMPLOYMENT ELIGIBILITY WITHIN THE CITY OF LANCASTER BUREAU OF FIRE.**

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

Councilwoman Williams stated that this ordinance is amending the Fire Civil Service ordinance which governs the eligibility of prospective firefighters. Changes have been made to the eligibility requirements to enable all citizens to compete fairly. There has also been a point system added for City residents. A point a year for residency in the City with a maximum of five points. Chief Gregg stated that up until about three years ago applicants were required to live in the City for a year prior to application. The State law changed, and the last eligibility list we had was 25 applicants and not one of them was from the City, so we felt that this 5 point proposal is a good way to encourage City residents to apply. It is a great recruiting tool and it shows that we do value City residency. Another change we instituted is in the physical fitness test. We have had the same test in place for about 25 to 30 years and it served its purpose, but we have had several recruits that have failed out of the academy over the past year, so we felt that a nationwide physical ability test would be preferable. This test was developed by the International Association of Firefighters, the National Firefighter's Union and the Association of Fire Chiefs. It's a job specific test, it tests for specific skills and abilities that a firefighter is required to do in the firegrounds.

City Council approved Administration Resolution No. 24-2007 by a unanimous roll call vote.

Administration Resolution No. 25-2007, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER REVISING THE OFFICIAL SEWAGE FACILITIES PLAN FOR THE CITY OF LANCASTER TO INCLUDE THE PARCEL OF LAND IDENTIFIED AS THE AMTRAK STATION LOCATED AT 53 MCGOVERN AVENUE IN THE CITY OF LANCASTER.**

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

City Council approved Administration Resolution No. 25-2007 by a unanimous roll call vote.

Administration Resolution No. 26-2007, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER APPROVING A CERTAIN PROJECT TO BE UNDERTAKEN AND FINANCED BY THE LANCASTER MUNICIPAL AUTHORITY ON BEHALF OF NEW HOLLAND RECREATION CENTER; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY FACILITIES OF THE NEW HOLLAND RECREATION CENTER TO HAVE SUCH A PROJECT UNDERTAKEN AND FINANCED BY THE AUTHORITY.**

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

Dan Blakinger, Counsel for the Municipal Authority, stated that on April 25, 2007 the Lancaster Municipal Authority approved this project which is a \$9 million financing project for the New Holland Recreation Center. It is to purchase a condominium unit, the old Good's Warehouse Store, on Shirk Road. To purchase it and renovate it to have a recreation center there with a pool and other amenities. This is a health and welfare resolution, required by the Municipalities Planning Code. This does not involve any City taxpayer monies.

City Council approved Administration Resolution No. 26-2007 by a unanimous roll call vote.

Administration Resolution No. 27-2007, (the title) was read by the City Clerk as follows:

**A RESOLUTION AUTHORIZING THE SUBMISSION OF LANCASTER COUNTY URBAN ENHANCEMENT GRANT APPLICATIONS TO THE COUNTY OF LANCASTER.**

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

Randy Patterson, Director of Economic Development & Neighborhood Revitalization, stated that the Lancaster County Urban Enhancement Fund is a fund that is available through the County of Lancaster as a result of a bond issue that the County Commissioners issued in 2006. Half of those bond funds were for Farmland Preservation and a portion was for Urban Enhancement Grant to support Economic Development Activities primarily in the boroughs and the City of Lancaster. This year, as in past years, there were limitations on the amount of dollars that an applicant could request. This year it was slightly over \$250,000 per application. Slightly over \$500,000 for a project that would be of regional benefit. There was also a maximum for the Central Lancaster Urban Growth Area or for any urban growth area of a \$1,385,386. As a result of that, the City of Lancaster received notices from a number of non-profit organizations that also wished to submit applications for grants from this source of funding. Part of the requirements of the program are that any non-profit must receive the endorsement of City Council to formally submit their application to the County for funding. The City had three applications that it intended to submit. It also received another eight projects from non-profit organizations. The

total amount being requested by all of those projects was \$2.25 million. He recommended that Council not endorse applications that exceeded the amount of money available to the urban growth area. We do know that other municipalities within the Central Lancaster Urban Growth Area are submitting applications so there already will be competition for the applications that we are seeking your endorsement for this evening. The specific projects we are seeking endorsements for are listed in the resolution. They are the three City sponsored projects for the Lancaster Press Building project and its garage, Historic East King Street Residences and its Garage, and the Prince Street Streetscape Improvement for a total of \$635,000.

We are also seeking endorsements for \$500,000 for the Central Market Renovations, \$100,000 for East King Street Improvement District Plaza and \$50,000 for the SACA Development Company Elks Building project. For each of these projects, the minimum that you can match is \$2.00 for every \$1.00 you are receiving. So in each case, the projects do have the required match available.

In discussing this with City Council, Council was somewhat reluctant to not support the other projects because even the staff believe all of the other projects submitted were of value, not just to the City of Lancaster but to the County as a whole. And those projects were submitted by the North Museum, the Lancaster Public Library, the Lancaster Museum of Art and ASSETS.

In each of these cases, the benefit is actually more than regional, it is almost Countywide and it is actually outside of the County in terms of who benefits. So we did include some wording in this particular resolution for your action this evening that encourages the County to remove the restrictions on the availability of funds to the Central Lancaster Urban Growth Area so that applications from those organizations could be submitted. They did submit letters of intent and the City did recognize those letters of intent recognizing that we then had to do this resolution of endorsement. They will not have that endorsement so that if they do intend to submit applications to the County, it will be up to the County to notify those applicants that they are ineligible for funds at this point in time.

Paul Landry, Director of Development for the Lancaster Public Library, stated that he would like to correct a possible misunderstanding. The Lancaster Public Library is not a Lancaster County Library. The request that was made was not a request that will redound to the entire county. We are the Library of the City and a number of municipalities directly adjacent to the City of Lancaster. We are asked for \$150,000 toward a \$7.5 million campaign. Our current building is 53 years old. Our utilities are mostly not upgraded in that entire time. We have very costly constant maintenance to our heating, ventilation, air conditioning and plumbing systems. We have had estimates between 2 and 3 million to fully implement just upgrading those systems within the current building that we have, that will still leave us with an old deteriorating and poorly configured building, one that will not support all of the programs that the City of Lancaster needs.

A 2006 study just released by the University of North Carolina for Pennsylvania Libraries reports that every dollar investment made by a municipality for its library returns \$5.50 in benefit to the City.

In 2006, Lancaster Public Library received over 400,000 visits. That makes them the second largest non-profit in the entire County, although we don't serve the entire County. We provide more free services to the citizens of Lancaster than any other non-profit. 826,263 items were borrowed through the library in 2006. We provided 47,124 hours of free Internet time to our patrons. Nationally 35% of the population does not own computers. It is estimated in Lancaster that it is higher. 90% of a person's intellectual capacity for the rest of their lives is developed before the age of 5. Libraries are the main support nationally, for families in the intellectual growth of pre-school children. He respectfully asked Council to support the \$150,000 request by the Lancaster saying that it might be a very good thing for the City of Lancaster.

Mr. Patterson stated that in reviewing the applications, the staff that reviewed them did not make a decision that one project was not worthy of funding through the Urban Enhancement Grant Program. It was more a decision of looking at the cap that was available to the Central Lancaster Urban Growth Area and having to make decisions within that cap. The majority of the projects that we have put before Council for endorsement, three of those are City sponsored projects. A fourth, the Central Market Renovation Project, the City is responsible for the maintenance of Central Market, although it is operated by the Central Market Trust. East King Street and SACA are two projects that are not directly related to City functions, but in both of those cases, the City is supporting those projects in other ways and felt it was important to complete those projects. And they fall within the categories of the strategic plan.

Again, with the North Museum, the Library and the Museum of Art and Assets, he would not challenge any of the statistics that were presented this evening. Certainly, we believe that the Library is an important facility within the City of Lancaster. It is really a matter of the conundrum we were placed in with regard to the cap available to the Urban Growth Area.

Councilwoman Saunders stated that at the Committee meeting, particularly Councilman Urdaneta and her, talked about the Library for a long time and our desire to fund the Library as much as we can. They have increased, since they have been in office, the amount of money the City does donate to the Library. This was a difficult decision for Council because the money that was allocated to the City was the same amount of money allocated to other areas, such as Mountville, much smaller areas with comparably much less need. Given that that was the way this money was allocated, it was decided that we need to focus this money solely on projects that benefit City residents, hoping that we can encourage the County to help support our Library more.

Mr. Patterson stated that this program puts the City in a tough position, the way this program is set up. The municipality in which a project is located has to endorse that project in order for it to move forward. It's not an issue of whether the City believes it's a good project or a worthy project, it's the fact that simply because the North Museum is located in the City of Lancaster today, the City of Lancaster has to pass that resolution. He actually asked the question, If a project has more than a single municipal benefit, why couldn't the municipality that is also benefiting from that project pass the resolution of endorsement? The response was it's because the facility is located within the City. Obviously, as a location for services in the community, it already puts the City in a position of difficulty. In some of these instances, the Central Market is one of those; the Commissioners were actually encouraging those entities to submit their Urban

Enhancement Grant Applications through the City. So we were being pushed from both sides and again, put us in a difficult position. He is sure the Library was in a similar position and others that we have chosen not to specifically endorse, but still recommend to the County that they should receive consideration for Urban Enhancement Funds, just not at the level of priority of the six that we have placed in the resolution.

Councilman Urdaneta stated that together with Ms. Saunders, they brought forth changes in paragraph no. 6, requesting that the County change its way of allocating this money. He thinks that it is important to say that the City is not turning its back on the Library. We see other opportunities in which we can partner with the Library in seeking not just \$150,000 but probably even more. We in Council would support those opportunities. He stated that this is the way he views this resolution and what is going to conduct the way he votes. These are projects that have less opportunities than the Library, exactly because of the size of the Library and the scope of the programs that are in the Library. The funding sources for the Library are probably greater than those of the programs that the City has decided to endorse. He wants to ensure that from his seat, the Library has 100% support and in no way deciding or not deciding to endorse at this time, the Council is not turning his back on such an important asset to the City.

President Dickson stated that our department heads and City staff who are involved in a day-to-day basis with all the projects that come before them and linking it together to bring the whole vision of how we pull a strategic plan together, they are the ones that deal with this, and writing a grant application is not an easy task and not one that most of us are highly skilled in doing. So we take the recommendations that come from these folks quite seriously and know that they have been evaluated carefully. We also ask them to explain them to us, so we are clear that we understand what we are supporting. Because of the way this is developed, from her position, she stated that this is an easy yes vote.

Margie Marino, Executive Director of the North Museum stated that what Randy is saying is correct, the application for these funds is a flawed process. It pits people against each other, when in fact these are County funds that should be decided by the County on what is the best use of those funds. Most of us are serving the County as well as the City. We would really just like to get in front of the County Commissioners with a good grant proposal, we don't have to get all the money we ask for, but we know how to use our money well, we know how to get matches for it. We have over 200 volunteers that gave us 9,000 hours of service last year. With a little bit of money, we can do a whole lot. So she hopes they have a chance and that we are not put through a process, because we could use that time to find other funding.

City Council approved Administration Resolution No. 27 - 2007 by a unanimous roll call vote.

Council Resolution No. 28-2007, (the title) was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER  
RECOGNIZING THE VALUE OF ORGANIZED LABOR AND URGING  
CONGRESS TO PASS THE EMPLOYEE FREE CHOICE ACT TO PROTECT  
AND PRESERVE FOR AMERICA'S WORKERS THEIR FREEDOM TO**

**CHOOSE FOR THEMSELVES WHETHER OR NOT TO FORM A UNION.**

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

Councilman Roschel stated that at the last Council meeting three members of the public presented comments on the same issue, the Employee Free Choice Act. Professor Flaherty, from Franklin & Marshall College, spoke a little bit about the history of the Wagner Act passed in 1935 (the National Labor Relations Act) which gave workers the right to join a union. Also Ms. Topakian, who is an organizer for Service Employees International Union, spoke about some of the hurdles and hardships that they have to face when they are trying to organize. Also, Ms. York, a resident of the City, who was fired when she tried to get her co-workers to form a union and has since then been a union member and she spoke about the benefits of a union. He put this resolution together, and it is similar to other cities' resolutions in other parts of the Commonwealth.

Three main parts of the Employee Free Choice Act: stricter punishments for companies that violate the workers rights to form a union, it provides for arbitration for first time contracts, and it allows for a card check voting system. He further stated that he is a proud member of a union. Ms. Saunders stated that she is also a proud union member. Mr.Graupera also stated that he is too. Mr. Polite stated that he urges support.

City Council approved Council Resolution No. 28-2007 by a unanimous roll call vote.

President Dickson adjourned the meeting at 9:20 p.m.

\_\_\_\_\_  
Julianne Dickson, President

Attest:

\_\_\_\_\_  
City Clerk