

STATED MEETING - CITY COUNCIL –DECEMBER 10, 2002

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A meeting of the Lancaster City Council was held on Tuesday, December 10, 2002, in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, Pa., at 7:30 p.m., with President Diamantoni presiding.

City Council led the assembly in the Pledge of Allegiance.

Present – Ms. Dickson, Mr. Duncan, Mr. Graupera, Mr. Mendoza, Mr. Polite,
Mr. Stoltzfus, President Diamantoni – 7

Council approved the minutes for November 12, 2002 by a unanimous roll call vote.

READING OF PETITIONS, COMMUNICATIONS & MEMORIALS - Mayor Smithgall presented watches and recognition to the following employees who have attained 25 years of service:

Detective William Chalfant
Sergeant Peter Glatfelter
Firefighter Jeffrey Graham
Audrey Hirko
Darlene Hodgen
Battalion Chief Brian Klugh
Irene Montanez
Darlene Palmer
Lt. Thomas Paul
Battalion Chief Robert Pennypacker
Firefighter Frank Pritz
Ronald Lee Rubican
George Snyder
Ronald Snyder
Linda Wright
Detective Lt. John Yost

President Diamantoni announced that at this time we would address the Council decision on conditional use approval of the proposed Convention Center. At our last Council meeting Council was a judicial body and heard and considered a hearing regarding the conditional use for the Convention Center. After the meeting, Council met to discuss our findings and we put together finding of fact and tonight we will come to a decision as to the conditional use. He stated that Councilman Gene Duncan has recused himself because of a perceived conflict of interest that he may have. In our role as a Zoning Body, the rules dictate that all those making the decision must be present for all the hearings and discussions. As Mr. Mendoza was on vacation during the hearing, he also will not participate in our vote.

Councilwoman Dickson made the motion to approve and Councilman Graupera seconded. City Council approved the conditional use by a unanimous roll call vote.

COUNCIL HEARING – At this time President Diamantoni stated that he would like to continue our hearing to attempt to determine how certain documents and testimony that was presented at a closed and confidential executive session of Council came into the possession of a reporter for the Intelligencer Journal. We will continue in this hearing as one of our councilmen, Mr. Mendoza was on vacation at the time of our last meeting. Mr. Mendoza was sworn in by the Court reporter.

Councilman Mendoza was not present at the last meeting of Council and was the sole witness interviewed this evening.**

** A complete transcript of the testimony is file in the City Clerk’s Office.

PUBLIC WORKS COMMITTEE – Chairman Stoltzfus stated that the Public Works Committee met tonight concerning the trash issue. We are down to about 4,000 people who do not have a trash hauler. We have asked the Administration again to come up with an RFP to be sent out after the letters have been sent out to the 4,000 who do not have a trash hauler. We also talked about Mr. York who was interested in getting a fish stand at Central Market. We thought he was denied unfairly. The issues were discussed and there is a public auction that Mr. York can bid on for his stand and we hope he gets it.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Chairman Graupera stated that last night the Committee met to address the amendments to the comprehensive inspection ordinance. This was the third public meeting concerning this issue. The committee voted 2-1 to move this amendment to full Council for its second meeting. He requested that it be placed on the December 17 agenda.

FINANCE COMMITTEE – Chairman Duncan stated that we received the Budget for 2003 two weeks ago. Since then we have met 5 times. We heard from each of the department heads as to their particular budgets. Saturday morning we met here to come up with ways to provide the citizens with the services they are used to and without a great financial burden to them. We will be meeting again on Thursday evening to continue our discussion to come up with a budget that works for the Administration and its citizens, so we can present it to the full Council next Tuesday.

Council considered the following application(s) & (HARB recommendation(s) for improvements to properties within the Historic District:

1. Susan E. Hoover, to replace existing wood fencing at west and south side, rear of property, with wood fencing to match existing at east side at 204 East King Street.
2. Andrea J. Good, to install banister on either side of five steps leading to the front porch at 353 East Orange Street. Railing will match the existing porch railing.
3. Housing Authority of the City of Lancaster, to 1.) replace existing concrete stair 2.) infill basement window 3.) replace existing brick sidewalk in grocer’s alley with concrete sidewalk at 119 Church Street.
4. St. John’s Episcopal Church, to install on HVAC system chiller unit at one of three proposed locations; courtyard area, parking lot area at rear of church or screened with the

nursery buildings at 321 West Chestnut Street.

5. John T. Meeder, 1.) to demolish a portion of the rear of the building, 2.) to restore East King Street façade of building, 3.) to rebuild portions of the existing mansard roof, 4.) construct new wall at rear (north side) at 171 East King Street.

Ms. Dickson made the motion to approve and Mr. Mendoza seconded.

Pat Coller, 334 West Orange Street, asked if the property on East King Street is the one that was involved in the fire at Lime and King Street. She was assured it was.

City Council approved the decisions of the Historical Architectural Review Board by a unanimous roll call vote.

Administration Resolution No. 71-2002, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER DECLARING OFFICIAL INTENT TO USE BOND FINANCING FOR THE POLICE STATION PROJECT.

Councilman Mendoza made the motion to approve and Councilman Duncan seconded.

Carol Roland, Director of Administrative Services, stated that this resolution is what is considered a reimbursement resolution under Treasury Regulations and basically this allows the City to reimburse any funds that we might use in the interim to pay for construction costs at the Police Station until these bonds are issued. This is required to be done beforehand otherwise you cannot reimburse yourself. There is a specific time period as to how far back you can reimburse expenses.

City Council approved Administration Resolution No. 71-2002 by a unanimous roll call vote.

Administration Resolution No. 72-2002, (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 LANCASTER GENERAL HOSPITAL (EXPANSION) IN THE CITY OF LANCASTER.

Councilman Mendoza made the motion to approve and Councilman Polite seconded. City Council approved Administration Resolution No. 72-2002 by a unanimous roll call vote.

PUBLIC COMMENT – Dave Greiner, Chestnut Street, spoke to Council and asked them to carefully consider the budget and not reduce services. Mike Winterstein, School Board Member, stated that he thought there was an understanding between the School Board and the Smithgall Administration that high tax rates were killing economic development and property values in the City. He spoke in favor of not increasing taxes and to look at other ways to cut costs. He stated that the School Board believes that the City should hold the line on taxes. Any increase is going to hurt the City. Jose Urdaneta, North Lime Street, stated that he is concerned

that the way this tax increase is being presented to a citizen as though it is something that we asked for. The presentation at the last meeting was that because we are not willing to give up some services there is no choice but to raise taxes. He stated that several years ago the Administration stated that there were surpluses, there were services and the money was there for them. If we now need to increase taxes or give up services, he asked what fiscal conservatism is. Mr. John Burgess, 622 Harrison Street, stated that he is 75 years old and he cannot afford to pay more taxes. Linda Milano, 354 East Orange Street, stated that in light of the many problems, specifically crime and drugs, she feels that an additional 10 or 15 dollars a month to keep essential services in place is a small price to pay to maintain the quality of life in the City. Christopher Erb, Bargain Committee Chairman for the Lancaster City Police Officer's Association, currently in negotiation with the City for a contract which is due to expire at the end of this month, stated that he has heard rumblings that some on Council would like the Police to give up 17% of their benefit package. He stated that although it was done in the mid-nineties, 17% is not going to happen at this time. Dan Diller, 421 West Walnut Street, concerning the proposed increases on rental properties, stated that we really need systematic inspection of rental properties, but we also need a systematic inspection of all properties in Lancaster. He is a real estate broker and there have been systematic inspections before and they worked and then all of a sudden it was stopped and the quality of housing and life decreased as a result of that stoppage. He asked Council to make an amendment to that ordinance to require systematic inspections to all properties in Lancaster. Brenda Davis spoke to Council to voice her support for the fire and police departments.

REPORT OF THE MAYOR - Mayor Smithgall stated that the City has lost one of its finest citizens through the death of Ruamie Binns. Mrs. Binns was a resident of the downtown since 1981 and was the supporter of several organizations focusing on the revitalization of Lancaster. Mrs. Binns was very proud of her husband's role as president of Armstrong Cork Co., later Armstrong World Industries, from 1967 until 1977. It was his decision to build the company corporate offices downtown on the second block of North Queen Street. In a tribute to his leadership she arranged for a plaque and a bench to be located on the site in his memory, following his death in 1985. The area was designated by Council to become Binns Park in August of 2001. At the time of the designated announcement, Mrs. Binns said that great strides had been made in downtown, but we must all work together to make it an outstanding area which will attract and inspire others. He extended his condolences to the Binns family on behalf of himself and the City of Lancaster. He read a commendation honoring Ruamie Binns as follows:

WHEREAS, Ruamie Binns contributed decades of leadership to the Lancaster Community; and

WHEREAS, Ruamie Binns was active in the Lancaster Red Cross, Lancaster General Hospital, Lancaster Day Care Center, Fulton Opera House, Historic Preservation Trust and Pennsylvania Academy of Music, as well as other non-profit organizations, and was a tireless advocate for quality child care and educational opportunities; and

WHEREAS, Ruamie Binns and her family were committed to the revitalization of the City of Lancaster, and through a generous gift began the development of Binns Park in the second block of North Queen Street as a beautiful garden, small entertainment venue and place for reflection; and

WHEREAS, Ruamie Binns provided energy and vision to the community through her volunteer work and philanthropy; and

WHEREAS, the death of Ruamie Binns is mourned by many throughout Lancaster City and County, and she will be sorely missed.

NOW, THEREFORE, I, Charles W. Smithgall, Mayor of the City of Lancaster, do hereby posthumously comment Ruamie Binns for her outstanding commitment and contributions to the greater Lancaster Community.

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

Stephen G. Diamantoni, President

Attest:

City Clerk