

STATED MEETING - CITY COUNCIL – AUGUST 8, 2006

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A meeting of the Lancaster City Council was held on Tuesday, August 8, 2006, in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Dickson presiding.

The Council led the assembly in the Pledge of Allegiance.

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

City Council approved the minutes of July 11 & July 25, 2006 by a unanimous roll call vote.

READING OF PETITIONS, COMMUNICATIONS & MEMORIALS - Attorney John A. Mateyak, representing Musser Park North, the partnership which holds 100% of the real estate adjacent to that portion of North Jefferson Street located between East Chestnut and East Fulton Streets, brought a Petition to vacate that portion of North Jefferson Street. The Petition includes exhibits, and a proposed ordinance. Musser Park North, is submitting the petition in order to utilize that portion of North Jefferson Street to develop additional parking for the building known as 211 East Chestnut Street and occupied, in part, by Hartman Underhill & Brubaker LLP.

REPORTS REQUESTED BY COUNCIL - Randy Patterson, Economic Development Director for the City, reported on the process of renewing the Downtown Investment District. The process will begin early in September of 2006 and the renewal is for the period January 1, 2007 until January 31, 2012. In early September or late August, the Downtown Investment District will mail the new six-year plan covering that period to all property and business owners in the Downtown Improvement District. On September 26th, the DID will hold a public hearing at 6:00 p.m. here at Southern Market to review that plan and allow public comment at that point. From September 27th until November 10, 2006 is a 45 day review period to receive comments and objections to that plan and they both must be presented to the DID office at 44 North Queen Street and to the City of Lancaster at 120 North Duke Street. The objections will be considered and responded to. On November 10, 2006, if one third or more of the DID taxable property owners, in either number or in dollars of assessed value, have submitted valid objections to the renewal at that date, then the DID will not be renewed and will discontinue operation at the end of 2006. There is an independent auditor, Trout, Ebersole & Groff, who will tabulate the objections. On November 14th, the DID, if there are insufficient objections, would come before Council for a first reading of approval for the extension. Then final reading and vote of Council would be on November 28th of 2006. So there is ample opportunity during this process beginning in early September for comment on the DID's plan and its provisions for the next 6 year period.

April Koppenhaver, Mulberry Street, asked why it is written in the by-laws that it is mandatory that one representative from the newspaper office and one representative from the Fulton Bank must be on the Board of Directors at all times and she would like an explanation for that. Mr. Patterson stated that he has only attended one meeting, but he will get an answer for her question.

The City Clerk reported to the President that she would be glad to furnish Ms. Koppenhaver

with a copy of the original ordinance which lists the original members of the DID Authority. Ms. Koppenhaver stated that she finds it very curious, when you check the time in history when the DID was established and when Penn Square Partners formed. There is a very similar parallel period of time. There are a lot of businesses effected by the DID but it was put in that a representative from the newspaper and the Fulton Bank had to be on this board and she is questioning that and many DID tax paying residents and business are questioning that fact.

PUBLIC SAFETY COMMITTEE – Chairwoman Williams stated that the Committee met on August 1st to hear a request for handicapped parking. Those people did not appear and they will have to go back again through the Traffic Commission. There was a matter addressed on July 24th and the Committee recommended that the matter go before the full council and that matter will be coming up in Administration Bill No. 10-2006 under New Business.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE - Chairman Urdaneta stated that his Committee met in the matter of commending Annie Bailey's Pub for the way they accommodated the handicapped community by quickly making the access available at their front entrance. Resolution 43-2006 is on the agenda and he asked if it could be moved up early on the agenda to accommodate the folks who are here tonight.

FINANCE COMMITTEE - Chairwoman Saunders stated that the Finance Committee would meet on Tuesday, August 15 to review the quarterly budget.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE - Chairman Roschel stated the Committee met on August 1st. We had two items on the agenda. The first item was to discuss the proposal by Lancaster General Hospital and Lancaster General Services Business Trust to amend the text of our Zoning Ordinance and to rezone two tracts of property. That will be a Public Hearing tonight under New Business. The second item was to discuss the LIMC Comprehensive Plan "Growing Together." The City Planning Commission offered some recommendations to improve the legibility of the map and to replace the photos of attached houses in the City of Lancaster. On July 28, Mr. Roschel attended the second day of a two-day seminar of a City Vision Task Force with Chris Leinberger of the Brookings Institute. It was hosted by the Mayor.

Council Resolution No. 43-2006 was read by the City Clerk as follows:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER
COMMENDING ANNIE BAILEY'S PUB FOR RESPONDING TO THE NEEDS
OF OUR PHYSICALLY HANDICAPPED CITIZENS AND INSTALLING A RAMP
AT THE FRONT ENTRANCE WHICH ALSO ENHANCES THE STREETScape.**

WHEREAS, Annie Bailey's Pub officially opened in the middle of April with Handicapped Accessibility from the rear of the building: and

WHEREAS, accessibility was not possible at the front entrance for wheelchairs because of a 6 inch step; and.

WHEREAS, members of the Handicapped Community protested in the front of Annie Bailey's on May 25, 2006, stating that the access afforded them from the rear was an insult to their human rights, and dangerous; and

WHEREAS, the management of Annie Bailey's agreed that the handicapped patrons had a valid complaint and designed an entrance to accommodate these patrons and constructed the handicapped ramp and entrance in early June.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster that we commend the owners and management of Annie Bailey's Pub for responding to the needs of our physically handicapped citizens and creating the entrance that is helpful to them and is pleasing to the streetscape.

Councilman Polite made the motion to approve and Councilman Urdaneta seconded. City Council approved Council Resolution No. 43-2006 by a unanimous roll call vote.

Councilman Urdaneta and Mayor Gray presented a copy of the resolution to the manager of Annie Bailey's. Mr. Wayne Koch represented Lancaster Disabled for Change and Justice.

Administration Bill No. 10-2006, (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER ENACTED PURSUANT TO THE AUTHORITY SET FORTH IN SECTION 285-130.E. OF THE CODE OF THE CITY OF LANCASTER, CHAPTER 285, VEHICLES AND TRAFFIC; ESTABLISHING A TEMPORARY EXCEPTION FROM THE HANDICAPPED PARKING SPACE LIMITATION SET FORTH IN SECTION 285-130.B TO PERMIT FOUR (4) HANDICAPPED PARKING SPACES ON THE NORTH SIDE OF THE 400 BLOCK OF WEST VINE STREET; AND PROVIDE THAT THIS ORDINANCE SHALL EXPIRE UPON THE EXPIRATION OF TWO YEARS AFTER ITS EFFECTIVE DATE UNLESS REENACTED BY COUNCIL.

Councilwoman Williams stated that Mr. Martinez, who lives in the 400 Block of West Vine Street, has had a stroke and is in a wheel chair. There are already 3 handicapped parking spaces in that block. A petition signed by many of the residents of that block was brought to the attention of the Public Safety Committee and it was agreed that a change in the ordinance was warranted.

Administration Bill No. 11-2006, (the title) was read by the City Clerk as follows:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A TRACT OF LAND BETWEEN NORTH DUKE STREET AND NORTH CHRISTIAN STREET IN THE CITY OF LANCASTER, PENNSYLVANIA, FROM RO DISTRICT TO HC

DISTRICT AND TO CHANGE THE ZONING CLASSIFICATION OF A TRACT OF LAND BETWEEN NORTH CHRISTIAN STREET AND NORTH QUEEN STREET FROM R4 DISTRICT TO HC DISTRICT AND TO CHANGE THE ZONING MAP ACCORDINGLY; TO AMEND ARTICLE 1, COMMUNITY DEVELOPMENT OBJECTIVES; ESTABLISHMENT OF DISTRICTS; PROVISION FOR OFFICIAL ZONING ATLAS, SECTION 012.14 HC DISTRICT (HOSPITAL COMPLEX) TO PERMIT PARKING GARAGES IN THE HC DISTRICT; TO AMEND ARTICLE 5 SCHEDULE OF DISTRICT REGULATIONS - TABLE OF PERMITTED USES, SECTION 051 TABLE OF PERMITTED USES TO ADD MEDICAL AND HEALTH SERVICE (e) AND (f) AND MEDICAL, DENTAL, OPTICAL LABORATORY AND PROSTHETIC DEVICE FABRICATION AS PERMITTED USES IN HC DISTRICT; TO AMEND ARTICLE 6 SCHEDULE OF DISTRICT REGULATIONS - TABLE OF PERMITTED USES, SECTION 061 TABLE OF HEIGHT, AREA AND BULK REGULATIONS TO REFERENCE SECTION 0715 HOSPITAL COMPLEX FOR REGULATIONS FOR BUILDING HEIGHT AND PERCENTAGE OF MAXIMUM LOT COVERAGE; TO AMEND ARTICLE 7, SECTION 0715 HOSPITAL COMPLEX REGULATIONS FOR SETBACK, HEIGHT, LANDSCAPING AND TO PERMIT PARKING GARAGES FOR HC DISTRICT USES; AND TO AMEND ARTICLE 19 DEFINITIONS – HOSPITAL TO PERMIT ACCESSORY PARKING GARAGES BY RIGHT.

Spokesmen for Lancaster General Hospital and Lancaster General Services included Mr. Gehringer, Mr. Puskar and Mr. Jackson who presented the outline for the plans for the demolition and construction of a new building for the hospital and a new parking lot.

Members of the Public who asked questions or made comments regarding the plans were Randolph Carney, Ron Hibshman Jr., Willie Shell, April Koppenhaver, and Bruce Clark

In answer to a question by Councilman Polite about how the hospital is doing in recruiting minorities, Mr. John Lines, representing the hospital, stated that one of the things that is very important to us is that our employee population mirrors the patients we care for. There is a predominance of Latino and minorities in our patients. We work hard with the School District of Lancaster to educate and encourage students there to enter into health care professions. We have been doing that for more than a decade.

PUBLIC COMMENT - Emery Walton, 120 Howard Avenue, complained about the drug activity in his neighborhood. Bruce Clark, New Holland, called for a cease-fire at the Watt & Shand building.

REPORT OF THE MAYOR - Mayor Gray presented his report to Council and it is available to read on the City's website. CityofLancasterpa.com

Mayor Gray reported that he spoke to Mayor Tom McMahan of Reading to express regrets of the residents of the City of Lancaster on the loss of a Reading police officer. This is the second death of a Reading officer in the last several years. The Mayor and I agreed that the overabundance of guns in our community poses a threat to our law enforcement officers and every law-abiding citizen. They both agreed that in the future we are going to do whatever we

can to begin to limit the availability of guns in our city and in our communities. There will be a large contingent of officers from Lancaster at the funeral tomorrow. We will be represented at his interment by members of the Lancaster Police Bureau.

COUNCIL COMMENTS - Councilman Graupera commended the City Administration for finding a buyer for the Kemp Food site. He asked that now that York Waste Disposal is our contracted hauler, their client base has exploded, has there been any discussion of employment for displaced private hauler. Mayor Gray stated, "Yes, we are having discussions with York Waste about that."

Councilman Graupera also asked about the educational material that is being sent out, he asked if it could be put on the City's website. Mayor Gray said yes and it will be in English and in Spanish.

Councilman Polite asked the Mayor if York Waste would provide any kind of container and the Mayor responded that there would be new recycling containers. Ms. Brogan stated that York Waste will make curb carts or "toters" available to the customer. There will be a rental fee. Councilman Polite said he hopes the containers will be narrow to go through the narrow alleys.

President Dickson adjourned the meeting at 8:55 p.m.

Julianne Dickson, President

Attest:

City Clerk