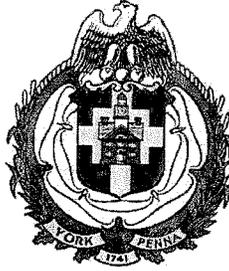


Council of the City of York, Pennsylvania

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: dthompso@yorkcity.org



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

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

Website: www.yorkcity.org

AGENDA

August 19, 2014

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 period. 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.

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

III. Roll Call

IV. Pledge of Allegiance

V. Moment of Silence

VI. Action on previous meeting Minutes of July 15, 2014.

VII. Presentations, Proclamations and Awards

1. Resolution No. 71 _____ - A Resolution
Supporting the Pre-K for PA initiative.
Introduced by: Henry Hay Nixon
Originator: Council (Nixon)

VII. Committee Meeting(s) Scheduled

Committee Work Sessions: Scheduled for Wednesday, September 24, 2014 at 6:00 p.m. in Council Chambers. (Agenda items due by 12 noon on September 17)

10. Introduction of Bill No. (Not introduced – was referred to committee) - A Bill
Amending Article 1731 “Historic York.” (To replace with a comprehensive Historic York ordinance)
Introduced by: Carol Hill-Evans
Originator: Historic York
11. Introduction of Bill No. 21 - A Bill
Providing for establishment of a Civil Service Board. (In accordance with Act 22 of 14)
Introduced by: Carol Hill-Evans
Originator: Solicitor’s Office
12. Introduction of Bill No. 22 - A Bill
Amending Article 513 “Vehicle Operation and Parking.” (To extend parking restrictions on Linden, Florida and Texas Aves. to West St. during the York Fair)
Introduced by: Michael Ray Helfrich
Originator: Business Administration (Parking)
13. Resolution No. 73 - A Resolution
Authorizing a Reimbursement Grant Agreement with PennDot. (For funding the Market St. Paving Project)
Introduced by: David Satterlee
Originator: Public Works
14. Resolution No. 74 - A Resolution
Authorizing the transfer of 9 tracts of land from the RDA & General Authority. (Portions of the Rail Trail)
Introduced by: David Satterlee
Originator: Public Works
15. Resolution No. 75 - A Resolution
Authorizing application to PennDot. (To upgrade signalized intersections on the George St. corridor)
Introduced by: David Satterlee
Originator: Public Works
16. Resolution No. 76 - A Resolution
Authorizing application to PennDot. (To upgrade signalized intersections on the Market St. corridor)
Introduced by: David Satterlee
Originator: Public Works
17. Resolution No. 77 - A Resolution
Opting-in to the York County Regional Chesapeake Bay Pollution Reduction Plan.
Introduced by: David Satterlee
Originator: Public Works
18. Resolution No. (Item was pulled from the agenda) - A Resolution
Appointing a probationary police officer. (D. Klinefelter)
Introduced by: Henry Hay Nixon
Originator: Police
19. Resolution No. (Item deferred to the 9/2/14 mtg.) - A Resolution
Authorizing a budget transfer. (In the HOME budget in the amount of \$41,000 from Homebuyers Assistance to Habitat)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (BHS)

- 20. Resolution No. (Item deferred to the 9/2/14 mtg.) - A Resolution Amending the 2014 Annual Action Plan. (To reflect a transfer in the HOME budget in the amount of \$41,000 from Homebuyers Assistance to Habitat)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (BHS)

- 21. Resolution No. 78 - A Resolution Authorizing the filing of an application for grant funds with DCED. (\$45,000 Early Intervention grant to undertake a financial improvements initiative)
Introduced by: Michael Ray Helfrich
Originator: Business Administration (Finance)

- 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 2014
Resolution No. 70



INTRODUCED BY: Renee S. Nelson

DATE: July 15, 2014

A RESOLUTION

Amending Bill No. 16 of Session 2014 establishing Article 730 "Neighborhood Improvement Ordinance," Subsection 730.99 "Fines and Penalties," to clarify fines and penalties.

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Bill No. 16 of Session 2014 establishing Article 730 "Neighborhood Improvement Ordinance," Subsection 730.99 "Fines and Penalties" is hereby amended as follows:

730.99 FINES AND PENALTIES

A. Violation Ticket Fines

1. After any warning as allowed in Section 730.99(A)(6), for the first ~~and second~~ offense of a violation of this Article within a twelve (12) month period, or a continuous offense which has not been remedied, violation tickets shall be issued in the amounts of Twenty-five (\$25.00) Dollars ~~or One Hundred (\$100.00) Dollars~~. For the second offense of a violation of this Article within a twelve (12) month period, or a continuous offense which has not been remedied, violation tickets shall be issued in the amounts of Fifty (\$50.00) Dollars.
2. For the third offense of a violation of this Article within a twelve (12) month period, or a continuous offense which has not been remedied, violation tickets shall be issued in the amounts of One Hundred and Fifty (\$150.00) Dollars ~~or Two Hundred and Fifty (\$250.00) Dollars~~.
3. For the fourth or subsequent offense of a violation of this Article within a twelve (12) month period, or a continuous offense which has not been remedied, violation tickets shall be issued in the amounts of Three Hundred (\$300.00) Dollars ~~or Five Hundred (\$500.00) Dollars~~.
4. Any person who receives a violation ticket for any violation of this Article, except ~~720.06~~ **730.06**, may within ten (10) days, admit the violation, waive any right to a hearing and pay the fine in full satisfaction.
5. Any person who violates Section ~~720.06~~ **730.06** Illegal Dumping shall pay a fine of One Thousand (\$1,000.00) Dollars for a violation of 720.06(A) or Five Thousand (\$5,000.00) Dollars for a violation of 720.06(B) for each offense, plus all direct and indirect costs incurred by the City for the clean-up and abatement of the violation.
6. An individual whose first violation is a property maintenance violation on their own property or rented property in their name, shall receive one and only one warning which shall be on record as a violation ticket with no fine attached. Subsequent violations of the neighborhood improvement ordinance shall be subjected to the fines as outlined in Section 730.99(A)(1-5).
 - a. Upon delivery of notice of warning, a copy of the Neighborhood Improvement Ordinance shall also be attached to said notice.

B. Violation Ticket Penalties

1. If the person in receipt of a twenty five (\$25.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a ten (\$10.00) dollar penalty for days eleven (11) through twenty (20).

2. If the person in receipt of a one hundred (\$100.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25.00) dollar penalty for days eleven (11) through twenty (20).
3. If the person is in receipt of a one hundred and fifty (\$150.00) dollar, two hundred and fifty (\$250.00) dollar, three hundred (\$300.00) dollar or five hundred (\$500.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a fifty (\$50.00) dollar penalty for days eleven (11) through twenty (20).
4. If the person in receipt of a one thousand (\$1,000.00) dollar or five thousand (\$5,000.00) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a one hundred (\$100.00) dollar penalty for days eleven (11) through twenty (20).
5. Failure of the person to make payment or request a hearing within twenty (20) days of a violation ticket shall make the person subject to a citation.

C. Citation Fines

1. Any person, firm or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Article, except Section ~~720.06~~ **730.06**, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine not less than one hundred (\$100.00) dollars, not more than one thousand (\$1,000.00) dollars on each offense or imprisoned no more than ninety (90) days, or both.
2. Any person, firm, or corporation who shall fail, neglect or refuse to comply with the provisions of Section ~~720.07~~ **730.06** of this Article shall, upon conviction, be ordered to pay a fine of not less than one thousand dollars, not more than five (\$5,000.00) dollars on each offense or imprisoned no more than ninety (90) days, or both. In addition, the Magisterial District Judge may impose any other such remedy deemed proper, including, without limitation, an order to clean up unlawful dump sites.

D. Restitution

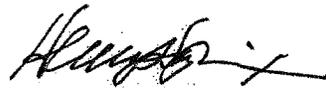
The Magisterial District Judge may order the violator to make restitution to said real or personal property owner.

PASSED FINALLY: **August 19, 2014**

BY THE FOLLOWING VOTE:

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

NAYS: **Satterlee - 1**



Henry Hay Nixon, Vice President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2014
Resolution No. 71

INTRODUCED BY:


Henry Hay Nixon

DATE: August 19, 2014

WHEREAS, the vast majority of households have both parents working and thereby rely on child care in order to maintain employment and contribute to the tax base, and

WHEREAS, access to high quality pre-K gives children the opportunity to develop some of the most critical, fundamental cognitive and social skills needed to achieve their full potential in school, and

WHEREAS, pre-k strengthens our schools by ensuring all children arrive at kindergarten ready to learn, thereby reducing grade repetition and special needs costs for the district; and

WHEREAS, children with access to high-quality pre-k are less likely to commit a crime later in life, thereby defraying law enforcement costs; and

WHEREAS, these savings in academic remediation and special education costs, law enforcement costs, and public welfare costs all help to keep the local tax burden low, and

WHEREAS, every dollar invested in early education generates over \$2 in immediate local economic impact and up to \$17 in long-term public savings and benefit; and

WHEREAS, children who have experienced high-quality pre-k are more likely to graduate from high school, enjoy increased lifetime earnings and contribute to the tax base, and

WHEREAS, the City of York, York County, Pennsylvania, recognizes that currently too few of Pennsylvania three and four year olds are able to access high-quality pre-k, and

WHEREAS, high quality pre-school and excellent K-12 schools are needed to attract young families and the City of York, York County, Pennsylvania, wishes to strengthen its schools, communities, and economy;

NOW, THEREFORE, BE IT RESOLVED that the City of York, York County, Pennsylvania, supports a state effort to expand access to high-quality pre-k for all three and four year old children in the Commonwealth of Pennsylvania; and

BE IT FURTHER RESOLVED that a signed copy of this Resolution shall be forwarded to the Governor and our respective county and state legislators.

PASSED FINALLY: **August 19, 2014**

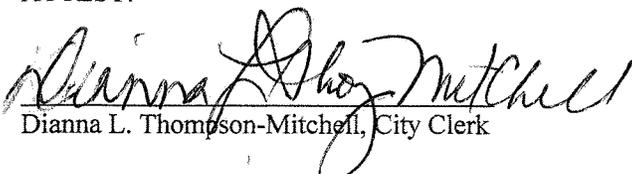
BY THE FOLLOWING VOTE:

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 City of York, PA
Session 2014
Resolution No. 72



INTRODUCED BY: **Renee S. Nelson**

DATE: **August 19, 2014**

WHEREAS, Frontier Development has submitted a Final Land Development Plan for 703 & 705 Loucks Road, proposing to construct **an approximately 6,000 sq. ft. retail structure along with reconfiguration of the parking lot; 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 April 12, 2014 with the following waivers and contingency items:

1. Section 1336.03, Sidewalks. No sidewalk currently exists across the frontage of Route 30 or adjacent to the project site to east or west.
2. Section 1333.03, Preliminary Plan is required to be submitted and approved prior to submission of a final plan. The applicant has requested a waiver of this requirement.
3. To install a 6" concrete curb in lieu of the required 8" curb.

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 Frontier Development 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: **August 19, 2014**

BY THE FOLLOWING VOTE:

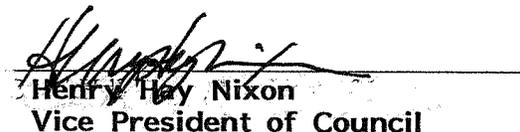
YEAS: **Helfrich**, **Nixon**, **Satterlee**, **Nelson**, **Hill-Evans** - 5

NAYS: **None**

ATTEST;



Dianna L. Thompson-Mitchell, City Clerk



Henry Hay Nixon
Vice President of Council

Council of the City of York, PA
Session 2014
Resolution No. 73


Introduced by: David Satterlee

Date: August 19, 2014

WHEREAS, the City of York, York County desires to enter into a General Reimbursement Grant Agreement with the Commonwealth of Pennsylvania, Department of Transportation (PennDOT); and

WHEREAS, through this Grant Agreement PennDOT will provide funding for the Market Street Paving Project from Carlisle Avenue to Harrison Street in the City of York.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the City is hereby authorized to enter into a General Reimbursement Grant Agreement #08A313 with the Commonwealth of Pennsylvania, Department of Transportation. A copy of said Agreement is attached hereto and made a part hereof.

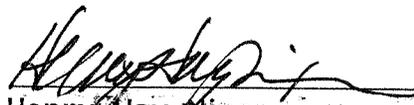
BE IT FURTHER RESOLVED, that the Mayor is authorized and the Controller is authorized and directed to enter into a written Agreement on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **August 19, 2014**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee - 3, _____, _____

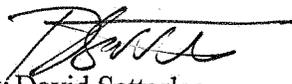
NAYS: None


Henry Hay Nixon
Vice President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2014
Resolution No. 74


Introduced by: David Satterlee

Date: August 19, 2014

WHEREAS, in the late 1970's the Rail Trail was constructed through the City of York; and

WHEREAS, the land that the Rail Trail was constructed contained parcels owned by the Redevelopment Authority of the City of York and the City of York; and

WHEREAS, the City of York has maintained this land for over thirty years as a public park; and

WHEREAS, the Redevelopment Authority of the City of York and the General Authority of the City of York desire to transfer nine (9) tracts of land along the Rail Trail to the City of York.

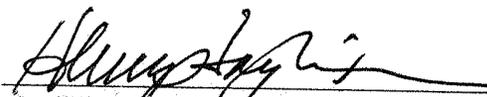
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the City of York, Pennsylvania accepts the transfer of the land per the attached Quit Claim Deed, attached hereto and made a part hereof.

PASSED FINALLY: August 19, 2014

BY THE FOLLOWING VOTE:

YEAS: Helfrich , Nixon , Satterlee - 3 , _____

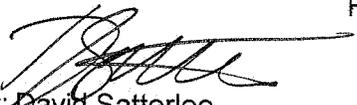
NAYS: None


Henry Jay Nixon
Vice President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2014
Resolution No. 75


Introduced by: David Satterlee

Date: August 19, 2014

WHEREAS, the City of York, York County, received an Accelerated Red Light Enforcement (ARLE) Grant through the Pennsylvania Department of Transportation (PennDOT); and

WHEREAS, the grant funding will be used to upgrade signalized intersections on the George Street corridor; and

WHEREAS, the upgrades require the submission of Applications for Traffic Signal Approval to PennDOT.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes that James E. Gross, Director of Public Works of the City of York is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the City of York.

PASSED FINALLY: August 19, 2014

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee - 3

NAYS: None


Henry Hay Nixon
Vice President of Council

Attest:


Dianna L. Thompson-Mitchell
CITY CLERK

Council of the City of York, PA
Session 2014
Resolution No. 76

Introduced by:  David Satterlee

Date: August 19, 2014

WHEREAS, the City of York, York County, received an Accelerated Red Light Enforcement (ARLE) Grant through the Pennsylvania Department of Transportation (PennDOT); and

WHEREAS, the grant funding will be used to upgrade signalized intersections on the Market Street corridor; and

WHEREAS, the upgrades require the submission of Applications for Traffic Signal Approval to PennDOT.

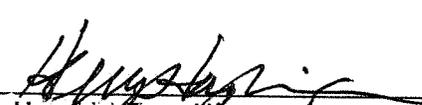
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes that James E. Gross, Director of Public Works of the City of York is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the City of York.

PASSED FINALLY: August 19, 2014

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee - 3, _____

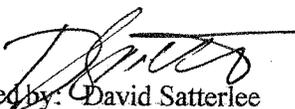
NAYS: None


Henry Ray Nixon
Vice President of Council

Attest:


Dianna L. Thompson-Mitchell
CITY CLERK

Council of the City of York, PA
Session 2014
Resolution No. 77


Introduced by: David Satterlee

Date: August 19, 2014

WHEREAS, the Clean Water Act required the U.S. Environmental Protection Agency (EPA) to set limits on the amount of pollutants, known as Total Maximum Daily Loads (TMDL's) that can enter the Chesapeake Bay; and

WHEREAS, EPA required Bay states, including Pennsylvania, to develop Watershed Implementation Plans (WIPs) that will lead to the restoration of the Chesapeake Bay and clean local streams by removing an allocated pollutant load; and

WHEREAS, Pennsylvania has developed a Chesapeake Bay WIP, which sets forth a comprehensive plan for the Commonwealth to achieve the required pollutant reductions mandated by the TMDL, which includes urban stormwater management strategies, as well as draft pollution reduction targets for each county in the Chesapeake Bay Watershed; and

WHEREAS, York County is one of the counties located in the Chesapeake Bay Watershed; and

WHEREAS, municipalities within the York County urbanized area are required to apply for an MS4 permit to reduce pollutants through a stormwater management program, or request a permit waiver; and

WHEREAS, Municipal Separate Storm Sewer Systems (MS4) permit holders in York County are required to develop a Chesapeake Bay Pollutant Reduction Plan (CBPRP); and

WHEREAS, York County has developed a Regional CBPRP whereby participating municipalities (including those with MS4 permits, waivers and non-urbanized municipalities) will identify, fund, implement and jointly report stormwater "Best Management Practices" projects that will help York County meet the draft pollutant reduction targets; and

WHEREAS, it is the responsibility of the Council of the City of York to take formal action to "Opt In" to the Regional CBPRP.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes the City to Opt In to the York County Regional Chesapeake Bay Pollution Reduction Plan with an annual financial commitment of \$14,662.00 for a five-year period from September, 2014 to September, 2019.

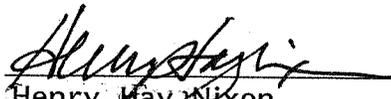
The Mayor is authorized and the Controller is authorized and directed to sign the Agreement for same on behalf of the City of York, Pennsylvania.

PASSED FINALLY: August 19, 2014

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee - 3

NAYS: None


Henry Jay Nixon
Vice President of Council

Attest:


Dianna L. Thompson-Mitchell
CITY CLERK

Council of the City of York, PA
Session 2014
Resolution No. 78

INTRODUCED BY: **Michael Helfrich**



DATE: **August 19, 2014**

WHEREAS, the City of York seeks the authorization to undertake a Financial Improvements Initiative in order to bring the City into a better financial position; and

WHEREAS, the City of York desires to apply to the PA Department of Community and Economic Development (DCED) for an Early Intervention grant for the purpose of carrying out this project; and

WHEREAS, the amount of the grant requested will be \$45,000; and

WHEREAS, the City of York will be responsible to reimburse the Commonwealth for the state's share of any expenditures found by DCED to be ineligible;

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

The City of York, York County hereby requests an Early Intervention grant of \$45,000 through the PA Department of Community and Economic Development to be used for the Financial Improvements Initiative; and

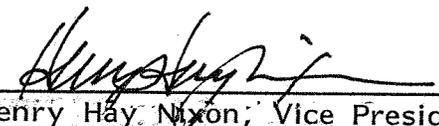
BE IT FURTHER RESOLVED, that the Applicant does hereby designate C. Kim Bracey, Mayor and Robert F. Lambert, Controller as the officials to execute all documents and agreements between the City of York and the PA Department of Community and Economic Development to facilitate and assist in obtaining the requested grant.

PASSED FINALLY: August 19, 2014

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee - 3

NAYS: None


Henry Hay Nixon, Vice President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk