

The City of York, Pennsylvania

Carol Hill-Evans, President of Council
Henry Hay Nixon, Vice President of Council
Renee S. Nelson, Member of Council
Michael Ray Helfrich, Member of Council
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COMMITTEE MINUTES

November 24, 2014

6:00 p.m.

| Police | Fire | Public Works | E&C Development | Business Admin | Rules & Admin |
|-------------------------------------|-------------------------------------|--|------------------------------------|--|--|
| Nixon Nelson Satterlee | Nixon Nelson Satterlee | Satterlee Hill-Evans Helfrich | Nelson Nixon Helfrich | Helfrich Hill-Evans Nixon | Hill-Evans Nelson Satterlee |

***Bold text indicates Chairperson**

Note: General Committee is chaired by Council President or designee and includes all Council members.

Council members in attendance: Michael Ray Helfrich, David Satterlee, Henry Hay Nixon, Vice President, and Carol Hill-Evans, President.

Administration in attendance: Deputy Business Administrator Michael Doweary; Deputy Director James Crosby, Bureau of Housing Services; Public Works Director Jim Gross; and Assistant City Solicitor Jason Sabol.

Council staff in attendance: City Clerk Dianna L. Thompson-Mitchell.

- I. Called committee meeting to order at 6:00 p.m.
- II. Committee Issues for the December 2 & 16, 2014 legislative Agenda as follows:

PUBLIC WORKS ([View Issues Chart](#))

1. **Resolution authorizing an agreement with PennDOT.**

Public Works Director Jim Gross explained that we have received funding through PennDOT for the Market Street Paving Project from Carlisle Ave. to Harrison St. In order to accept this funding, he said we must first execute an agreement to authorize electronic access to PennDOT systems.

DECISION: There being no further discussion, a motion was made Hill-Evans, seconded by Satterlee, to place this item on the **12/2/14** legislative agenda. The motion passed by the following vote: Satterlee, Hill-Evans, Helfrich – 3; Nays – 0.

ECONOMIC & COMMUNITY DEVELOPMENT ([View Issues Chart](#))

1. **Resolution forgiving interest and delaying maturity for the Mortgage & Note for Smyser Street Apartments.**

Scott Forry, Vice President, PFG, gave a project background. He said this is an affordable housing property located at 201 N. Penn St. (Smyser Street Apartments) and consists of 21 total units. PFG, along with its partner and first mortgage lender, Drivers & Mechanics Bank (now Fulton Bank), and the City's second mortgage funding, put together an affordable housing project for this location. The total cost of the original project was approximately \$1,500,000, with the city providing about \$250,000 in HOME funding. He said although the property has experienced high occupancy, it has not experienced great financial success since PFG pays the utilities and other operating expenses, hence their request for an extension on the note. Additionally, he added that the city's loan documents were structured to allow for an extension and for the property to remain affordable. PFG is requesting to exercise its option to cease the accrual of interest, forgive 1/15 of the accrued interest per year over the next 15 years, and delay the maturity on the loan until 20 years after the end of such additional 15 year period as per the existing promissory note.

DECISION: There being no further discussion, a motion was made by Nixon, seconded by Helfrich, to place this item on the **12/2/14** legislative agenda. The motion passed by the following vote: Yeas – Helfrich, Nixon – 2; Nays – 0.

1. **Bill amending Article 1303.08 of the Zoning Code to permit “Communication Transmitting and Receiving Facility” by right in the Open Space District (cell towers) - (PP&Z)**

Public Works Director Jim Gross outlined that before the zoning ordinance was re-written, cell towers were authorized by right. When the new zoning ordinance was adopted, this right was omitted, which they believe was accidental. He said the York City Planning Commission is okay with the amendment. If we don't allow cell towers to operate in this district, he said it would more than likely be pushed into the commercial district. Director Gross added that this is a revenue generating amendment and could possibly produce \$20,000 in revenue for the city. He did say Council would still have to approve specific agreements for placement of cell towers.

Assistant Solicitor Sabol added that the York County Planning Commission has already been notified of the amendment.

Committee members discussed with Assistant Solicitor Sabol the public hearing and advertising requirements as outlined in the PA Municipal Planning Code (20th Edition, July 2011), Sections 607 & 609. Due to the public hearing and notification requirements, Committee members set a public hearing date for January 20, 2015 at 6:00 p.m. in Council Chambers with the Bill's introduction to take place that same evening during the 7:00 p.m. legislative session. Consideration of final passage will take place at the February 3, 2015 legislative session.

DECISION: There being no further discussion, a motion was made by Hill-Evans, seconded by Satterlee, to place this item on the **1/20/15** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Satterlee – 2; Nays – 0. (**Note:** A **public hearing** on this amendment will be held on **January 20, 2015 at 6:00 p.m.** in Council Chambers.)

2. **Bill amending Article 349 “Admissions Tax” to amend definition of “Admissions” to exclude charge for food & beverages included with admission, and to remove \$3.00 maximum tax to be imposed on any single admission. - (Business Admin)**

Deputy Business Administrator Michael Doweary explained that there are three proposed amendments to Article 349: (1) to amend language for package deal tickets so admissions tax won't apply to the meal, just the entrance fee; (2) exempt taxation for free tickets; and (3) remove the \$3.00 tax cap on single admissions to allow tax to be imposed on whatever the ticket price is.

During discussion, it was found that Section 349.11 “Exemptions; Limitations,” Subsection (a), provides tax exemptions on an admission price of less than \$5.00. Administrator Doweary said Bill No. 24, Ordinance No. 22 of Session 2014, should have amended that figure to read \$6.00. Since the amendment was missed in Ord. 22, the amendment will be added to this legislation to change the tax exemption price from \$5.00 to \$6.00 in Section 349.11(a).

DECISION: There being no further discussion, a motion was made by Hill-Evans, seconded by Satterlee, to place this item on the **12/214** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Satterlee – 2; Nays – 0.

Councilwoman Nelson entered the meeting at 6:31 p.m.

BUSINESS ADMINISTRATION ([View Issues Chart](#))

1. **Resolution approving 2015 Stop Loss insurance coverage.**

Administrator Doweary said they received quotes last week with Optum being the winning quote for stop loss insurance, which is geared to limit risk exposure to excess liability related to the city's health insurance benefits for its employees.

DECISION: There being no further discussion a motion was made by Hill-Evans, seconded by Nixon, to place this item on the **12/2/14** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Nixon, Helfrich – 3; Nays – 0.

II. Council Comment: None

III. Administration Comment: None

IV. Next Committee Meeting Monday, December 29, 2014 at 6:00 p.m. in Council Chambers. (**Note:** At an upcoming meeting of Council, members will discuss whether to cancel this meeting due to possible scheduling conflicts.)

V. Adjournment: There being no further business, the November 24, 2014 committee meeting adjourned at 6:36 p.m.

Dianna L. Thompson-Mitchell, City Clerk

Carol Hill-Evans, President of Council