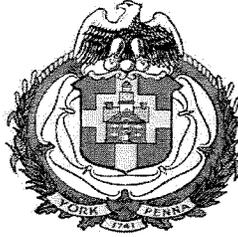


# Council of the City of York, Pennsylvania

Carol Hill-Evans, President of Council  
Henry Hay Nixon, Vice President of Council  
Renee S. Nelson, Member of Council  
Joanne Borders, Member of Council  
Michael Helfrich, Member of Council

Dianna L. Thompson, City Clerk  
Email: [dthompso@yorkcity.org](mailto:dthompso@yorkcity.org)



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## AGENDA

February 21, 2012  
Public Comment 6:30 p.m.  
Legislative Session 7:00 p.m.

I. Public Comment: 6:30 p.m. to 7:00 p.m.

***Disclaimer:** Pursuant to the Sunshine Act, the City of York will only record citizens' names and the subject of testimony provided during the public comment period. Should you request information or desire a response to your testimony, you must provide the City Clerk or Council President with your contact information. Information you provide will be used by City of York agents to process your request. Your name, address and request for information may be entered into the City of York complaint tracking system.*

City Council welcomes public comment on agenda items and on City-related issues not on the agenda. Under Council's adopted Rules and Procedures, comment on agenda items occurs during Council's regular 7:00 p.m. meeting. Comment on non-agenda items begins at 6:30 p.m., with Council sitting as a General Committee. Persons wishing to speak on non-agenda items should sign up with the City Clerk before the 6:30 Public Comment committee meeting. Each speaker shall have up to five minutes to speak. To assure access to all participants, the presiding officer may reduce the time limit down to three minutes if the number of speakers who have signed up would extend the total comment period beyond 30 minutes and/or may resume public comment after Council's legislative session has adjourned. Council's Rules, available from the City Clerk, are also on display in Council Chambers and on Council's web page at [www.yorkcity.org](http://www.yorkcity.org).

II. Call Legislative Meeting to Order: 7:00 p.m.

III. Roll Call

IV. Pledge of Allegiance

*I pledge Allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, Indivisible, with Liberty and Justice for All.*

V. Action on previous meeting Minutes of **February 7, 2012**.

VI. Correspondence and/or Announcements

VII. Presentations, Proclamations and Awards: None

VIII. Committee Meeting(s) Scheduled

- ▲ **Public Works Committee, Joanne Borders, Chair:** Meeting scheduled for **Tuesday, March 6, 2012 at 6:00 p.m.** in Council Chambers to discuss a proposed resolution to cooperate with the York Area Metropolitan Planning Organization (YAMPO) on resurfacing of Market St.

IX. Status of Prior Committee Referrals

- ▲ **General Committee, Carol Hill-Evans, Chair:** Council met in General committee on **Tuesday, February 14, 2012 at 6:30 p.m.** in Council Chambers to hear from the city's accounting firm Maillie, Falconiero & Company, LLP, a presentation on the City of York 2010 audit.

- X. **Legislative Agenda:** (Order of Business – Action on Subdivision/Land Development & HARB Resolutions; Final Passage of Bills/Resolutions; New Business.)

**Subdivision / Land Development / HARB**

1. Resolution No. 38 - A Resolution  
Approving a final reverse subdivision plan submitted by CSP York LLC. (To consolidate parcels located at 625 E. Philadelphia St. - Thackston Charter School)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (Planning)
2. Resolution No. 39 - A Resolution  
Approving a final land development plan submitted by CSP York LLC. (To expand the existing school facility known as Thackston Charter School - 625 E. Philadelphia St.)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (Planning)
3. Resolution No. 40 - A Resolution  
Accepting the recommendations of HARB.  
Introduced by: Henry Hay Nixon  
Originator: Historic York  
Notes: See Resolution for synopsis of project details.

**Final Passage of Bills / Resolutions**

4. Final Passage of Bill No. 3 (Pending Mayor's approval) – A Bill  
Amending Article 155 “Appropriation” of the codified ordinances. (To reflect a decrease in funding for Martin Library.)  
Introduced by: Michael Ray Helfrich  
Originator: Business Administration  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
5. Final Passage of Bill No. 4 (Pending Mayor's approval) – A Bill  
Amending Article 541 “Dumpster Placement” of the codified ordinances. (To include provisions for dumpster bags.)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (PP&Z)  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
6. Final Passage of Bill No. 5 (Pending Mayor's approval) – A Bill  
Amending Article 717.10 “Removing Dog Excrements” of the codified ordinances. (To require excrements be removed from private and public property.)  
Introduced by: Henry Hay Nixon  
Originator: Police  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.

7. Final Passage of Bill No. 6 (Pending Mayor's approval) \_\_\_\_\_ - A Bill  
Amending Article 729 “Litter in Streams and Waters” of the codified ordinances. (To include prohibitions from littering on public or private property.)  
Introduced by: Henry Hay Nixon  
Originator: Police  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
8. Final Passage of Bill No. 7 (Vote was tabled) \_\_\_\_\_ - A Bill  
Amending Article 1731 “Historic York” of the codified ordinances. (Subsection 1731.08 “Board Meetings” to change meeting schedule to once per month.)  
Introduced by: Carol Hill-Evans  
Originator: Historic York  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
9. Final Passage of Bill No. 8 (Pending Mayor's approval) \_\_\_\_\_ - A Bill  
Amending Article 1761 “Licensing and Inspection of Tenant Occupied Residential and all Institutional Occupancies” of the codified ordinances. (To include provisions for student homes.)  
Introduced by: Henry Hay Nixon  
Originator: Fire/Rescue  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
10. Final Passage of Bill No. 9 (Pending Mayor's approval) \_\_\_\_\_ - A Bill  
Amending the 2012 budget. (For the Memorial Park Improvement Project)  
Introduced by: Joanne Borders  
Originator: Public Works  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
11. Final Passage of Bill No. 10 (Pending Mayor's approval) \_\_\_\_\_ - A Bill  
Amending the 2012 CDBG & HOME Budgets. (To reflect changes resulting from actual funds carried over from 2011 to 2012.)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (BHS)  
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
12. Final Passage of Resolution No. 35 \_\_\_\_\_ - A Resolution  
Amending fire alarm, false alarm and standby fees.  
Introduced by: Henry Hay Nixon  
Originator: Fire/Rescue  
Notes: This resolution was introduced at Council's February 7, 2012 meeting but was required to sit for at least one meeting prior to consideration of final passage. This will serve as the second reading and Council will look to vote on this resolution tonight.

13. Final Passage of Resolution No. 36 - A Resolution Amending operational permits, construction permits and plan review fees. (Codified Ordinances Article 1501)  
Introduced by: Henry Hay Nixon  
Originator: Fire/Rescue  
Notes: This resolution was introduced at Council's February 7, 2012 meeting but was required to sit for at least one meeting prior to consideration of final passage. This will serve as the second reading and Council will look to vote on this resolution tonight.
14. Final Passage of Resolution No. 37 - A Resolution Amending occupancy licensing fees and inspection fees. (Codified Ordinances Article 1761)  
Introduced by: Henry Hay Nixon  
Originator: Fire/Rescue  
Notes: This resolution was introduced at Council's February 7, 2012 meeting but was required to sit for at least one meeting prior to consideration of final passage. This will serve as the second reading and Council will look to vote on this resolution tonight.

**New Business**

15. Resolution No. 41 - A Resolution Appointing Marakay Rogers as a member of the Fire Civil Service Commission.  
Introduced by: Carol Hill-Evans  
Originator: Council
16. Resolution No. 42 - A Resolution Appointing E. Hayden Mitchell as a member of the Fire Civil Service Commission.  
Introduced by: Carol Hill-Evans  
Originator: Council
17. Resolution No. 43 - A Resolution Awarding a contract to Kinsley Materials. (\$83,375.00 for purchase of asphalt mixes)  
Introduced by: Joanne Borders  
Originator: Public Works
18. Resolution No. 44 - A Resolution Awarding a contract to Stewart & Tate, Inc. (For equipment rentals)  
Introduced by: Joanne Borders  
Originator: Public Works
19. Resolution No. 45 - A Resolution Authorizing an agreement with E-Finity Distributed Generation, LLC. (\$519,475.00 for maintenance on the microturbine co-generation system)  
Introduced by: Joanne Borders  
Originator: Public Works (WWTP)
20. Resolution No. 46 - A Resolution Authorizing an agreement with Met-Ed. (To remove a streetlight at 121 Stevens Ave.)  
Introduced by: Joanne Borders  
Originator: Public Works
21. Resolution No. 47 - A Resolution Authorizing a budget transfer for Public Works. (\$20,500.00 for engineering services)  
Introduced by: Joanne Borders  
Originator: Public Works

22. Resolution No. 48 - A Resolution  
Authorizing a budget transfer for Economic & Community Development. (\$19,786.00 for other professional services)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development
23. Resolution No. 49 - A Resolution  
Authorizing a budget transfer for the Bureau of Permits, Zoning & Inspections. (\$9,732.00 for other professional services & architectural/engineering/consultants.)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (PZ&I)
24. Resolution No. 50 - A Resolution  
Authorizing an agreement with the PA Dept. of Health. (\$46,330.00 for the dental sealant program)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (Health)
25. Resolution No. 51 - A Resolution  
Authorizing an agreement with the PA Dept. of Health. (\$275,000.00 for immunization services)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (Health)

- XI. Requests for Future Meetings
- XII. Council Comment
- XIII. Administration Comment
- XIV. Adjournment
- XV. Resumption of Public Comment Period (at the discretion of the presiding officer)



This agenda is subject to change before and during the meeting for consideration of such other business Council may desire to act upon including items of business deferred from previous Council meetings. If you are a person with a disability and plan to attend the public meeting, please call 849-2883 if any accommodations are needed to participate in the proceedings. Persons with hearing impairments may contact the Deaf Center at TDD 848-6765 for assistance.

Council of the City of York, Pennsylvania

Session 2012

Resolution No. 35

Note: In accordance with Or. 19-97 fee legislation must sit for at least one mtg. prior to consideration of passage. Projected date for consideration of passage is slated for 2/21/12.

INTRODUCED BY:  Henry Hay Nixon

DATE: February 7, 2012

WHEREAS, on December 21, 2012, (Resolution No. 154) City Council approved a list of fees for City services effective January 1, 2011; and

WHEREAS, City Council is empowered to approve such fees for City services, such fees having been provided to Council not less than one (1) meeting prior hereto;

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that City Council hereby approves the following amended list of fees for City services to become **effective March 1, 2012**, as set forth herein:

Department of Fire/Rescue Services 2012

Fire Alarm Connection Fee \$360

False Alarm Fees

Fourth False Alarm \$325

Fifth False Alarm \$425

Sixth and Subsequent False Alarms \$525

Fire Department Standby Fees

Assistant Chief \$85.00

Captain \$79.00

Firefighter \$75.00

BE IT FURTHER RESOLVED, that any Resolutions or parts thereof inconsistent with the provisions contained herein are hereby repealed.

PASSED FINALLY: February 21, 2012

BY THE FOLLOWING VOTE:

YEAS: Helfrich Nixon Borders Nelson Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans, President of Council

ATTEST:

  
Dianna L. Thompson, City Clerk

Council of the City of York, PA  
Session 2012  
Resolution No. **36**

INTRODUCED BY:  Henry Hay Nixon

DATE: **February 7, 2012**

WHEREAS: In accordance with Ordinance No. 54 of Session 2008, the Council of the City of York, Pennsylvania (Council) has the authority to adopt by Resolution permit fees to be imposed in accordance with Article 1501 of the Codified Ordinances for the City of York, Pennsylvania ("City"), and

WHEREAS, City Council is empowered to approve such fees for Fire Code Permits, such fees having been provided to City Council not less than one (1) meeting prior hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, the City Council hereby approves the following list of fees to become effective April 1, 2012 as set forth herein:

OPERATIONAL PERMITS

1. §105.6.1 Aerosol Products:	\$120
2. §105.6.2 Amusement Buildings (Temporary):	\$150
3. §105.6.2 Amusement Buildings (Permanent):	\$600
4. §105.6.3 Aviation Facilities:	\$600
5. §105.6.4 Carnivals, Fairs and Outdoor Assemblages: (30-Day Permit)	\$150
6. §105.6.5 Cellulose Nitrate Film:	\$120
7. §105.6.6 Combustible Dust Producing Operation:	\$120
8. §105.6.7 Combustible Fibers:	\$120
9. §105.6.8 Compressed Gas:	\$120
10. §105.6.9 Covered Mall Buildings:	\$120
11. §105.6.10 Cryogenic Fluids:	\$120
12. §105.6.11 Cutting and Welding:	\$120
13. §105.6.12 Dry Cleaning Plants:	\$120
14. §105.6.13 Exhibits and Trade Shows:	\$120
15. §105.6.14 Explosives:	\$300
16. §105.6.15 Fire Hydrants and Valves:	\$55
17. §105.6.16 Flammable and Combustible Liquids:	\$120
18. §105.6.17 Floor Finishing: (Per Occurrence)	\$55
19. §105.6.18 Fruit and Crop Ripening:	\$120
20. §105.6.19 Fumigation and Thermal Insecticidal Fogging:	\$120
21. §105.6.20 Hazardous Materials:	\$600
22. §105.6.21 HPM Facilities:	\$600

23. §105.6.22 High Piled Storage:	\$120
24. §105.6.23 Hot Work Operations: Exception: York City Licensed Plumbers	\$120
25. §105.6.24 Industrial Ovens:	\$120
26. §105.6.25 Lumberyards and Woodworking Plants	\$120
27. §105.6.26 Liquid or Gas-Fueled Vehicles or Equipment in Assembly Buildings	\$120
28. §105.6.27 LP Gas	\$120
29. §105.6.28 Magnesium	\$120
30. §105.6.29 Miscellaneous Combustible Storage	\$120
31. §105.6.30 Open Burning (Per Occurrence)	\$120
32. §105.6.31 Open Flames and Torches (Per Occurrence)	\$35
33. §105.6.32 Open Flames and Candles Exception: Places of Worship	\$35
34. §105.6.33 Organic Coatings	\$120
35. §105.6.34 Places of Assembly Exception: Places of worship.	\$50 plus \$.30 per person per calculated occupant load
36. §105.6.35 Private Fire Hydrants	\$35
37. §105.6.36 Pyrotechnic Special Effects Materials	\$125
38. §105.6.37 Pyroxylin Plastics	\$120
39. §105.6.38 Refrigeration Equipment	\$120
40. §105.6.39 Repair Garages and Motor Fuel Dispensing	\$120
41. §105.6.40 Rooftop Heliports	\$600
42. §105.6.41 Spraying or Dipping	\$120
43. §105.6.42 Storage of Scrap Tires or Tire Byproducts	\$120
44. §105.6.43 Temporary Membrane Structures, Tents and Canopies Per occurrence or 30-days	\$75
45. §105.6.44 Tire Rebuilding Plants	\$600
46. §105.6.45 Waste Handling	\$120
47. §105.6.46 Wood Products	\$120

Any occupancy that requires two (2) or more operational permits shall be charged the highest permit fee plus \$20 per each additional required operational permit.

#### CONSTRUCTION PERMITS

Effective February 1, 2012 the fee for construction permits required under sections 105.7.1 through section 105.7. 12 shall be one percent (1.25%) of the valuation of the work plus \$50. The fee for construction permits for Section 105.7.13 shall be \$75 per temporary membrane structure, tent or canopy.

PLAN REVIEW FEES

Effective February 1, 2012 the fees for fire department plan review shall be as follows:

Sprinkler/Standpipe Systems	\$225 per riser
Alarm Systems, up to 49 devices	\$225
Alarm Systems, 50 to 100 devices	\$325
Alarm Systems, over 100 devices	\$425
Kitchen Exhaust Fire Suppression Systems	\$175
All Others	\$85 per hour, 1 hour minimum billed in ¼ hour increments thereafter

Plan review fees shall include one (1) inspection and one (1) re-inspection. All subsequent re-inspections shall be billed at the rate of \$85.00 per hour, one (1) hour minimum to be billed in ¼ hour increments thereafter.

BE IT FURTHER RESOLVED, that any Resolutions or parts thereof inconsistent with the provisions contained herein are hereby repealed.

PASSED FINALLY: **February 21, 2012**

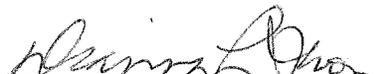
BY THE FOLLOWING VOTE:

YEAS:     **Helfrich**         **Nixon**         **Borders**         **Nelson**         **Hill-Evans**     - 5

NAYS:     **None**    

  
Carol Hill-Evans, President of Council

ATTEST:

  
Dianna L. Thompson, City Clerk

Council of the City of York, Pennsylvania  
Session 2012

Note: In accordance with Or. 19-97 fee legislation must sit for at least one mtg. prior to consideration of passage. Projected date for consideration of passage is slated for 2/21/12.

Resolution No. **37**

INTRODUCED BY:  Henry Hay Nixon

DATE: **February 7, 2012**

WHEREAS, in accordance with Ordinance No. 10 of Session 1999, the Council of the City of York, Pennsylvania (Council) has the authority to adopt by Resolution inspection and licensing fees to be imposed in accordance with Article 1761 of the Codified Ordinances for the City of York, Pennsylvania (City), and

WHEREAS, Council amended Article 1761 to establish specific licenses regarding the uses of residential, institutional, educational and day care occupancies within the City in order to protect the health, safety and welfare of the tenant and visitors of such occupancies and of the City residents as a whole;

NOW THEREFORE BE IT RESOLVED, that the Council of the City of York, Pennsylvania hereby approves the list of licensing fees to be imposed in accordance with Article 1761 **effective April 1, 2012** as set forth herein:

Group I-1	\$75 per bed
Group I-2	\$65 per bed
Group I-3	\$65 per bed or a flat fee of \$125 for institutional facilities without bedding
Group I-4, Group R-4, and Group E Day Care	\$65 plus \$7.50 per person served (based on approved occupant load)
Group R-1	\$75 per sleeping unit or rooming unit
Group R-2, Group R-3, Group R-4 or Group R-5	\$75 per dwelling, sleeping unit or rooming unit
Group R-2 Day Care or Group R-3 Day Care	\$65 flat fee

BE IT FURTHER RESOLVED, that Council hereby approves the list of inspection fees within the City to be imposed in accordance with Article 1761 effective April, 1, 2012 as set forth herein:

Group I-1, Group I-2, and Group I-3

One (1) to ten (10) beds	\$75 per bed
More than ten (10) beds	\$750 minimum plus \$75 per hour, per inspector ( billed in ¼ hour increments)

**Resolution No. 37, Session 2012 - Pg. 2**

Institutional without bedding	\$175 flat fee
Group I-4, Group R-4 and Group E Day Care	\$65 per hour One (1) hour minimum
Group R-1 through Group R-5 residential	
One (1) to ten (10) units	\$75 per dwelling, rooming or sleeping unit
Mort than ten (10) units	\$750 plus \$75 per hour, per inspector (billed in ¼ hour increments)
Group R-2 Day Care or Group R-3 Day Care	\$75 flat fee

BE IT FURTHER RESOLVED, that any Resolutions or parts thereof inconsistent with the provisions contained herein are hereby repealed.

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

YEAS: Helfrich      Nixon      Borders      Nelson      Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans, President of Council

ATTEST:

  
Dianna L. Thompson, City Clerk

Council of City of York, PA

Session 2012

Resolution No. **38**



INTRODUCED BY: **Renee S. Nelson**

DATE: **February 21, 2012**

WHEREAS, CSP York LLC submitted a Final Reverse Subdivision Plan proposing to consolidate three parcels into one; and

WHEREAS, the existing parcels are identified as: 12376080020000000; 12376080030000000; 12376080040000000; and

WHEREAS, the City Zoning Officer, City Planner, and City Engineer have reviewed and recommended approval of the plan; and

WHEREAS, the Final Reverse Subdivision Plan submitted by the applicant is in general accordance with the City's Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the York City Planning Commission recommended approval of the Final Reverse Subdivision Plan at its regularly scheduled meeting held on January 9, 2012 with the following waivers and contingency items:

- 1.) Waiver from requiring a preliminary plan.
- 2.) Waiver from names and addresses of property owners within 200 ft of the site.
- 3.) Address all Planning Staff comments.
- 4.) Conditioned on resolution of the City Engineer's comments.
- 5.) Conditioned on resolution of the Zoning Officer's comments.
- 6.) Conditioned on resolution of the Sewer Department's comments.
- 7.) Resolution of additional comments from other City Departments, if any, when received.
- 8.) Address relevant YCPC comments.

WHEREAS, the applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the action of the York City Planning Commission in recommending approval of the Final Reverse Subdivision Plan submitted by CSP York LLC with the above waivers is hereby affirmed, and the President of Council and City Clerk are authorized to certify this approval by affixing their signatures to the Final Reverse Subdivision Plan.

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

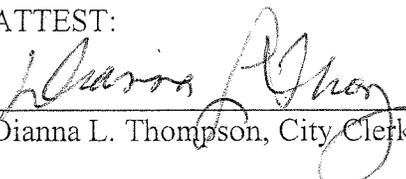
YEAS: **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans - 4**

NAYS: **None**

ABSTAINED: **Borders - 1**

  
\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson, City Clerk

# Memorandum

To: Dianna Thompson, City Clerk  
Kevin Schreiber, Economic Development/Community Development

From: Alex Hoffman, City Planner

Date: February 15, 2012

RE: Council Agenda Item: 625 E. Philadelphia St. Helen Thackston Charter School  
Subdivision and Land Development Plans

CSP York, on behalf of Helen Thackston Charter School, submitted both subdivision and land development plans. The purpose of the subdivision plan was to show the consolidation of three parcels into one, while the land development plan depicted the construction of the proposed expansion.

The York City Planning Commission recommended approval of the Final Reverse Subdivision Plan at its regularly scheduled meeting held on January 9, 2012 with the following waivers and contingency items:

- 1.) Waiver from requiring a preliminary plan.
- 2.) Waiver from names and addresses of property owners within 200 ft of the site.
- 3.) Address all Planning Staff comments.
- 4.) Conditioned on resolution of the City Engineer's comments.
- 5.) Conditioned on resolution of the Zoning Officer's comments.
- 6.) Conditioned on resolution of the Sewer Department's comments.
- 7.) Resolution of additional comments from other City Departments, if any, when received.
- 8.) Address relevant YCPC comments.

The York City Planning Commission recommended approval of the Final Land Development Plan at its regularly scheduled meeting held on February 13, 2012 with the following waivers and contingency items:

- 1.) Waiver from requiring a preliminary plan.
- 2.) Waiver from names and addresses of property owners within 200 ft of the site.
- 3.) Waiver from roof drains connecting to storm sewers.
- 4.) Waiver from requiring a minimum of one-foot freeboard.
- 5.) Waiver from street trees.
- 6.) Waiver from streetlights.
- 7.) Address all Planning Staff comments.
- 8.) Conditioned on resolution of the City Engineer's comments.
- 9.) Conditioned on resolution of the Sewer Department's comments.
- 10.) Address relevant YCPC comments.

The applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation.

Staff recommends approval of this plan as per the suggested City Council Resolutions provided herein.

End.



INTRODUCED BY: **Renee S. Nelson**

DATE: **February 21, 2012**

WHEREAS, CSP York LLC submitted a Final Land Development Plan proposing to expand the existing school facility known as Helen Thackston Charter School located at 625 E. Philadelphia St.; and

WHEREAS, the City Zoning Officer, City Planner, and City Engineer have reviewed and recommended approval of the plan; and

WHEREAS, the Final Land Development Plan submitted by the applicant is in general accordance with the City's Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the York City Planning Commission recommended approval of the Final Land Development Plan at its regularly scheduled meeting held on February 13, 2012 with the following waivers and contingency items:

- 1.) Waiver from requiring a preliminary plan.
- 2.) Waiver from names and addresses of property owners within 200 ft of the site.
- 3.) Waiver from roof drains connecting to storm sewers.
- 4.) Waiver from requiring a minimum of one-foot freeboard.
- 5.) Waiver from street trees.
- 6.) Waiver from streetlights.
- 7.) Address all Planning Staff comments.
- 8.) Conditioned on resolution of the City Engineer's comments.
- 9.) Conditioned on resolution of the Sewer Department's comments.
- 10.) Address relevant YCPC comments.

WHEREAS, the applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the action of the York City Planning Commission in recommending approval of the Final Land Development Plan submitted by CSP York LLC with the above waivers is hereby affirmed, and the President of Council and City Clerk are authorized to certify this approval by affixing their signatures to the Final Land Development Plan.

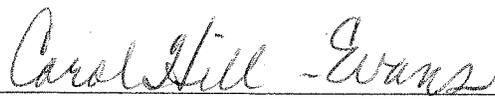
PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

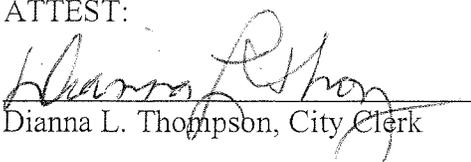
YEAS: Helfrich, Nixon, Nelson, Hill-Evans - 4

NAYS: None

ABSTAINED: Borders - 1

  
\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson, City Clerk

# Memorandum

To: Dianna Thompson, City Clerk  
Kevin Schreiber, Economic Development/Community Development

From: Alex Hoffman, City Planner

Date: February 15, 2012

RE: Council Agenda Item: 625 E. Philadelphia St. Helen Thackston Charter School  
Subdivision and Land Development Plans

CSP York, on behalf of Helen Thackston Charter School, submitted both subdivision and land development plans. The purpose of the subdivision plan was to show the consolidation of three parcels into one, while the land development plan depicted the construction of the proposed expansion.

The York City Planning Commission recommended approval of the Final Reverse Subdivision Plan at its regularly scheduled meeting held on January 9, 2012 with the following waivers and contingency items:

- 1.) Waiver from requiring a preliminary plan.
- 2.) Waiver from names and addresses of property owners within 200 ft of the site.
- 3.) Address all Planning Staff comments.
- 4.) Conditioned on resolution of the City Engineer's comments.
- 5.) Conditioned on resolution of the Zoning Officer's comments.
- 6.) Conditioned on resolution of the Sewer Department's comments.
- 7.) Resolution of additional comments from other City Departments, if any, when received.
- 8.) Address relevant YCPC comments.

The York City Planning Commission recommended approval of the Final Land Development Plan at its regularly scheduled meeting held on February 13, 2012 with the following waivers and contingency items:

- 1.) Waiver from requiring a preliminary plan.
- 2.) Waiver from names and addresses of property owners within 200 ft of the site.
- 3.) Waiver from roof drains connecting to storm sewers.
- 4.) Waiver from requiring a minimum of one-foot freeboard.
- 5.) Waiver from street trees.
- 6.) Waiver from streetlights.
- 7.) Address all Planning Staff comments.
- 8.) Conditioned on resolution of the City Engineer's comments.
- 9.) Conditioned on resolution of the Sewer Department's comments.
- 10.) Address relevant YCPC comments.

The applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation.

Staff recommends approval of this plan as per the suggested City Council Resolutions provided herein.

End.

Council of the City of York, PA  
Session 2012  
Resolution No. 40

Introduced by:

  
Henry Hay Nixon

Date: February 21, 2012

**BE IT RESOLVED**, by the Council of the City of York, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

Council hereby approves a Certificate of Appropriateness to be certified to and forwarded by the City Clerk to the York City Building Inspector who is hereby authorized to issue permits for work to be covered in the following application(s) as recommended and approved by the Historical Architectural Review Board:

1. **Kelley Coey, YCDC & Pirhl, LLC** for work to be done at **S. George St. & E. College Ave.** (George Street Commons)

Project: The project known as the George Street Commons is situated upon 1.3 acres located between South George Street to the West, South Court Avenue to the East, East Hope Avenue to the North and East College Avenue to the South. The five buildings will house 28 townhomes, a clubhouse and a grocery store. The buildings on George and College will have board & batten and cement board siding; interior units will have double four inch dutch vinyl siding with H-trim vertical battens to interrupt continuous seams. There will be smoothface masonry at commercial areas and splitface masonry at the base; cement board panels; red utility brick veneer; batten board; asphalt shingles in a weather slate color for roofing and standing seam metal roofing over all entries. Windows will be aluminum clad and vinyl for secondary facades and interior units. Sash sizing will be consistent throughout all buildings. Exterior lighting fixtures will be placed at all entries - sea gull style for residential, progressive wall mounted lighting fixtures for commercial locations.

The foregoing work to be done in accordance with plans and specifications approved by the Historical Architectural Review Board.

Passed Finally: February 21, 2012

By the following vote:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans, President of Council

ATTEST:

  
Dianna L. Thompson, City Clerk

CERTIFICATE of APPROPRIATENESS  
RECOMMENDATION to YORK CITY COUNCIL

APPLICATION FOR PROPERTY ADDRESS: South George Street at East College Avenue, York, PA

APPLICANT: Pirhl, LLC

At the public meeting held on Wednesday, February 15<sup>th</sup>, 2012 the Board of Historical Architectural Review considered an application for a permit for work to be performed on the above-identified property located with the Historic District.

Proposed Work:

- The applicant proposes to construct a new mixed use complex referred to as George Street Commons.

Photos/Plans Attached:

Effect of the proposed change upon the general historic and architectural nature of the district [1731.09(a) of the Codified Ordinances of York, Pennsylvania]:

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Appropriateness of exterior architectural features which can be seen from a public street or way only [1731.09(b)]:

---

General design, arrangement, texture, material and color of building or structure and relation of such factors to similar features of other buildings or structures in the district [1731.09(c)]:

---

Other relevant findings of fact:

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WHEREUPON THE BOARD VOTED TO RECOMMEND APPROVAL OF THE APPLICATION:

AS PRESENTED IN THE ATTACHED PRELIMINARY REVIEW SHEET.

AS AMENDED FROM THE PRELIMINARY REVIEW SHEET AS FOLLOWS:

JUSTIFIED DUE TO NEW MODERN CONSTRUCTION & HAYS.

---

DISSENTING VOTES AND RATIONALE:

2 NO'S - VINYL SIDING & MATERIAL  
w/ BAND & BUILT TO TRADITIONAL vs CONTEMPORARY.

(over)

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WHEREUPON THE BOARD VOTED TO RECOMMEND DENIAL OF THE APPLICATION BECAUSE:

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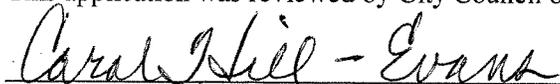
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DISSENTING VOTES AND RATIONALE:



John Fox, HARB Chair

This application was reviewed by City Council on 2/21/12 and has been  APPROVED  DENIED



Carol Hill-Evans, President of City Council

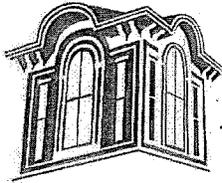
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The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR Part 67) pertain to historic buildings of all materials, construction types, sizes and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent or related new construction. HARB applies these Standards to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



**HISTORIC YORK**

Building the Future with Architecture of the Past

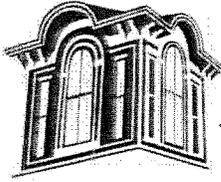


**York Historical Architectural Review Board  
Agenda**

**6:30 PM Wednesday, February 15, 2012**

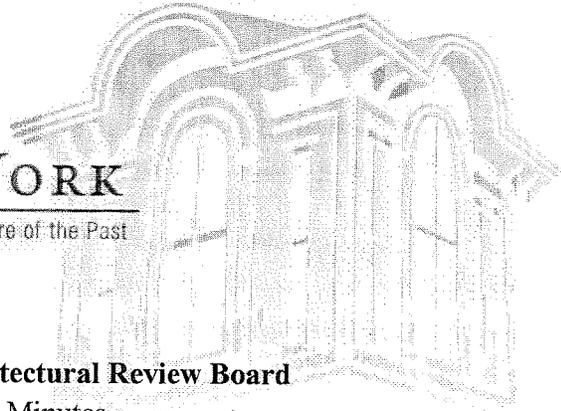
**City Council Chambers at One Marketway West, Third Floor, York, PA 17401**

- I Welcome (6:30pm):** John Fox, HARB Chair
- II Agenda (6:31 – 6:32pm):** Additions or changes to the agenda
- III Minutes (6:33 – 6:35pm):** Approve minutes from January 18, 2012 HARB meeting
- IV Cases (6:36 – 7:25pm):**
1. A request by Kelley Coey on behalf of YCDC & Pirhl, LLC for a Certificate of Appropriateness at South George Street and East College Avenue. The applicant proposes to construct a new mixed use complex referred to as George Street Commons.
- V Other Business/Committee Reports**
1. (7:25pm)  
The City of York offices are moving. HARB meetings held after March 14, 2012 will be located at 101 South George Street, with the exception of those in conflict with City Council meetings, which will be held at 25 North Duke Street.
- VI Adjourn (7:30pm)**



**HISTORIC YORK**

Building the Future with Architecture of the Past



**York Historical Architectural Review Board**

Meeting Minutes

Wednesday, February 15<sup>th</sup>, 2012

A meeting of the York Historical Architectural Review Board was held on Wednesday, February 15<sup>th</sup>, 2012 at 6:30 PM in the City Council Chambers at One Marketway West, Third Floor, York, PA.

Members in Attendance included John Fox, Chair; Dennis Kunkle, Vice Chair; Dave Redshaw; Gary Geiselman; Justine Landis; Mark Shermeyer; Craig Zumbun; Teresa Johnescu and Historic Preservation Consultant Alycia Reiten.

Absent: Jim Leaman

There was an eight-member quorum present at the meeting.

On a motion by Mark Shermeyer, second by Dennis Kunkle, the board voted 8-0 to *Approve* the minutes of the January 18, 2012 HARB meeting.

The following cases are forwarded to York City Council with the recommended actions:

A request by Kelley Coey on behalf of YCDC & Pirhl, LLC for a Certificate of Appropriateness at South George Street and East College Avenue. The applicant proposes to construct a new mixed use complex referred to as George Street Commons.

1. Ron Lloyd, RDL Architects presented the application and design elements. He described the property location at South George Street and East College Avenue, bordered also by East Hope Avenue and South Court Avenue. The project consists of 28 townhomes, a community building and a green grocery. The grocery will provide produce and wares typical to a small grocery store, not just a convenience store. He also described the existing conditions which is all impervious surface and a ten foot slope in grade from one side of the site to the other diagonally. The design includes a green muse area and one off street parking space per unit.
2. Mr. Lloyd continued his presentation by articulating the proposed materials for the project and showing samples. The buildings on George and College will have board & batten and cement board siding, interior units will have double four inch dutch vinyl siding with H-trim vertical battens to interrupt continuous seams. There will be smoothface masonry at commercial areas, splitface at base, cement board panels, red utility brick veneer, batten board, asphalt shingles in a weather slate color for roofing and standing seam metal roofing over all entries. Windows will

be aluminum clad for George & College – both casement & double hung and vinyl for the interior units. Sash sizing will be consistent throughout the whole site. Exterior lighting fixtures will be placed at all entries - sea gull style for residential, progressive wall mounted lighting fixtures for commercial locations.

3. All units will be fully suppressed with geothermal heating & cooling for each. There are no condensing units outside. The mailboxes will be placed outside of community building for postal access and lots of windows for natural light for all buildings.
4. John Fox stated that this was the 3<sup>rd</sup> viewing of the project and the only remaining items were the vinyl windows & vinyl siding proposed on the Avenues. Mr. Fox asked about the difference between the proposed aluminum clad and proposed vinyl siding. The applicant stated the sash will be the same size throughout the project.
5. Mark Shermeyer described the project as a new contemporary building designed to fit contextually, not renovation of an existing historic structure, using other contemporary materials, and that this design proposes contemporary systems and not just typical shelf windows. This is not a traditional main façade or reproduction for historic property and these windows look different by matching the sash size to match throughout the entire project.
6. Gary Geiselman agreed with Mr. Shermeyer that the windows are not production material windows off the shelf, these are suitable. He further described how historically secondary facades would have used lesser stylistic materials so the proposed windows are appropriate. He did not think grids are appropriate but there was no previous discussion of grids.
7. Craig Zumbun said that the overall evolution of the façade has taken into account the requests of HARB to break up the length of wall and that this is a different project from a historic renovation.
8. Mr. Shermeyer said that the board has permitted vinyl windows on other historic properties on secondary facades previously and again reiterated that this was not a historic house but a contemporary building so contemporary materials are acceptable.
9. Gary Geiselman began discussion on the proposed grids on the interior vinyl window and that no grids are preferred because they are not historically appropriate. The applicant explained that the windows are a geometric play on the façade to break up the large amounts of plain glass so they wouldn't look so commercial and that they are not pretending to be six over six historic replications.
10. John Fox asked for a preliminary vote to remove the grids or leave them in and the general opinion was that they are all just vertical lines so leave them in. This is a contemporary project designed to mesh with the neighborhood conceptually but not mimic a false sense of history.

11. Gary Geiselman stated his only issue was the grid pattern, material with the board & batten design not typical to downtown York. He also stated that row house construction is usually done in groups of four's using the same material, not chopped up per unit to which it was stated that the units are proposed generally in these groupings but there are bump-outs to provide some variation in height and depth. Discussion continued about the board and batten but that the board members present throughout the two previous preliminary reviews thought it was suitable.
12. John Fox then turned the discussion to the proposed vinyl siding and stated that wood grain is not appropriate. The applicant showed the sample again and explained that it was not wood grain but a smooth texture. John said that the minimized visible joints much improves the total appearance.

On a motion by Justine Landis, second by Mark Shermeyer, the board voted 6-2 to approve the application as presented.

Dissenting votes stated that the design proposed is excellent and so is the size and scale but that the board and batten material is not appropriate and is out of context for York. The other desention is due to the use of vinyl on all secondary facades.

Being no other business, the meeting was adjourned at 8:05pm.

Council of the City of York, PA  
Session 2012  
Resolution No. 41

INTRODUCED BY:

  
Carol Hill-Evans

DATE: February 21, 2012

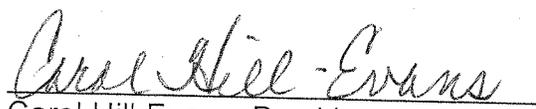
BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby appoints **Marakay Rogers** as a member of the **York City Fire Civil Service Commission** to serve in said capacity until November 5, 2016.

PASSED FINALLY: February 21, 2012

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson, City Clerk



952 East Market Street  
York, PA 17403

1154 Mt Rose Avenue  
York, PA 17403 (office)

# Marakay J. Rogers

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## **Objective**

Service to the City of York

## **Experience**

2000-present Private Practice of Law York, PA

### **Attorney**

- Family law, criminal law, juvenile law, employment law
- Former associate at Hoffmeyer and Semmelman, now with own practice
- Private clients and court-appointed clients, 11 years as a Guardian Ad Litem for children in York County Court of Common Pleas
- Highly rated and reviewed on Avvo.com

1989-2000 Academy of Med. Arts & Business (now KTI)

### **Director of Paralegal Studies**

- Designed curriculum, instructed adult students in certificate and diploma programs
- Handled all department administrative concerns
- Provided legal representation for school in administrative matters

1985-1989 York City Human Relations Comm. York, PA

### **Executive Director**

- Reported to Commissioners, City Council and Mayor
- Investigated complaints of discrimination in employment, housing, public accommodations
- Handled all administrative matters, trained or arranged training for staff

## **Community**

- Member of newly forming "Camp Wayne" neighborhood association
- Founding member, neighborhood association (12<sup>th</sup> ward)
- Member, Ohev Sholom Congregation and Sisterhood, York, PA
- Member, York City Community-Police Partnership
- Graduate, Citizens' Police Academy, York City
- Member, Libertarian Party of PA; serving on nominations, legal, and judicial committees; regional alternate delegate, Libertarian National Committee
- Supporter, Center Stage Opera, Central Pennsylvania
- Member, former board member, Wilson College Alumnae Association
- Former Secretary/Board Member, Pride Festival of Central Pennsylvania

**Education**

1981-1984 Dickinson School of Law Carlisle, PA

- Juris Doctor (J.D.)
- Member, Phi Alpha Delta Legal Fraternity

1977-1981 Wilson College Chambersburg, PA

- B.A., History, Honors in Major  
Graduated Magna Cum Laude.  
Member, Classics Club, Billboard (campus newspaper)

**Interests**

Writing, cooking, cats, travel, volunteer work.

**Honors/Awards**

- 1985, Women in Government Award, Pennsylvania Federation of Business and Professional Women's Clubs
- 1996, Teacher of the Year, Pennsylvania Association of Private Business School Administrators
- 2003, Volunteer of the Year, Quota International
- 2009, Certificate of Appreciation, Libertarian Party of Pennsylvania
- 2010, national amateur writing award for short story published in 2009 in amateur writers' anthology
- 2011, named to 2011 Marquis Who's Who in America

Council of the City of York, PA  
Session 2012  
Resolution No. 42

*Carol Hill-Evans*  
Carol Hill-Evans

INTRODUCED BY:

DATE: February 21, 2012

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby appoints **E. Hayden Mitchell** as a member of the **York City Fire Civil Service Commission** to serve in said capacity until November 5, 2015.

PASSED FINALLY: February 21, 2012

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Borders, Nelson, Hill-Evans - 4

NAYS: Nixon - 1

*Carol Hill-Evans*  
Carol Hill-Evans, President of Council

ATTEST:

*Dianna L. Thompson*  
Dianna L. Thompson, City Clerk



Whenever there might possibly be an opening on the Fire Dept. Civil Service Board I am greatly interested in serving on the board.

I have lived in the City of York for all of my 61 years of life and have been a member of the Goodwill # 5 Fire Co. since I was 18 years old. I have been a member of the York City Fire Police since 1972 and am presently Secretary of that organization. Also I am serving on the York City Police Civil Service Board in which I am president of that board .

I have a great interest in the City of York and the direction that the City wants to go and I feel that with my background I am qualified to serve on the board .

Also I have worked in the City for Stetler Dodge for the past 31 years and have worked in the city since I was 14 yrs. of age carrying newspapers until I graduated from York High in 1957.

Thank You For Your Consideration



E. Hayden Mitchell  
235 West Jackson St.  
York ,Pa. ~~17408~~ 17401

Council of the City of York, PA  
Session 2012  
Resolution No. 43

Introduced by:

  
Joanne Borders

Date: February 21, 2012

WHEREAS, the City of York; York County, desires to enter into an agreement for the purchase of asphalt mixes; and

WHEREAS, three vendors submitted bids with Kinsley Materials, P.O. Box 2886, York, PA 17405 being the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes the City to award a contract for Asphalt Mixes to Kinsley Materials, in accordance with the price set forth in the attached bid tabulation sheet, which said bid has been received and reviewed by the City and found to be correct, said contract shall be in the amount of \$83,375.00 which said cost shall be paid from the Liquid Fuels fund, account numbers 21-421-45150-10008 and the Degradation fund, account number 22-421-45150-00000.

The Mayor is authorized and the Controller is authorized and directed to enter into an agreement for same on behalf of the City of York, Pennsylvania.

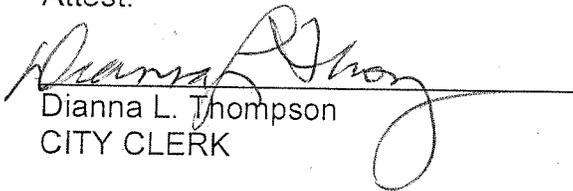
PASSED FINALLY: February 21, 2012 BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans  
PRESIDENT OF COUNCIL

Attest:

  
Dianna L. Thompson  
CITY CLERK



Council of the City of York, PA  
Session 2012  
Resolution No. 44



INTRODUCED BY: **Joanne Borders**

DATE: **February 21, 2012**

WHEREAS, the City of York, York County, desires to enter into a contract for Equipment Rental to be used in performing various City operations on an as needed basis; and

WHEREAS, the bids were received based on hourly rates at an estimated hours of equipment used per contract year; and

WHEREAS, one bid was received from Stewart and Tate, Inc., 950 Smile Way, York, PA 17404.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the Mayor is authorized and the Controller is authorized and directed to enter into a contract with Stewart and Tate, Inc. in accordance with the price set forth in the attached bid tabulation sheet for the hourly rates of equipment, which said bid has been received and reviewed by the City and found to be correct, which said cost shall be paid from the Liquid Fuels fund, account number 21-421-44180-10005.

PASSED FINALLY: **February 21, 2012** BY THE FOLLOWING VOTE

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson, City Clerk



**TABULATION SHEET**  
**CITY OF YORK**  
**DEPARTMENT OF PUBLIC WORKS**

**BID OPENING for EQUIPMENT RENTAL**  
**Monday, January 30, 2012 - 9:00 AM**  
**One Marketway West, 3rd Floor, York, PA (City Council Chambers)**

PROPOSAL - To provide the following equipment on a rental basis to the City of York for a period of two (2) strict and entire conformance with the terms of the Proposal, Instructions to Bidders and Specifications.

<b>PROSPECTIVE BIDDERS</b>	<b>Stewart &amp; Tate, Inc.</b> 950 Smile Way PO Box 2587 York, PA 17404	<b>Volvo Rents</b> 730 New Road York, PA 17404	<b>Altec Industries, Inc.</b> 250 Laird St. Plains, PA 18705
10% Bid Security - (Bid Bond OR Cashier's Check)	<input checked="" type="checkbox"/> Bid Bond <input type="checkbox"/> Check	<input type="checkbox"/> Bid Bond <input type="checkbox"/> Check	<input type="checkbox"/> Bid Bond <input type="checkbox"/> Check
Article 136 Eligible	N/A	N/A	N/A
<b>PROPOSAL A - SCHEDULE OF EQUIPMENT</b>	<u>Hourly Rate/Total</u>	<b>NO BID RECEIVED</b> <u>Hourly Rate/Total</u>	<b>NO BID RECEIVED</b> <u>Hourly Rate/Total</u>
<b>Item #1 - Tandem Axle Truck:</b> Estimated Hours of Use - 100	NO BID RECEIVED		
<b>Item #2 - Tri-Axle Truck:</b> Estimated Hours of Use - 100	Hourly Rate - \$115.00 Est.Total - \$11,500.00		
<b>Item #3 - High Lift:</b> Estimated Hours of Use - 100	Hourly Rate - \$138.00 Est.Total - \$13,800.00		
<b>Item #4 - Single Axle Truck:</b> Estimated Hours of Use - 100	NO BID RECEIVED		
<b>Item #5 - Backhoe w/extended reach:</b> Estimated Hours of Use - 10	Hourly Rate - \$100.00 Est.Total - \$1,000.00		
<b>Item #6 - Milling Machine:</b> Estimated Hours of Use - 20	NO BID RECEIVED		
<b>Item #7 - Bob Cat:</b> Estimated Hours of Use - 40	Hourly Rate - \$104.00 Est.Total - \$4,160.00		
<b>Item #8 - Gradeall:</b> Estimated Hours of Use - 40	Hourly Rate - \$150.00 Est.Total - \$6,000.00		
<b>Item #9 - Maintainer:</b> Estimated Hours of Use - 40	Hourly Rate - \$105.00 Est.Total - \$4,200.00		
<b>Item #10 - Stump Grinder:</b> Estimated Hours of Use - 40	NO BID RECEIVED		
<b>Item #11- Hydraulic Excavator:</b> Estimated Hours of Use - 40	Hourly Rate - \$164.00 Est.Total - \$6,560.00		
<b>Item #12 - Track Loader:</b> Estimated Hours of Use - 40	Hourly Rate - \$155.00 Est.Total - \$6,200.00		
<b>Item #13 - Single Axle Truck:</b> Estimated Hours of Use - 40	NO BID RECEIVED		
<b>Item #14 - Trencher:</b> Estimated Hours of Use - 20	NO BID RECEIVED		
<b>ESTIMATED TOTAL</b>	<b>\$53,420.00</b>		

<b>PROSPECTIVE BIDDERS</b>	<b>United Rentals</b> 12802 Tampa Oaks Blvd. Suite 350 Temple Terrace, FL 33637	<b>Hwy. Equip. &amp; Supply</b> 4500 Paxton St. Harrisburg, PA 17111	<b>RSC Equip. Rental</b> 6929 E Greenway Pky Suite 200 Scottsdale AZ 85254
10% Bid Security - (Bid Bond OR Cashier's Check)	<input type="checkbox"/> Bid Bond <input type="checkbox"/> Check	<input type="checkbox"/> Bid Bond <input type="checkbox"/> Check	<input type="checkbox"/> Bid Bond <input type="checkbox"/> Check
Article 136 Eligible	N/A	N/A	N/A
<b>PROPOSAL A - SCHEDULE OF EQUIPMENT</b>	<b>NO BID RECEIVED</b> Hourly Rate	<b>NO BID RECEIVED</b> Hourly Rate	<b>NO BID RECEIVED</b> Hourly Rate
Item #1 - Tandem Axle Truck: Estimated Hours of Use - 100			
Item #2 - Tri-Axle Truck: Estimated Hours of Use - 100			
Item #3 - High Lift: Estimated Hours of Use - 100			
Item #4 - Single Axle Truck: Estimated Hours of Use - 100			
Item #5 - Backhoe w/extended reach: Estimated Hours of Use - 10			
Item #6 - Milling Machine: Estimated Hours of Use - 20			
Item #7 - Bob Cat: Estimated Hours of Use - 40			
Item #8 - Gradeall: Estimated Hours of Use - 40			
Item #9 - Maintainer: Estimated Hours of Use - 40			
Item #10 - Stump Grinder: Estimated Hours of Use - 40			
Item #11- Hydraulic Excavator: Estimated Hours of Use - 40			
Item #12 - Track Loader: Estimated Hours of Use - 40			
Item #13 - Single Axle Truck: Estimated Hours of Use - 40			
Item #14 - Trencher: Estimated Hours of Use - 20			
<b>ESTIMATED TOTAL</b>			

**Liberty Excavators**

4402 Gettysburg Road  
Camp Hill, PA 17011

- Bid Bond
- Check

N/A

**NO BID  
RECEIVED**  
Hourly Rate

**Kinsley**

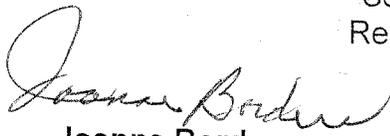
729 Loucks Mill Rd.  
York, PA 17403

- Bid Bond
- Check

N/A

**NO BID  
RECEIVED**  
Hourly Rate/Total

Council of the City of York, PA  
Session 2012  
Resolution No. 45



Introduced by: **Joanne Borders**

Date: **February 21, 2012**

WHEREAS, the City of York; York County, desires to contract for maintenance and support service on the Wastewater Treatment Plant Capstone Microturbine Co-Generation System, and

WHEREAS, E-Finity Distributed Generation, LLC located at 129 Pennsylvania Avenue, Wayne, Pennsylvania 19087 is the sole source for this work, and has submitted a five-year proposal at a cost of \$519,475.00, and

WHEREAS, the General Manager of the wastewater treatment plant has reviewed the agreements and found them to be in order and is recommending the approval of same,

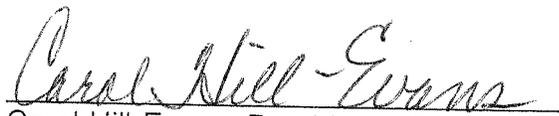
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes the City to enter into an agreement with E-Finity Distributed Generation, LLC to provide maintenance and support on the Capstone Microturbine Co-Generation System. The cost of said services shall be paid from the Intermunicipal Sewer Fund account number 61-240-44400-00003.

The Mayor is authorized and the Controller is authorized and directed to enter into a written Agreement, a copy of which is attached hereto and made a part hereof, for same on behalf of the City of York, Pennsylvania.

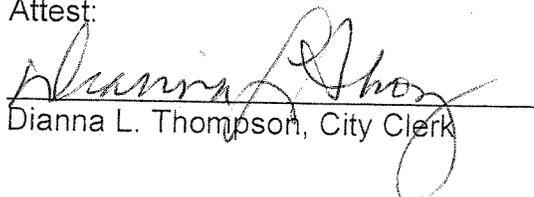
PASSED FINALLY: **February 21, 2012** BY THE FOLLOWING VOTE:

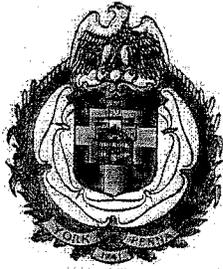
YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans, President of Council

Attest:

  
Dianna L. Thompson, City Clerk



# The City of York Pennsylvania

50 West King Street ❖ PO Box 509 ❖ York PA 17405

[www.yorkcity.org](http://www.yorkcity.org)

*Honorable C. Kim Bracey, Mayor*

Steven E. Douglas  
General Manager - Wastewater Treatment Plant  
1701 Black Bridge Road  
York, Pa 17402

February 6, 2012

TO: JAMES E. GROSS – DIRECTOR OF PUBLIC WORKS

FROM: STEVEN E. DOUGLAS – GENERAL MANAGER, W.W.T.P.

SUBJECT: FACTORY PROTECTION PLAN – END USER AGREEMENT  
E-FINITY DISTRIBUTED GENERATION, LLC

**Background:**

In 1988 the York City Sewer Authority funded (as part of a major plant upgrade) the installation of a Co-Generation System. At the time it was one of several innovative processes to be used by a wastewater treatment plant. The system consisted of four internal combustion engines that had a design capacity of 1,530 kW. These engines could run on methane gas produced on site or natural gas purchased from the utility.

When using just the methane gas produced on site, the Co-Gen facility could generate about 20 percent of the power needs of the treatment plant.

Running the engines on natural gas was done to control the amount of electricity being purchased from the electricity utility during peak demand periods (6 am through 6 pm Mondays through Fridays).

Heat was also recovered from these engines and used to keep the anaerobic digester temperatures at 98 degrees F. year round. It was also used to heat several buildings during the cooler months of the year.

Over 57,000,000 kWh were generated by this system up through September of 2011.

In late 2009 it became apparent that the existing Co-Generation system was becoming too expensive to maintain and operate. Annual maintenance costs were approaching \$100,000 annually and two of the four engines needed major overhauls. That year the York City Sewer Authority (YCSA) made the decision to decommission the system and install a Co-Generation System using microturbine technology.

The microturbine system was designed and built in about one year and went online in October 2011. It consists of one Capstone<sup>®</sup> CR600 unit (three 200 kW microturbines) that run on methane produced on site. The system also includes one Capstone<sup>®</sup> C1000 unit (five 200 kW microturbines) that use natural gas purchased from the utility as fuel.

The total estimated cost for the new facility was \$4,640,000. The YCSA received a \$1,500,000 low interest loan from the Commonwealth Financing Authority under Pennsylvania's Alternative and Clean Energy program. In addition a \$500,000 Green Energy Works grant was received.

The new microturbines are projected to produce 2,500,000 kWh every year, having a value of over \$190,000.

I've attached an email message from the Regional Sales Manager from Capstone that states E-Finity is the exclusive distributor in this area. It is also the only company that is authorized to perform work on their units.

### **Comparison between Internal Combustion and Microturbine Systems**

1. The internal combustion engine (ICE) system produces about 80 tons of NO<sub>x</sub>, CO, VOC, SO<sub>x</sub> and Particulate matter in one year. The microturbines, based on the emissions testing, will produce less than one ton of these same pollutants.
2. The ICEs produced 80 kWh of power per 1000 cubic feet of fuel. The microturbines produce 120 kWh of power per 1000 cubic feet of fuel.
3. Annual maintenance costs are about the same. The major difference in the microturbine agreement is that it includes preventive maintenance and repair maintenance. Also, if a unit should fail completely and not be repairable, a refurbished microturbine will be installed at no additional cost. It also keeps these costs stable for a five-year period.
4. The new system allows for a much tighter control of the electricity that is being generated. If an ICE would come online using natural gas, it produced 460 kWh and use 5,500 cubic feet of fuel every hour, even if only 50 kWh was needed. With the microturbine system, a unit would run and produce just the 50 kWh. The estimated savings in fuel is \$12,500 per year.

5. Both systems can be used to generate revenue. The microturbine system, through its control scheme, should be able to generate about \$40,000 more per year than the ICE system.

### **Summary**

It is very important to protect this investment. The maintenance work is specialized, but over the next several years I plan to get our maintenance staff more involved.

I am recommending that we opt for the five-year Plan B 4,000 to 6,000 hour option for the CR600 unit. I am also recommending that we opt for the five-year Plan B <4,000 hour option for the C1000 unit. Both agreements are attached for your review.

Funding for this agreement will come from account 61-240-44400-00003.

Please contact me with any questions or concerns you may have.

Enclosures: Email message from Capstone  
Agreements

Council of the City of York, PA  
Session 2012  
Resolution No. 46



INTRODUCED BY: **Joanne Borders**

DATE: **February 21, 2012**

WHEREAS, a contract was entered into by the City of York and Metropolitan Edison Company, on April 28, 1987 whereby said company shall furnish lighting; and

WHEREAS, it is necessary and proper that existing lighting should be upgraded and maintained for the service, accommodation, convenience and safety of the public; and

WHEREAS, the City of York requests the removal of one (1) Company owned streetlight at 121 Stevens Avenue.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and rules and regulations now on file, that the City of York does hereby order and direct Metropolitan Edison Company to remove said light per the attached agreement.

The Mayor is authorized and the Controller is authorized and directed to enter into an agreement for same on behalf of the City of York, Pennsylvania.

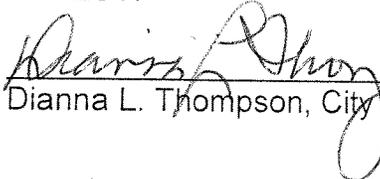
PASSED FINALLY: **February 21, 2012** BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
\_\_\_\_\_  
Carol Hill - Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson, City Clerk

RESOLUTION

FOR REMOVAL OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of York and Metropolitan Edison Company (hereinafter Met-Ed), on April 28, 1987, whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that street lighting should be removed from service.

NOW, THEREFORE, BE IT RESOLVED, that City of York, pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to remove street lighting consisting of:

Remove one (1) Company owned, 150-watt, sodium vapor, cobrahead streetlight located on wood pole number 28501-23234 in front of 121 Stevens Avenue within the City.

Payment made to Met-Ed for street lighting at the rates specified in the Tariff will be removed from the billing.

Resolution approved the 21st day of February, 2012.

By: \_\_\_\_\_

**C. Kim Bracey**  
Mayor, City of York

\_\_\_\_\_  
**Robert F. Lambert**  
Controller, City of York

Attest:

\_\_\_\_\_  
**Dianna L. Thompson**  
City Clerk, City of York

I, Dianna L. Thompson, City Clerk of the City of York, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly convened and held on the 21st day of February, 2012.

Witness my hand and the seal of said Association this 21st day of February, 2012.

Dianna L. Thompson  
City Clerk, City of York

Council of the City of York, Pennsylvania  
Session 2012

Resolution No. 47

INTRODUCED BY: Joanne Borders

DATE: **February 21, 2012**

WHEREAS, the Department of Public Works is requesting a transfer of funds in the 2011 budget to cover the cost for Engineering services; and

WHEREAS, said transfer exceeds five percent (5%) of the appropriated item within said funds; and

WHEREAS, in accordance with Article 137.02 (b) of the Codified Ordinance of the City of York, such a transfer shall require an affirmative vote of at least four members of Council;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby approves the transfers in accordance with the following schedule for the Department of Public Works – General Fund of the City of York.

Account Number	Description	Increase	Decrease
10-422-44050-00000	Telephone		\$2,000.00
10-422-44190-00000	Building Repair Service		\$2,500.00
10-422-45040-00000	Electrical Supplies		\$3,750.00
10-422-45140-00000	Lumber		\$2,500.00
10-422-45280-00000	Machinery Supplies		\$1,500.00
10-423-44210-00000	Other Repair Service		\$1,750.00
10-423-45170-00000	Tools		\$2,000.00
10-424-44020-00000	Printing		\$4,000.00
10-424-44310-00000	Radio Communications		\$500.00
10-420-42010-00000	Engineering	\$20,500.00	
	Total	\$20,500.00	\$20,500.00

PASSED FINALLY: **February 21, 2012**

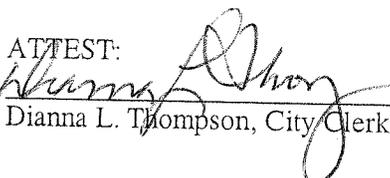
BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans, President of Council

ATTEST:

  
Dianna L. Thompson, City Clerk

Council of the City of York, PA  
Session 2012  
Resolution No. 48

Introduced by:  Renee S. Nelson

Date: February 21, 2012

WHEREAS, The Economic & Community Development Department is requesting a transfer in the 2011 budget to cover expense for other professional services; and

WHEREAS, said transfers exceed five percent (5.0%) of the appropriated item within said funds; and

WHEREAS, in accordance with Article 137.02 (b) of the Codified Ordinance of the City of York, such transfer shall require an affirmative vote of at least four members of Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby approves the transfers in accordance with the following schedule:

Account Number	Description	Decrease	Increase
10-414-40010-00000	Salaries/Wages	19,786.00	
10-400-42070-00000	Other Professional Services		19,786.00
	<b>Total</b>	<b>19,786.00</b>	<b>19,786.00</b>

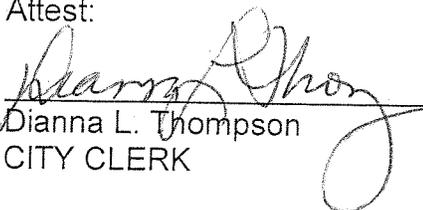
PASSED FINALLY: February 21, 2012 BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans  
PRESIDENT OF COUNCIL

Attest:

  
Dianna L. Thompson  
CITY CLERK

Council of the City of York, PA  
Session 2012  
Resolution No. 49

Introduced by: **Renee S. Nelson**

Date: **February 21, 2012**

WHEREAS, The Economic & Community Development Department, Bureau of Permits, Zoning and Inspection is requesting a transfer in the 2011 budget to cover expense for other professional services and architectural/engineering/consultants; and

WHEREAS, said transfers exceed five percent (5.0%) of the appropriated item within said funds; and

WHEREAS, in accordance with Article 137.02 (b) of the Codified Ordinance of the City of York, such transfer shall require an affirmative vote of at least four members of Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby approves the transfers in accordance with the following schedule:

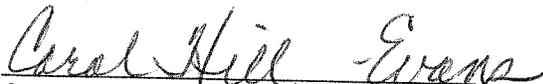
Account Number	Description	Decrease	Increase
10-414-40010-00000	Salaries/Wages	9,732.00	
10-411-42010-00000	Architectural/Engineering/Consultants		2,970.00
10-411-42070-00000	Other Professional Services		6,762.00
	<b>Total</b>	<b>9,732.00</b>	<b>9,732.00</b>

PASSED FINALLY: **February 21, 2012**

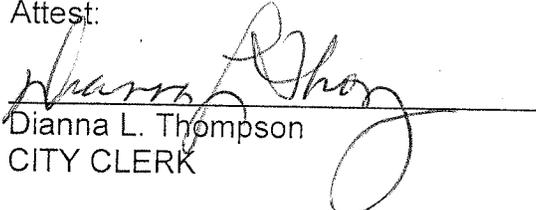
BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans  
PRESIDENT OF COUNCIL

Attest:

  
Dianna L. Thompson  
CITY CLERK

Council of the City of York, PA  
Session 2012  
Resolution No. 50



INTRODUCED BY: **Renee S. Nelson**

DATE: **February 21, 2012**

WHEREAS, the Surgeon General of the United States has recognized that dental decay is the single most common chronic childhood disease; and

WHEREAS, dental sealants are an accepted and effective measure to prevent tooth decay of first and second permanent molars when placed in a timely manner; and

WHEREAS, the Commonwealth of Pennsylvania, Department of Health provides funding to the York City Bureau of Health to support and implement a school-based dental sealant program in the City of York; and

WHEREAS, the Commonwealth of Pennsylvania, Department of Health desires to continue its contract with the City of York, York City Bureau of Health to continue the dental sealant program for the period July 1, 2012 through June 30, 2013 in the amount of \$46,330.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the Mayor is authorized and the Controller is authorized and directed to enter into an agreement, a copy of which is attached hereto and made of part hereof, with the Commonwealth of Pennsylvania, Department of Health, on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
Carol Hill-Evans, PRESIDENT OF COUNCIL

ATTEST:

  
Dianna L. Thompson, CITY CLERK



Council of the City of York, PA  
Session 2012  
Resolution No. 51

INTRODUCED BY: **Renee S. Nelson**

DATE: **February 21, 2012**

WHEREAS, the York City Bureau of Health provides public health programs and services in the City of York; and

WHEREAS, the City is recognized and funded by the Pennsylvania Department of Health to provide immunization services to City residents; and

WHEREAS, the Pennsylvania Department of Health desires to continue its agreement with the York City Bureau of Health to advance immunization initiatives for city residents in the amount of \$275,000 for the period July 1, 2012 through June 30, 2013.

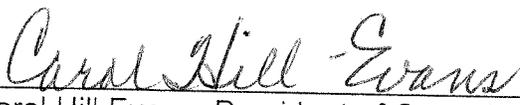
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the Mayor is authorized and the Controller is authorized and directed to enter into an agreement, a copy of which is attached hereto and made of part hereof, with the Pennsylvania Department of Health.

PASSED FINALLY: **February 21, 2012**

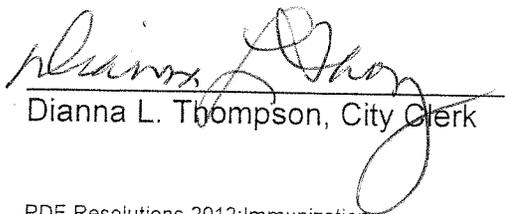
BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None

  
\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson, City Clerk