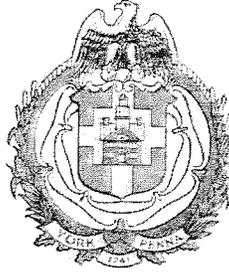


Council of the City of York, Pennsylvania

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

Dianna L. Thompson-Mitchell, City Clerk
Email: dthompsa@vorkcity.org



Office of York City Council
101 S. George St.
York, Pennsylvania 17401

Telephone: (717) 849-2246
Fax: (717) 812-0557

Website: www.vorkcity.org

AGENDA

December 17, 2013

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.vorkcity.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 **November 25, 2013 & December 3, 2013.**

VI. Correspondence and/or Announcements

VII. Presentations, Proclamations and Awards: None

VIII. Meeting(s) Scheduled

- **Committee Work Sessions:** Scheduled for December 18, 2013 at 6:00 p.m. in Council Chambers.
- **Council Meeting 2014:** The Reorganization meeting of City Council will be held on Monday, January 6, 2014 in Council Chambers. Time to be confirmed this evening by Resolution of Council.

IX. Status of Prior Committee Referrals:

- **Booting:** A Bill amending Article 507 "Booting" of the Codified Ordinances remains in committee.

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

Special Agenda

1. Resolution No. 92 - A Resolution
Appointing David Michaels as Fire Chief of the Department of Fire/Rescue Services. (Eff. 1/1/14)
Introduced by: Henry Hay Nixon
Originator: Mayor

Committee Referral

2. Bill No. 24 (Sent to 12/18/13 committee) - A Bill
Establishing Article 332 “Mobile Food Carts” of the Codified Ordinances.
Introduced by: Henry Hay Nixon
Originator: Council
Note: Proposed amendments were made to this Bill at Council’s 11/26/13 committee meeting to clarify and establish consistency of language. Those amendments have been incorporated into this final draft. However, as additional dialogue and research has been requested on this legislation, Council will move to refer this Bill back to committee for further discussion at future work session.

Subdivision / Land Development / HARB

1. Resolution No. 93 - A Resolution
Accepting the recommendations of HARB.
Introduced by: Henry Hay Nixon
Originator: Historic York

Final Passage of Bills / Resolutions

2. Final Passage of Resolution No. 91 – A Resolution
Establishing portable toilet permit fees in accordance with Article 1126 of the Codified Ordinances.
Introduced by: Henry Hay Nixon
Note: A proposed amendment was made to the portable toilet fee structure at Council’s 11/26/13 committee meeting to include language that there would be no fee for one portable toilet used for emergency home repairs lasting no more than four days that do not require a building/plumbing permit. That amendment has been incorporated into this final draft.
3. Final Passage of Bill No. 23 (FAILED) – A Bill
Amending Article 1501.04 of the Fire Prevention Code to establish an opt-in/out provision for connection to the city’s gamewell system.
Introduced by: Michael Ray Helfrich
Note: Proposed amendments were made to this Bill at Council’s 11/26/13 committee meeting to include an additional exemption for rental properties up to two units and to begin exemptions for existing connections by the end of the 2014 billing cycle, with new connection exemptions becoming effective immediately upon passage of this Bill.
4. Final Passage of Bill No. 25 (Forthcoming) – A Bill
Amending the 2013 Budget. (\$104,000 in revenue/expenses to cover subdivision/development fee planning expenses)
Introduced by Renee S. Nelson
Originator: Economic & Community Development (PP&Z)

New Business

5. Introduction of Bill No. 26 - A Bill
Amending Bill No. 20, Ordinance No. 16 of Session 2013 to clarify language regarding dissolution of the CRIZ Authority.
Introduced by: Michael Ray Helfrich
Originator: Council
Note: Bills must sit for at least one meeting prior to consideration of passage. Therefore, this Bill will be considered for final passage on or after 1/6/14.
6. Resolution No. 94 - A Resolution
Reappointing members to various boards and authorities. (B. Michael to the ZHB; J.T. Hand to the Sewer Authority)
Introduced by: Carol Hill-Evans
Originator: Council / Mayor
7. Resolution No. 95 - A Resolution
Authorizing a change of location for an Economic Development Liquor License submitted by Vintage Wine Bar. (From 2 W. Market St. to 108 N. George St., York, PA)
Introduced by: Henry Hay Nixon
Originator: Council
8. Resolution No. 96 - A Resolution
Establishing the first meeting of Council for 2014. (Reorganization meeting)
Introduced by: Carol Hill-Evans
Originator: Council

Special 2014 Budget Agenda

9. Resolution No. 97 (FAILED) - A Resolution
Establishing the 2014 salary for the Public Works Director.
Introduced by: Michael Ray Helfrich
Originator: Mayor
10. Resolution No. 98 (FAILED) - A Resolution
Establishing the 2014 salary for the Business Administrator.
Introduced by: Michael Ray Helfrich
Originator: Mayor
11. Final Passage of Bill No. 21 (Forthcoming) - A Bill
Approving the 2014 York City Budget.
Introduced by: Michael Ray Helfrich
Originator: Mayor / Finance
12. Final Passage of Bill No. 22 (Forthcoming) - A Bill
Establishing the 2014 Tax Rate.
Introduced by: Michael Ray Helfrich
Originator: Mayor/ Finance

Supplemental Agenda

Resolution No.'s 99, 100 and 101 – Amending the 2014 York City Budget

- 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, PA
Session 2013
Resolution No. 91

INTRODUCED BY: 
AMENDED BY: **Henry Hay Nixon**
Michael Ray Helfrich

DATE: **December 3, 2013**
DATE: **December 3, 2013**

WHEREAS, on November 19 2013, (Bill No. 18, Ordinance No. 15) City Council approved establishment of Article 1126 "Regulation of Portable Toilets" of the York City Codified Ordinances; and

WHEREAS, City Council is empowered to approve 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 fees as established per Article 1126 "Regulation of Portable Toilets" of the York City Codified Ordinances, which said fees shall become effective immediately after adoption:

Portable Toilet Permit Fees 2013

Up to 5 portable toilets per site: \$35.00

6 or more portable toilets per site: \$35.00 plus \$75.00 plan review = Total: \$110.00

1 portable toilet for emergency home plumbing repairs lasting up to four (4) days that do not require a building or plumbing permit: \$0.

PASSED FINALLY: **December 3, 2013**

BY THE FOLLOWING VOTE:

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

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

ARTICLE 1126
REGULATION OF PORTABLE TOILETS

1126.01 Portable Toilets	1126.07 Emptying and Maintenance Schedule
1126.02 Definitions	1126.08 Public Nuisance
1126.03 Allowable Use of Portable Toilets	1126.09 Enforcement
1126.04 Permit Required	1126.10 Severability
1126.05 Location and Orientation	1126.99 Penalty
1126.06 Screening	

1126.01 PORTABLE TOILETS

No person, firm, partnership, corporation, non-profit or franchise (hereinafter "individual") shall place or install a portable toilet in the City except as provided for in this Article.

1126.02 DEFINITIONS

For the purposes of this Article, the following definitions shall apply and absent a specific definition herein all words and phrases shall have their ordinarily accepted meanings:

- a. **Offensive odor** means any odor escaping from the portable toilet structure that can be detected outside of said structure.
- b. **Portable Toilet** means a free standing, movable toilet structure equipped with a water-tight impervious container which receives waste discharged through of a hopper, seat, urinal or similar device and into which container may be placed disinfecting or deodorizing chemicals. For the purposes of this section, portable toilet and chemical toilet shall have the same meaning.
- c. **Parks/Open Space** means public passive or active recreation areas including but not limited to; parks, hiking trails, natural areas, wild life areas, arboretums, open grass areas and tot lots, baseball diamonds, tennis courts, basketball courts, play fields, playgrounds, outdoor swimming pools, fitness courses and driving ranges. For the purposes of this section common areas owned and operated by homeowners associations are also included in this definition.

1126.03 ALLOWABLE USE OF PORTABLE TOILETS

Portable toilets may only be used to provide temporary bathroom facilities for special events, seasonal bathroom facilities on public and private parks and open recreational spaces, or as part of construction projects. In no case shall portable toilets be used as permanent sanitary facilities for residential or nonresidential uses, or as secondary sanitary facilities on existing developed lots.

1126.04 PERMIT REQUIRED

Permit required. No individual shall place or install a portable toilet in the City without first obtaining a Portable Toilet Permit. Application for such permit shall be made to the Office of Permits, Planning & Zoning of the City of York. The application fee shall be established by resolution of Council.

1126.04.1 REQUIRED INFORMATION

Permit applicants shall provide the following information when applying for a Portable Toilet placement permit, incomplete applications shall be rejected:

- a. The owner of the property
- b. The owner of the portable toilet(s)
- c. Dates during which the portable toilets are to be provided
- d. A site plan of sufficient detail identifying the proposed location of portable toilet(s)
- e. Emptying and maintenance schedule and procedures.

1126.04.2 PERMIT DURATION

A permit shall be valid for not more than fifteen (15) days and may, upon written request and subject to approval of the Building Code Official, be extended for one (1) additional fifteen (15) day period. *(Council Note: Amendment added 11/19/13 by Helfrich)*

1126.04.3 PERMIT EXEMPTION

Under the following specific instances a portable toilet placement permit shall not be required:

- a. Community events. The placement of portable toilets by the City of York on public property for community events lasting up to seven (7) calendar days and
- b. The seasonal placement of portable toilets by the City of York at public recreational facilities.
- c. Private Events: The placement of portable toilets on private property for private outdoor events lasting up to four (4) days, as long as an outdoor event permit has been approved by the City.
- d. Public Road and Utility Projects: Portable toilets placed on public or private property in conjunction with public road and utility construction projects, as long as the location is approved by the City
- e. Private Development Construction Projects: Portable toilets placed on private property in conjunction with private development road and utility projects, or individual building projects, as long as the location is approved as a part of the permit for the project.
- f. Emergencies and Natural Disasters: Any portable toilet placed to support emergency services operations during emergencies and natural disasters.

1126.05 LOCATION AND ORIENTATION

Any individual that places or causes to be placed a portable toilet shall comply with the requirements of this section irrespective of a requirement for permitting.

- a. Setback from residential property. Portable toilets shall be located at least ten (10) feet from any residential property line.
- b. Setback from non-residential property. Portable toilets shall be located at least ten (10) feet from any non-residential property line.
- c. Setback from lake or stream. Portable toilets shall be set back at least fifty (50) feet from the ordinary high water elevation of any lake or stream.
- d. Setback from wetlands. Portable toilets shall be located at least thirty (30) feet from the edge of any wetland or pond, and shall not be located within any required wetland buffer.
- e. Orientation. Portable toilets shall be oriented in such a way that the opening or door face away from any residential dwelling unit unless screened by a solid fence of at least six (6) feet in height equipped with a door or scree wall which completely blocks the view of the portable toilet .
- f. In addition to the above requirements, all portable toilets shall be located in such a manner as to allow for the appropriate servicing of said portable toilet and to ensure that any vehicle required for said servicing shall not cause damage to adjoining properties.

1126.06 SCREENING

Any portable toilet located with parks and open space as defined herein and located less than fifty (50) feet from a dwelling unit must be screened by a solid fence at least six (6) feet in height.

1126.07 EMPTYING AND MAINTENANCE SCHEDULE

All portable toilets shall be emptied by a person, firm or corporation engaged in the business of cleaning or emptying portable toilets and recharged at a sufficient frequency to prevent the escape of offensive odors or spillage. Every individual engaged in the business of cleaning or emptying portable toilets shall use a suitable vehicle property provided in water-tight, completely closed tanks or boxes designed to prevent leakage onto the streets or highways and further designed to prevent the escape of offensive odors in the atmosphere.

1126.08 PUBLIC NUISANCE

Any portable toilet that is placed without the required permit, emits an offensive odor, is leaking, is located in contradiction to the requirements of this article, is located in such a manner as to block any public or private right of way, or that in any way causes a hazard to the public health safety and welfare shall be declared a public nuisance. The Building Code Official and or his designee shall immediately cause to be removed any portable toilet that is deemed a public nuisance, and the owner of said portable toilet shall be responsible for such removal and any cost thereof. The declaration of public nuisance and removal of the portable toilets may be in addition to the penalty section of this article.

1126.09 ENFORCEMENT

The Building Code Official and or his designee(s) shall have the authority to enforce this Article and shall have the authority to institute summary criminal proceedings as a means of enforcement and shall, when acting within the scope of their employment hereunder, have the powers of a police officer of the City; provided, however, that under no circumstances shall they have the power to arrest.

1126.10 SEVERABILITY

If any provision of this section or the application thereof to any person or circumstances is held invalid, the remainder of this section and the application of such provisions to other persons and circumstances shall not be rendered invalid thereby.

1126.99 PENALTY

Any person who shall violate a provision of this article, or fail to comply with any of the requirements thereof, shall be guilty of a summary offense, punishable by a fine of not less than \$100.00 nor more than \$1000.00 for the first two continual and uncorrected violations and not exceeding five thousand dollars (\$5,000) for the third and any subsequent continual and uncorrected violation and the costs of prosecution, and in default of the payment thereof, shall be imprisoned for not more than ninety days (90 days). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Council of the City of York, PA
Session 2013
Resolution No. 92

INTRODUCED BY: Henry Hay Nixon

DATE: December 17, 2013

WHEREAS, pursuant to Article 123.04 (d) the Mayor is empowered to appoint the Heads of Departments with the consent of City Council; and,

WHEREAS, pursuant to section 607 (c) of the Third Class City Optional Charter the City Council is empowered to establish the compensation of Department Heads; and,

WHEREAS, The Mayor desires to appoint David Michaels as Fire Chief of the Department of Fire/Rescue Services for the City of York at an annual salary of \$89,500.00 effective January 1, 2014;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby consents to the appointment of David Michaels as Fire Chief of the Department of Fire/Rescue Services for the City of York at an annual salary of \$89,500.00 effective January 1, 2014.

PASSED FINALLY: December 17, 2013

BY THE FOLLOWING VOTE:

YEAS: Helfrich Nixon Satterlee Nelson Hill-Evans - 5

NAYS: None

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

ATTEST:

Dianna L. Thompson-Mitchell
Dianna L. Thompson-Mitchell, City Clerk



The City of York Pennsylvania

The Honorable C. Kim Bracey, Mayor

EXECUTIVE ORDER

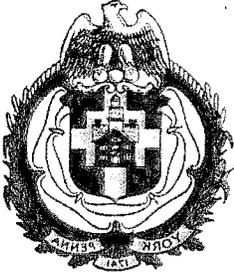
Issued By C. Kim Bracey, Mayor

I hereby appoint Acting Chief David P. Michaels, as Fire Chief, of the Department of Fire/Rescue Services for the City of York at an annual salary of \$89,500.00 effective January 1, 2014.

Witness my hand and seal this sixteenth day of December 2013.



C. Kim Bracey
Mayor



The City of York Pennsylvania

101 South George Street PO Box 509 York, PA 17405
www.Yorkcity.org

Honorable C. Kim Bracey, Mayor

OATH OF OFFICE

COMMONWEALTH OF PENNSYLVANIA COUNTY OF YORK CITY OF YORK

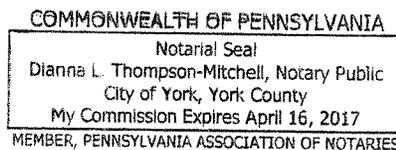
I, David P. Michaels, do solemnly affirm that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

David P. Michaels
Chief
Fire/Rescue Services

C. Kim Bracey
Mayor

Sworn and subscribed before me this 17th day
of December 2013.

Dianna L. Thompson-Mitchell
York City Clerk



Council of the City of York, PA
Session 2013
Resolution No. 93

Introduced by: 
Henry Hay Nixon

Date: December 17, 2013

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. **Latoya Friend** for work to be done at **336 W. Princess St.**

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

Passed Finally: **December 17, 2013**

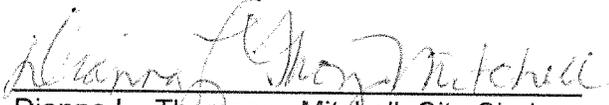
By the following vote:

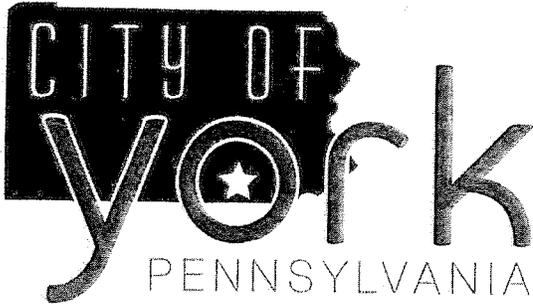
YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:

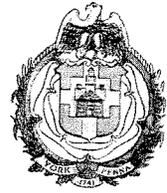

Dianna L. Thompson-Mitchell, City Clerk



**York Historical Architectural Review Board
Agenda**

5:30 PM Wednesday, December 4, 2013
101 South George Street, York, PA 17401

- I **Welcome (5:30pm):** John Fox, HARB Chair
- II **Agenda (5:31 – 5:32pm):** Additions or changes to the agenda
- III **Minutes (5:33 – 5:35pm):** Approve minutes from November 6, 2013 HARB meeting
- IV **Cases (5:36 – 6:00pm):**
 - 1. 318 East Poplar Street – A request by Kendall Shrock on behalf of the Tidings of Peace Mennonite Church for a Certificate of Appropriateness to shore up the courtyard wall with reinforced concrete elements and build a new wall to enclose the courtyard.
 - 2. 336 West Princess Street – A request by Latoya Friend for a Certificate of Appropriateness to replace the metal roof with architectural shingles and cover the gable walls with vinyl siding.
 - 3. 120 West Market Street – A request by Terry Burkhart for a Certificate of Appropriateness to install an illuminated channel letter sign mounted to the raceway.
- V **Other Business**
- VI **Adjourn (6:05pm)**



York Historical Architectural Review Board
Meeting Minutes
DRAFT

A meeting of the York Historical Architectural Review Board was held on Wednesday, December 4, 2013 at 5:30 PM at 101 South George Street, York, PA.

Members in attendance included John Fox, Chair; Dennis Kunkle, Vice Chair; Justine Landis; Dave Redshaw; Teresa Johnescu and HARB Consultant Alycia Reiten.

Absent: Robin Pottorff, Genevieve Ray, Justine Landis, Craig Zumbrun, Matt Argabright, Mark Shermeyer

On a motion by Dennis Kunkle, second by Justine Landis, the board voted 5-0 to *Approve* the minutes of the November 6, 2013 HARB meeting.

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

1. 318 East Poplar Street – A request by Kendall Shrock on behalf of the Tidings of Peace Mennonite Church for a Certificate of Appropriateness to shore up the courtyard wall with reinforced concrete elements and build a new wall to enclose the courtyard.
Applicant did not appear - Tabled
2. 336 West Princess Street – A request by Latoya Friend for a Certificate of Appropriateness to replace the metal roof with architectural shingles and cover the gable walls with vinyl siding.

Points of Discussion

- The application was presented by Rachael Duphily, Robert Duphily, Latoya Friend and Dontae Hope. Mr. Duphily explained that the metal roof is deteriorated beyond repair and that they would like to replace it with asphalt shingles. There is a skylight in the rear portion of the roof that they would like to close as it leaks horribly. He went on to describe the rest of the project which includes wrapping the front of the dormer around the window and corners with white metal and installing vinyl siding after replacing of all the deteriorated wood. He also said they propose to replace the rake and cover it with aluminum.

- The board indicated that the vinyl and wrapping are not appropriate for historic structures. They suggested alternative materials such as Versatex.
- The homeowner explained that the repairs are not cosmetic but necessary. There is so much deterioration that they have to make these changes. She also stated that they now have squirrels entering into the house.
- John Fox said that the architectural shingles are acceptable but the proposed wrapping and vinyl are not appropriate. Dave Redshaw added to the statement and that he would not support this portion of the request.
- The applicant stated that there are numerous neighbors that already have the materials proposed.
- Mr. Duphily explained that they would replace all deteriorated wood elements before adding any siding. A board member suggested that they could put asphalt shingles on the side of the dormer. Further discussion continued about the materials including details related to shingles and cementitious siding. The applicant indicated alternative materials would be acceptable as long as the contractor could accommodate.

On a motion by Dave Redshaw, second by Teresa Johnescu, the board voted 5-0 to deny the application as presented but approve cementitious fiber board siding, and Timberline asphalt shingles for the roofing in charcoal color. The approval includes that the rakeboard be replaced with wood, azek, versatex or similar. No metal wrapping permitted.

3. 120 West Market Street – A request by Terry Burkhardt for a Certificate of Appropriateness to install an illuminated channel letter sign mounted to the raceway.

Points of Discussion

- The application was presented by Mansour Soussr. He would like to install a channel letter plastic internally lit sign above the storefront. The business is Metro PCS. He showed examples of what he said were the same thing, but many variations and not all were within the Historic District.
- The board explained the inappropriateness of the proposed sign. One example the applicant provided was the Rite Aid sign which is lit from behind. The applicant asked to do something like that so the board indicated specifications and details related to the sign, mounting and location need to be submitted so they can make an accurate assessment. He agreed to return.

On a motion by Dave Redshaw, second by Dennis Kunkle, the board voted 5-0 to table the application until more information was available.

Being no further business, the meeting was adjourned at 6:05pm.

Council of the City of York, PA
Session 2013
Resolution No. 94

INTRODUCED BY: **Carol Hill-Evans**

DATE: **December 17, 2013**

BE IT RESOLVED, that York City Council hereby consents to the following reappointments

1. Benjamin Michael as a member of the York City Zoning Hearing Board, which term shall expire January 1, 2019.
2. Joseph T. Hand as a member of the York City Sewer Authority Board, which term shall expire January 1, 2019.

PASSED FINALLY: **December 17, 2013**

BY THE FOLLOWING VOTE:

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

NAYS: None.



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk

BENJAMIN MICHAEL

MISSION STATEMENT

To serve the York City community and its surrounding areas.

WORK EXPERIENCE

PENNSYLVANIA LABOR RELATIONS BOARD COMMONWEALTH OF PENNSYLVANIA.....

October 2007 - Present
The Pennsylvania Labor Relations Board is the state agency charged with overseeing the labor-management relations in the public sector. As the Representation Elections Officer, my primary duty is to conduct elections either onsite or via mail ballot with little or no supervision. To date, elections have ranged from two voters to over two thousand voters. The election process involves administrative, organizational and leadership responsibilities all while representing both the Board and the Commonwealth. When not in the field or preparing for an election, I assist the Board by tracking budgetary consumption, resolving invoicing issues with vendors, and as the procurement officer.

BUREAU OF WORKERS' COMPENSATION COMMONWEALTH OF PENNSYLVANIA.....

October 2006 - October 2007
The Clerk Typist II may perform a variety of functions in the Commonwealth of Pennsylvania. As part of the Medical Treatment Review Section in the Bureau of Workers' Compensation, I assisted the unit by entering petitions into a tracking system and ensuring their flow through the utilization review process. Additional responsibilities included mail duties, file maintenance and yearly archival.

BORDERS BOOKS & MUSIC

December 1999 - October 2006
Beginning as a seasonal cashier, I was afforded the opportunity to learn many different positions at Borders. Following my time assisting during the 1999 Holiday Season, I moved to café operations then stints as both a book seller and a music seller. Intermittent in these positions, I was selected to fill in for the Corporate Sales Representative which allowed me to use the knowledge I gained selling and serving to consumers on a business-to-consumer level to a business-to-business relationship. Upon graduation in December 2004, I was promoted to the Merchandise Supervisor. Here I gained knowledge of managing store operations from staffing issues to extended problem solving. I was also responsible for maintaining the monthly promotions and communicating information to staff.

EDUCATION

YORK COLLEGE OF PENNSYLVANIA, December 2004

B.S., Business Administration
Marketing concentration, Sociology minor

RELATED EXPERIENCE

PROFESSIONAL DEVELOPMENT INSTITUTE, CLASS OF 2009 DEPARTMENT OF LABOR & INDUSTRY

The Professional Development Institute is a program provided to employees of the Department of Labor & Industry. Candidates are selected from an application process and meet once a month over the course of a year. The first part of the course is designed to give participants a survey of their personality style and how that manifests in the business world. The second part of the course presents a variety of business scenarios and how to incorporate our personalities with those of others. Topics covered include managing conflict, generational and gender differences, conducting effective meetings, emotional intelligence and public speaking. Additionally each participant is required to complete a group project that is submitted by managers in the Department that may benefit the Department.

REFERENCES

Available upon request.

Joseph T. Hand

QUALIFICATIONS SUMMARY

Twenty-two years of progressive domestic and international experience in program and project management, strategic and operational planning, and organizational leadership. Demonstrated success in leading organizations, developing investment strategies and objectives, formulating policies, planning and executing programs, and managing resources. Diverse service within the Department of Defense at joint, strategic, operational and tactical levels. Recent, relevant wartime experience in military and geospatial engineering. Exceptionally strong leader, analytical thinker, problem solver, and team builder. Managed major engineering, installation, training, maintenance and other DoD programs and projects in environments with high stress, declining resources, frequent organizational changes, and austere conditions. Experienced in solving problems from concept through execution and evaluation, and in advising senior leaders on solutions. Positive, open, energetic leadership style focused on motivating teams and improving processes to accomplish organizational objectives. Additional experience in project partnering and quality assurance, productivity improvements and training systems. Talented public speaker and presenter. Held DoD Top Secret security clearance.

EDUCATION: B.S. Civil Engineering, University of Vermont, 1984

PROFESSIONAL REGISTRATION: Engineer in Training (Missouri)

EXPERIENCE:

9/06-Present. Chief, Navigation Branch, Baltimore District, U.S. Army Corps of Engineers. Baltimore, MD. Responsible for long term program management, planning and execution of the district's \$40 million annual shallow and deep draft navigation program in support of the USACE Civil Works Strategic Plan. Principal liaison with the Maryland Port Administration in developing sustainable water resource programs. Responsible for public outreach and compliance with the National Environmental Policy Act on 750 miles of federally authorized navigation channels.

6/03-9/06. Deputy Commander and Deputy District Engineer, Baltimore District, U.S. Army Corps of Engineers, Baltimore, MD. Responsible for the leadership, organization and operational management of an 1100 person military and civilian workforce and an annual program valued in excess of \$800 million. Provided military construction planning, programming, engineering, design, construction and installation support services to over 27 military installations in the District of Columbia, Northern Virginia, Maryland, Pennsylvania and West Virginia. Formulated and executed water resources, flood control, regulatory, emergency operations and environmental restoration and remediation programs in a 49,000 square mile area of the Susquehanna and Potomac River Basins as well as the Chesapeake Bay. Responsible for programmatic oversight of the district's Washington Aqueduct Division and production of potable water for Washington, DC, Falls Church and Arlington, VA. Principal member of the command's acquisition strategy board for the procurement of architect-engineer, environmental remediation and construction contracts.

06/01-06/03. Chief of Facilities and Construction Division, Assistant Chief of Staff, Engineer, Headquarters, Third US Army, Coalition Forces Land Component Command, Camp Doha, Kuwait. Staff engineer in support of Operations Enduring Freedom and Iraqi Freedom. Provided programming and planning oversight to the development of staging areas and base camps, the theater petroleum distribution infrastructure, logistics support bases, convoy support centers, airfields, port facilities and other sustainment infrastructure. Managed over \$400 million dollars of contingency construction effort in Afghanistan, Kuwait, Qatar, Iraq and throughout the Persian Gulf in support of combat operations.

06/99-05/00. Operations Officer (S3), Engineer Brigade, 1st Infantry Division. Schweinfurt, Germany. Chief Operations Officer of a combat engineer battalion preparing for, deploying to and recovering from Operation Joint Guardian II, Kosovo. Maintained the unit's operational readiness. Prepared all plans, orders, and estimates, and advised the commander on all matters related to operations, plans and training. Established and operated the tactical command post during KFOR 1A, US Forces' first rotation in Kosovo. Provided combat engineering expertise to the Brigade Combat Team command group and staff. Liaised with the United Nations Mine Action Center to prioritize mine and UXO removal and remediation measures. Liaised with the Base Camp Coordinating Agency in establishing Camps Bondsteel and Monteith, the US Forces base camps and projection platforms in Kosovo.

06/98-05/99. Director of Public Works, 280th Base Support Battalion, Schweinfurt, Germany. Director of Public Works for the military community of Schweinfurt, Germany. Planned, programmed and managed facilities and construction support on two installations, three housing areas and training areas covering a total of 50,000 acres of land and 7.5 million square feet of building space in the Republic of Germany. Provided leadership and supervision to a workforce of 187 military, DA Civilian and Local National employees. Responsible for real property maintenance and repair, housing and utilities support to a population of 12,000 soldiers, civilians and family members. Developed the community's short term and long term master plans.

03/97-05/98. Deputy District Engineer for Civil Works, Baltimore District, U.S. Army Corps of Engineers, Baltimore, MD. Responsible for water resources development, regulatory permit programs and environmental sustainment and stewardship programs in the Susquehanna and Potomac River Basins as well as the Chesapeake Bay. Provided leadership and operational management of over 1300 military and civilian team members while serving as Chief of Staff for the district's primary staff. Supervised and mentored professional and technical personnel in Resource Management, Information Management, Human Resources, Logistics Management, Contracting, Public Affairs, Safety, Security, Internal Review and EEO. Provided executive level planning, programming and coordination for the operation of 14 dams, the construction and maintenance of local flood protection projects, and the navigation and dredging support for rivers and harbors in the five Middle Atlantic states. Chaired Maryland Governor's Western Maryland Flood Mitigation Task Force, a multi-agency, state and federal initiative to mitigate flood damage in Western Maryland in an environmentally sound manner while preserving fragile riverine systems. Provided executive oversight of the district's Regulatory Program, representing the command at public meetings and overseeing enforcement of the command's responsibilities under the Clean Water Act.

07/95-03/97. Project Engineer, Baltimore District, U.S. Army Corps of Engineers. Baltimore, MD. Responsible as Lead Project Engineer for supervising field operations and contract administration at Fort Meade, Maryland. Administered civil, mechanical and electrical contractual components of a \$24M, design build construction contract to build 262 family housing units and associated storm water management, site utility and recreational support facilities. Provided quality assurance and contract administration for the \$3.5M renovation and expansion of an historic structure to accommodate the United States Army Field Band. Volunteered and deployed to Hungary and Bosnia. Supervised and administered the LOGCAP contract constructing the 3500-man intermediate staging base in Hungary in support of Operation Joint Endeavor.

01/94-07/95. Civil Engineer, 1st Construction Engineer Group, Joao Pessoa, Brazil. Served as the Personnel Exchange Officer to the Brazilian Army located with the 1st Construction Engineer Group in the State of Paraiba. Served as the command's civil engineer for water resources management. Planned, programmed and supervised the construction of local flood control projects. Led a team of Brazilian engineers in the design of a rolled compacted concrete dam to increase water storage capacity in the extremely arid northeast. Served as the representative of the SOUTHCOM Commander to the Northeast Regional Commander.

EDUCATION:

- 1984 University of Vermont, Burlington, VT. B.S. Civil Engineering
- 1985 Engineer Officer Basic Course, Ft. Belvoir, VA.
- 1989 Engineer Officer Advanced Course, Ft. Belvoir, VA.
- 1991 Combined Arms Services Staff School, Ft. Leavenworth, KS.
- 1993 Defense Language Institute-Portuguese (Brazilian), Ft. Ord, CA.
- 1997 Labor, Management and Employee Relations for Executives, Baltimore, MD.
- 1997 Environmental Law, Annapolis, MD.
- 1997 USACE Commander's Course, Huntsville, AL.
- 2001 Command and General Staff College, Ft. Leavenworth, KS.

PROFESSIONAL AFFILIATIONS:

- United Way of Central Maryland, Board of Directors, 2006-Present
- Central Maryland Combined Federal Campaign, Vice-Chair, 2004
- Society of American Military Engineers, 1995-Present, 1VP, Baltimore Post 2004
- Baltimore Federal Executive Board, Board of Directors, 2003-2006

LANGUAGE SKILLS: Portuguese (fluent); Spanish (conversational, literate)

AWARDS and HONORS:

- 2006 Silver Order of the de Fleury Medal for service to the Engineer Regiment
- 2006 Legion of Merit Medal
- 2003 Bronze Star Medal
- 2000 Meritorious Service Medal (3rd Award)
- 2000 Kosovo Campaign Medal
- 1998 Bronze Order of the de Fleury Medal for service to the Engineer Regiment
- 1996 NATO Medal (Bosnia)
- 1993 Commandant's Award, Honor Graduate, Portuguese, Defense Language Institute
- 1992 Military Volunteer of the Year, Fort Leonard Wood, MO.
- 1991 MacArthur Leadership Award Nominee, TRADOC
- 1985 Ranger Tab
- 1983 Parachutist Badge



The City of York Pennsylvania

101 South George Street ❖ PO Box 509 ❖ York PA 17405
www.yorkcity.org

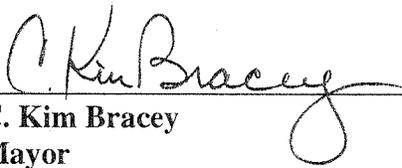
The Honorable C. Kim Bracey, Mayor

Executive Order

Issued by C. Kim Bracey, Mayor

I hereby reappoint Joseph T. Hand, 990 Newlin Road, York, PA 17403 as a member of the York City Sewer Authority Board, which term shall expire January 1, 2019.

Witness my hand and seal this third day of December 2013.



C. Kim Bracey
Mayor

Council of the City of York, PA
Session 2013
Resolution No. 95

INTRODUCED BY:


Henry May Nixon

DATE: December 17, 2013

WHEREAS, Section 461 of the Pennsylvania Liquor Code (47 P.S. 4-461, et. seq., hereinafter the "Code") requires that the issuance of a new license for economic development must, under certain conditions, first be approved by the governing body of the receiving municipality; and

WHEREAS, the Code mandates that, prior to adoption of such a resolution, at least one hearing must be held for the purpose of receiving comments and recommendations from interested individuals residing within the municipality concerning the applicant's intent to acquire an economic development liquor license with the Pennsylvania Liquor Control Board; and

WHEREAS, a public hearing was held on July 16, 2013 at 10:00 a.m. in City Council Chambers as required by the Code; and

WHEREAS, at its regular meeting on July 16, 2013 (Resolution No. 37), York City Council approved an Economic Development Liquor License submitted by Vintage Companies, LLC/ta Vintage Wine Bar (hereinafter "Applicant") to establish a place of business at 2 W. Market St., York, PA; and

WHEREAS, on December 2, 2013, the applicant filed a written request to York City Council to change its business location from 2 W. Market St., York, PA, to 108 N. George St., York, PA; and

WHEREAS, the Applicant intends to establish Tutoni's Restaurant at 108 N. George St. (hereinafter "Premises"), with Vintage Wine Bar to be located in the basement of said premises with plans to operate a wine bar/restaurant; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania as follows:

1. The Applicant qualifies and seeks approval of a change of location for an economic development liquor license from 2 W. Market St., York, PA to 108 N. George St., York, PA, pursuant to the Pennsylvania Liquor Code, Section 461; and
2. The Applicant proposes to, and will, operate a restaurant/wine bar at the aforementioned premises; and
3. York City Council finds the issuance of a liquor license to the Applicant at said premises will promote economic development; and
4. York City Council finds that there is no evidence that the proposed economic development liquor license will adversely affect the welfare, health, peace and morals of the City of York or its residents; and
5. York City Council hereby approves the Applicant's request for an economic development liquor license at said premises pursuant to the Pennsylvania Liquor Code, Section 461; and
6. The issuance of said Liquor License is hereby subject to final approval by the Pennsylvania Liquor Control Board.

PASSED FINALLY: December 17, 2013

BY THE FOLLOWING VOTE:

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

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2013
Resolution No. 96

INTRODUCED BY: **Carol Hill-Evans**

DATE: **December 17, 2013**

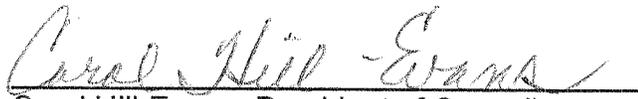
BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the first Reorganization / Regular Meeting of York City Council for the year 2014 will be held on Monday, January 6, 2014 at 5:00 p.m. prevailing time, in City Council Chambers, 101 S. George St., York, PA, for the purpose of reorganization and consideration of general business as may come before Council.

PASSED FINALLY: December 17, 2013

BY THE FOLLOWING VOTE:

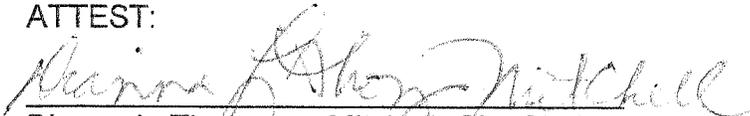
YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None.



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk

This Resolution did not pass.

Council of the City of York, PA
Session 2013
Resolution No. 97

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **December 17, 2013**



WHEREAS, pursuant to section 607 (c) of the Third Class City Optional Charter the City Council is empowered to establish the compensation of Department Heads; and

WHEREAS, Non-union City employees customarily receive Cost of Living Adjustments, (COLA) each year, in addition to periodic pay increases when approved by the Mayor; and

WHEREAS, James Gross, has served the City of York capably and loyally as the Director of Public Works since 1999 and did not receive a Cost of Living Adjustment in 2002, 2005 and 2006; and,

WHEREAS, The Failure to bestow COLAs on Mr. Gross was not due to poor or incompetent performance as Director of Public Works

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that James Gross's Salary as Director of Public Works for the City of York shall be \$90,500 per anum, effective January 1, 2014. In addition Mr. Gross shall be eligible to receive the 2014 COLA given to other non-union City employees.

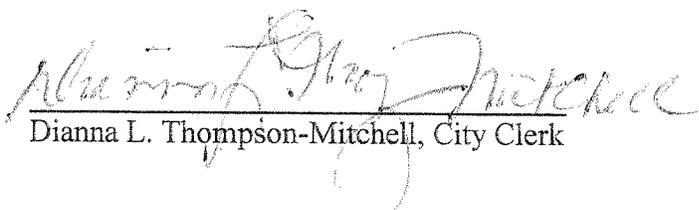
~~PASSED UNANIMOUSLY~~ **FAILED**: December 17, 2013 BY THE FOLLOWING VOTE:

YEAS: Helfrich Satterlee - 2

NAYS: Nixon, Nelson, Hill-Evans - 3


Carol Hill-Evans, President of Council

ATTEST:

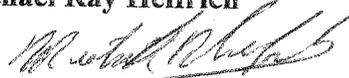

Dianna L. Thompson-Mitchell, City Clerk

This Resolution did not pass.

Council of the City of York, PA
Session 2013
Resolution No. 98

INTRODUCED BY: Michael Ray Helfrich

DATE: December 17, 2013



WHEREAS, pursuant to section 607 (c) of the Third Class City Optional Charter the City Council is empowered to establish the compensation of Department Heads; and

WHEREAS, Non-union City employees customarily receive Cost of Living Adjustments, (COLA) each year, in addition to periodic pay increases when approved by the Mayor; and

WHEREAS, Michael J. O'Rourke, Esq., has served the City of York capably and loyally as City Business Administrator since 2000 and did not receive a Cost of Living Adjustment in 2002, 2005 and 2006 and has never received a pay increase; and,

WHEREAS, The Failure to bestow COLAs and pay increases on Mr. O'Rourke was not due to poor or incompetent performance

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Michael J. O'Rourke's Salary as Business Administrator for the City of York shall be \$114,500 per anum, effective January 1, 2014. In addition Mr. O'Rourke shall be eligible to receive the 2014 COLA given to other non-union City employees.

~~PASSED FINALLY~~: December 17, 2013 BY THE FOLLOWING VOTE:

FAILED:

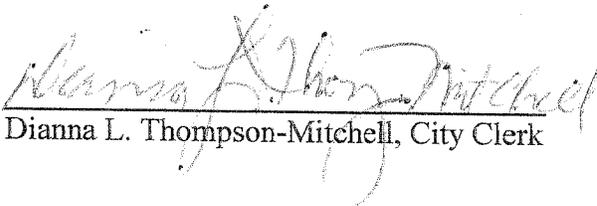
YEAS: Helfrich Satterlee - 2

NAYS: Nixon Nelson Hill-Evans - 3



Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2013
Resolution No. 99

***AMENDED**

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **December 17, 2013**

A Resolution

Amending Bill No. 21 of Session 2013, the 2014 Proposed York City Budget to reduce expense line items in the General Fund and Internal Services Fund.

WHEREAS, the attached expenditures are not found to be of absolute necessity to providing services to York City residents and businesses; and,

WHEREAS, the 2014 Proposed York City Budget must be amended to reflect these reductions;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby approves the expense line item reductions in the General Fund and Internal Services Fund in accordance with the following schedule:

Account Number	Description	Original	Amended
10-110-42070-00000	Other Professional Services	\$ 24,000	\$ 20,000
10-160-40010-00000	Salaries/Wages	\$ 98,495	* \$ 68,495
10-400-40010-00000	Salaries/Wages	\$ 297,825	* \$ 262,825
	TOTAL GENERAL FUND	\$41,865,947	* \$ 41,796,947 <u>\$41,861,947</u>

Account Number	Description	Original	Amended
70-201-40010-00000	Salaries/Wages	\$ 227,193	\$ 192,193
	TOTAL INTERNAL SERVICES FUND	\$13,518,130	\$13,483,130

PASSED FINALLY: December 17, 2013

BY THE FOLLOWING VOTE:

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

NAYS: None



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2013
Resolution No. 100

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **December 17, 2013**

A Resolution

Amending Bill No. 21 of Session 2013, the 2014 Proposed York City Budget to increase an expense line item in the Internal Services Fund.

WHEREAS, the attached expenditure is an acceptable improvement to the Human Resources Department; and,

WHEREAS, the 2014 Proposed York City Budget must be amended to reflect this increase;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby approves the expense line item increase in the Internal Services Fund in accordance with the following schedule:

Account Number	Description	Original	Amended
70-201-40020-00000	Part-Time Employees	\$ 0	\$ 21,000
	TOTAL INTERNAL SERVICES FUND	\$13,518,130	\$13,504,130

PASSED FINALLY: **December 17, 2013**

BY THE FOLLOWING VOTE:

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

NAYS: None



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2013
Resolution No. 101

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **December 17, 2013**

A Resolution

Amending Bill No. 21 of Session 2013, the 2014 Proposed York City Budget to increase revenue and expense line items in the Recreation Fund.

WHEREAS, the City of York previously increased the tax rate and the subsequent funding of parks and recreation programs by ¼ mil; and,

WHEREAS, the ¼ mil increase provides for over \$200,000 in additional tax revenue; and,

WHEREAS, the stated purpose of this increase was to fund deficit reduction in the Recreation Fund; and,

WHEREAS, the 2014 Proposed York City Budget only allots \$19,875 for said deficit reduction; and,

WHEREAS, wishes to respect the taxpayers and allot as much of the ¼ mil revenue to the stated purpose of Recreation Fund deficit reduction as possible; and,

WHEREAS, the 2014 Proposed York City Budget must be amended to reflect these increases,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby approves the revenue and expense line item increases in the Recreation Fund in accordance with the attached schedule:

Account Number	Description	Original	Amended
20-425-39999-00000	Operating Transfer In	\$ 0	\$ 83,000
	TOTAL RECREATION FUND	\$1,854,466	\$1,937,466
20-425-43260-00000	Deficit Reduction	\$ 19,875	\$ 102,875
	TOTAL RECREATION FUND	\$1,854,466	\$1,937,466

PASSED FINALLY: December 17, 2013

BY THE FOLLOWING VOTE:

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

NAYS: None



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk