

STATED MEETING - CITY COUNCIL – JANUARY 23, 2001

A meeting of the Lancaster City Council was held on Tuesday, January 23, 2001, in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, Pa., at 7:30 p.m., with President Polite presiding.

Pastor Gene Boyce gave the invocation.

City Council led the assembly in the Pledge of Allegiance.

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

The minutes of November 28, 2000 and January 9, 2001 were approved by a unanimous roll call vote.

Ms. Keesha Millburn presented the children from the Rights of Passage of the Brightside Baptist Church. They are shadowing City Council members.

Considered the following applications & (HARB) recommendations) for improvements to properties within the Historic District.

1. Waypoint Bank to install a 4' high x 7'7" wide sign of dark bronze lettering with "halo" lighting, design as per submitted drawings to be installed in the same place as the previously existing sign, with the condition that the proposed sign shall be approved by the City Zoning Officer at 100 East King Street.

2. Gene & Tanis Shaw to demolish existing garage at 213-215 North Concord Street.

3. Lancaster County Commissioners to remove and replace existing benches, ash urns, wall mount light fixtures; install tables and chairs, raised planters, recycling receptacles, new wall-mounted light fixtures and light fixtures on 12' poles; and relocate the statue of Columbus as per submitted plans at Lenox Lane between 50 North Duke Street and 29 East King Street.

4. Daryl & Jane Peifer, to install operable cedar shutters on the existing window of the garage at the rear of 125 North Shippen Street as detailed in submitted drawing.

Councilman Mendoza made the motion to approve and Councilman Lehman seconded. City Council approved the HARB applications by a unanimous roll call vote.

Administration Resolution No. 6-2001, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER EXONERATING (2000) WATER CHARGES IN THE AMOUNT OF \$17,727.90 AND SEWER CHARGES IN THE AMOUNT OF \$12,141.90 FOR CITY-OWNED PROPERTIES AT 28 LOCATIONS.

Councilman Lehman made a motion to amend the amounts of sewer charges and water charges from the amounts that were voted out of Committee and Councilman Graupera seconded. Council approved amending Administration Resolution No. 6-2001, including the exonerated charges pertaining to the Lancaster Trust Building which was not on the resolution when it was voted out of Committee, by a unanimous roll call vote. Councilman Lehman made the motion to approve Administration Resolution No. 6-2001 (as amended) and Councilman Mendoza seconded. City Council approved Administration Resolution No. 6-2001(as amended) by a unanimous roll call vote.

Administration Resolution No. 7-2001, was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER, ON BEHALF OF THE CITIZENS OF LANCASTER, REQUESTING THE UNITED STATES POSTAL SERVICE BOARD OF GOVERNORS TO ISSUE A COMMEMORATIVE STAMP HONORING THADDEUS STEVENS.

WHEREAS, Thaddeus Stevens was a friend and advocate to the masses and was an ardent abolitionist who fought diligently for the equality of all people; and

WHEREAS, he was born in Danville, Vermont in 1792 and graduated from Dartmouth College in 1814, he came to Pennsylvania and worked as a school teacher in the City of York; and

WHEREAS, Mr. Stevens became a lawyer in Gettysburg, Adams County, later became a member of the House of Representatives of the Commonwealth of Pennsylvania, and represented Pennsylvania as a member of the Congress of the United States working tirelessly to end slavery and improve economic and educational opportunities for all people; and

WHEREAS, Thaddeus Stevens was chairman of the House Ways and Means Committee, served as co-chair of the Joint Select Committee on Reconstruction of the Congress and authored the 14th Amendment, the most enduring legislation of the Reconstruction period and probably his greatest contribution to civil rights; and

WHEREAS, Thaddeus Stevens lived his last years in the City of Lancaster, Pennsylvania and, requesting to be laid to rest in a non-segregated cemetery, is buried in Shreiner's Cemetery at West Chestnut and Mulberry Streets; and

WHEREAS, it is fitting that we issue this resolution in this month of January as we celebrate the birthday of Dr. Martin Luther King, the greatest of the 20th Century

proponents of civil rights for all Americans.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster on behalf of the citizens of the City of Lancaster that we request the Citizens' Stamp Advisory Committee of the United States Postal Service recommend that the United States Postal Service Board of Governors issue a commemorative stamp honoring Thaddeus Stevens, as an individual worthy and deserving of such an honor.

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

Mr. Gene Duncan, representing Stevens Technical College, accepted the resolution from Council thanking Council in advance for approving this resolution and reminded everyone that through Thaddeus Stevens efforts, a lot of good things would not have happened in Lancaster. The availability of an education that he made for the poor and indigent students since 1900 has greatly helped the economy of not only Pennsylvania but the whole United States because of all the tradespeople he has given the opportunity to be educated at the school.

City Council approved Resolution No. 7-2001 by a unanimous roll call vote.

Council Resolution No. 8-2001, was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER HONORING AND COMMENDING ALVIN C. GANTZ, JR. FOR BEING NAMED PRESIDENT OF THE PENNSYLVANIA STATE ASSOCIATION OF THE IMPROVED BENEVOLENT PROTECTIVE ORDER OF ELKS OF THE WORLD, INC.

WHEREAS, Alvin C. Gantz, Jr. has been an Elk for 52 years, having joined the Junior Herd of Conestoga Lodge of Elks 140 in 1947; and

WHEREAS, he is presently a trustee and steward of Conestoga Lodge and a district deputy, an office he has held for 18 years; and

WHEREAS, Alvin C. Gantz, Jr. has served his country in the U.S. Air Force from 1952 to 1962, a Korean War Veteran, and was active in Freedom Lodge 1370 of the Elks, the lodge of the armed forces; and

WHEREAS, Mr. Gantz was elected secretary of the trustee board of Conestoga Lodge after his military service and has been a lodge officer since then, serving every chair in the lodge including exalted ruler for several terms; and

WHEREAS, Alvin C. Gantz, Jr. served his community in many ways over the

years, serving on the Lancaster Housing Authority and was vice chairman from 1971 to 1974 and chairman from 1974 to 1976.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster, that we are pleased to honor Mr. Alvin C. Gantz, Jr. for achieving the status of President of the Pennsylvania State Association of the Improved Benevolent Protective Order of the Elks of the World and wish him and his family well in their future endeavors.

Councilman Mendoza made the motion to approve and Councilman Mendoza seconded. City Council approved Council Resolution No. 8-2001 by a unanimous roll call vote.

Mr. Gantz was there to accept the resolution from City Council. Mr. Willie Borden, Exalted Ruler came to the microphone and thanked Council on behalf of the Conestoga Lodge 140. President Polite presented the Resolution to Mr. Alvin Gantz, President of the Pennsylvania State Association and he thanked Council and the Mayor.

PUBLIC COMMENT – Officer Chris Lazer representing the Lancaster City Police Officer’s Association, in alliance with Red Rose Lodge, No. 16 Fraternal Order of Police, representing all law enforcement officers in Lancaster County, read a statement expressing their disapproval for a letter that President Polite wrote to Judge Eckman which asked for leniency for a young man, charged with striking a police officer, who ultimately received probation.

Ms. Jackie McCain, Rockland Street stated that she thinks President Polite should be able to write a letter of support and being president of City Council should not stop him from being able to express his opinion. She further stated that he is not the only one who wrote a letter of support for this young man. Mr. Willie Borden also spoke in support of Mr. Polite, and expressed his disapproval with the Police Officers who walked out after their statement. Mr. Alvin Gantz, stated his support for Mr. Polite and stated that going to our elected officials is what they are supposed to do.

Mr. Rick Gray, attorney for the young man who is at the center of this discussion, stated that it is unfortunate that the FOP has left, because he wanted to defend the situation. He stated that he solicited letters from the community, not just from President Polite, which he normally does for individuals who are being sentenced, so a judge can have some idea about the person he is about to pronounce sentence on. He stated that Mr. Polite’s actions were not at all unusual. Generally, letters are calling for harsher sentences; he never sees protests about that.

Dave Greiner, Chestnut Street, spoke in defense of the police officers, Cassius Gantz, stated that he is a former City police officer and he does not find anything wrong with what Mr. Polite did, he knew the family and the young man since he was a baby. What he really finds distasteful is that the police officers left this room.

Mr. Ted Darcus, New Street, stated that he is here to say to President Polite that he has our support. He further stated that the people in this room have supported the police over all these years and one time they come to the defense of a kid that we look at as one of our kids that would be lost in the shuffle. He urged the police officers to ask for a meeting with Mr. Polite and sit down and talk about this.

Roger Grace, retired City police officer, stated that he also wondered why the police officers left before we all got a chance to express our opinions. He thinks that every one wants the same thing here. He also stated that he thinks that the officers and the President of Council should all sit down and talk about it.

Emerson Cattrell, Marjorie Terrace, stated that he is here to represent the youth, and he hopes that there will not be any revenge taken on the young black males in this community. He is a mentor at Barnes Hall and he talks to all young people from all over this county. Chet Stewart, Shippen Street stated that he is here in support of Mr. Polite. He has known him all of his life and has known him to be a leader of young people. Later in life, he served as citizen's participation for Model Cities, which was a federally funded program, which encouraged citizen participation in the low to moderate-income sections of the City. Nelson Polite had the distinction to be chair of that citizen's assembly. From that position he has risen to be President of City Council and he has a responsibility to the community. He has a right; he has the need to speak for his community. He was there for young people of this community before he was president of Council and he will always be there after he leaves that seat.

Gary Sisco, Fairview Avenue, stated that it is unfortunate that there is a division in the community and he is disappointed that the Police Officers felt that they had to make that sort of statement, which he interprets to mean that they were not interested in hearing anything else. He hopes that is not the case, but it appeared that way to him and others in the room.

Chris Erb, former President of the Lancaster City Police Association, stated that the main issue of concern that the officers had was that it was not a racially motivated letter or actions of the police that were here tonight. They were upset, because in the letter to the judge, Mr. Polite identified himself as President of Lancaster City Council. The police were concerned because that letter was signed representing the government of this City.

Kathy Franco, Pleasure Road, stated that she thinks if someone hits a police officer, they should go to jail and cannot understand why someone should get away with it. Betty London Cawthorn, Jefferson Street, stated that she supports Mr. Polite. We elect these officials and they are elected officials of all the people. Roger Culbreth, and Paul Culbreth spoke in favor of Mr. Polite and took exception to the police officers leaving after their statement. Mr. Greg Folke, Strawberry Street, thanked Mr. Polite for helping a young man get a second opportunity to life. Mr. John Burgess stated that he

was behind Mr. Polite 100%. Mr. Sam Perry stated that he agrees with the other supporters of Mr. Polite, but he wants to say that there should be more letters written on behalf of our youth.

President Polite read the letter he wrote to the Judge and further read a statement in response to the displeasure of the Lancaster Police Officers Association.

Cindy & Dennis Mulligan, Liberty Street, reported the conditions of the property they vacated recently on Liberty Street, which is owned by DAB Properties. Mayor Smithgall stated that he would look into the situation.

Rev. Bailey, pastor of the Bethel AME Church, spoke in support of President Polite stating that he has spent all of his years fighting for the good of the City, helping in the community making sure that people live respectful lives, fighting against some of the crime, being a father to many of the people in the community. And no one should question his right to support a kid who is in trouble for the first time. He stated that he knows many professional leaders who have committed wrongs, but every time a policeman does something they pull ranks and everybody is wrong but them. He again stated his support for President Polite.

REPORT OF THE MAYOR – Mayor Smithgall stated that the City is now removing all sneakers that are thrown over the lines. Through some effort, he contacted Comcast and they gave the City the permission to cut them down.

PUBLIC SAFETY COMMITTEE – Councilman Mendoza commended the Lancaster City Fire Bureau for handling the situation last Friday when the fire occurred last Friday and caused a blackout in an 8 – 10 block area of the downtown during rush hour. He further stated that he will be holding a Public Safety Committee meeting in the near future to hear an update on the progress of the new police station.

ECONOMIC DEVELOPMENT & REVITALIZATION COMMITTEE – Councilman Graupera stated that he will be rescheduling a meeting dealing with the amendment to the existing Landlord ordinance. He asked for the meeting to be held at 7:00 p.m. on February 13, 2001.

FINANCE COMMITTEE REPORT – Councilman Lehman stated that the Finance Committee met on Wednesday, January 17th to discuss the year end financial report and the Water and Sewer Exonerations. The next meeting will take place on Thursday, February 15th at 7:30 p.m. There will be the January financial report, the Mayor's salary and Council salary on the agenda.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Councilwoman Dickson stated that the committee met this evening and heard a review of the Community Development Block Grant program, and the other federally funded programs. Citizen's panels will meet on Saturday, March 3, 2001 and March 17, 2001.

Those panels will be appointed by Council and the Mayor and she is currently receiving recommendations for those citizen panelists from Council members.

PERSONNEL COMMITTEE – Councilman Diamantoni stated that he would like to schedule a meeting at 6:00 p.m. on February 20th to review the Human Relations Commission Ordinance. In addition we will be discussing appointments to the Airport Authority, Mr. James Cunningham and the Lancaster Industrial Development Authority, Ms. Patti Connell.

The City Clerk read the Traffic Commission minutes of January 16, 2001. After the reading of the Traffic Commission minutes Mr. Bill McMichael took exception to a stop sign being installed at Susquehanna and South Ann Street. Mayor Smithgall stated that there are so many children crossing there that the neighbors requested of the Commission to install the sign. Traffic Commission approved the sign unanimously.

President Polite adjourned the meeting at 9:30 p.m.

/s/ Nelson M. Polite, Sr.,

President

Attest:

/s/ Janet E. Spleen

City Clerk