

# 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  
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## AGENDA

December 2, 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](http://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 November 18, 2014 (legislative); November 24, 2014 (committee).

VII. Presentations, Proclamations and Awards: None

VII. Meeting(s) Scheduled:

- **Public Hearing** - York City Council will hold a public hearing on **December 2, 2014 at 6:00 p.m.** in City Council Chambers, 101 S. George St., York, PA, for the purpose of receiving testimony concerning a request made by Duke's Coffee Bar, LLC to transfer liquor license R-18971 from J. Mummert Enterprises, Inc. located in Spring Grove Borough to Duke's Coffee Bar, LLC located at 101-107 S. Duke St., York City, York, PA, for the purpose of serving alcohol. City Council plans to vote on said request during its regular meeting scheduled for December 2, 2014 at 7:00 p.m. in City Council Chambers.
- **2015 Budget Hearings:** York City Council will hold hearings on the 2015 proposed York City budget on **December 9<sup>th</sup> & 10<sup>th</sup>** beginning each evening at **6:00 p.m.** in City Council Chambers.
- **Committee Work Sessions** – Council to discuss canceling the December 29, 2014 committee work sessions due to holiday scheduling conflicts.

- **Public Hearing** - City Council will hold a public hearing on Tuesday, January 20, 2015 at 6:00 p.m. in City Council Chambers, 101 S. George St., York, PA, for the purpose of receiving public testimony on an amendment to the York City Zoning Ordinance, Article 1303, Table 1303.08, to permit communication transmitting and receiving facilities by right in the (OS) Open Space District and repealing any city ordinances or executive orders that are inconsistent with this subsection. Immediately following the public hearing, Council will introduce the amendment on that same night during its legislative session, which begins at 7:00 p.m. in City Council Chambers. Council tentatively will consider final passage of the Bill at its meeting on February 3, 2015 (7:00 p.m.).

IX. Status of Prior Committee Referrals: No reports.

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. 98 - A Resolution  
Re-approving the final land development plan submitted by Frontier Development. (To construct a 6,000 sq. ft. retail store at 703-705 Loucks Rd.)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (PP&Z)

**Final Passage of Bills / Resolutions**

NONE

**New Business**

2. Introduction of Bill No. 34 (Will be on 12/16/14 agenda) - A Bill  
Amending Article 349 “Admissions Tax.” (To provide certain exemptions to taxation)  
Introduced by: Carol Hill-Evans  
Originator: Business Administration
3. Resolution No. 99 - A Resolution  
Authorizing the transfer of a liquor license. (From Spring Grove Borough to Duke’s Coffee Bar, LLC, for service of alcohol at 101-107 S. Duke St.)  
Introduced by: Carol Hill-Evans  
Originator: Council
4. Resolution No. 100 - A Resolution  
Authorizing an agreement with PennDOT. (Electronic Access Agreement for the Market St. Project from Carlisle Ave. to Harrison St.)  
Introduced by: David Satterlee  
Originator: Public Works
5. Resolution No. 101 - A Resolution  
Extending a loan agreement with Smyser Street Apartments Limited Partnership. (Smyser St. Apts. – 201 N. Penn St.)  
Introduced by: Renee S. Nelson  
Originator: Economic & Community Development (BHS)
6. Resolution No. 102 - A Resolution  
Awarding a contract for stop loss insurance (Optum).  
Introduced by: Michael Ray Helfrich  
Originator: Business Administration

# APPENDED AGENDA

December 2, 2014

Public Comment 6:30 p.m.

Legislative Session 7:00 p.m.

7. Resolution No. 103 \_\_\_\_\_ - A Resolution  
Awarding a contract White Rose Ambulance for ambulance services.  
Introduced by: Henry Hay Nixon  
Originator: Fire/Rescue

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 City of York, PA  
Session 2014  
Resolution No. 98



INTRODUCED BY: **Renee S. Nelson**

DATE: **December 2, 2014**

WHEREAS, Frontier Development has submitted a Final Land Development Plan for 703 & 705 Loucks Road, proposing to construct a new 6,000 square foot retail structure along with the 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: December 2, 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 the City of York, PA  
Session 2014  
Resolution No. 99

*Carol Hill-Evans*

INTRODUCED BY: **Carol Hill-Evans**

DATE: **December 2, 2014**

WHEREAS, the PA Liquor Code, 47 P.S. 1-101 et. seq. (the "Code"), permits the transfer of restaurant, eating place, retail dispenser, and club liquor licenses from one municipality to another within the county in which the license is currently located; and

WHEREAS, the Code requires the licensee requesting transfer of the liquor license to seek approval of the receiving municipality prior to making application to the Pennsylvania Liquor Control Board; and

WHEREAS, Duke's Coffee Bar, LLC, located at 101-107 S. Duke St., York City, York County, PA, desires to transfer Liquor License No. R-18971 from J. Mummert Enterprises, Inc. located in Spring Grove Borough to Duke's Coffee Bar for the service of alcohol at 101-107 S. Duke St., York City, York County, Pennsylvania; and

WHEREAS, on December 2, 2014 at 6:00 p.m., York City Council held a public hearing to receive testimony on the request as required by the Code;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the request made by Duke's Coffee Bar, LLC, to transfer Liquor License No. R-18971 from J. Mummert Enterprises, Inc. located in Spring Grove Borough to Duke's Coffee Bar, LLC, for the service of alcohol at 101-107 S. Duke St., York City, York County, Pennsylvania, is hereby APPROVED subject to final approval by the Pennsylvania Liquor Control Board.

PASSED FINALLY: **December 2, 2014**

BY THE FOLLOWING VOTE:

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

NAYS: None

ABSTAIN: Satterlee - 1

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

ATTEST:

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

Council of the City of York, PA  
Session 2014  
Resolution No. 100

  
Introduced by: David Satterlee

Date: December 2, 2014

WHEREAS, the City of York has received funding through PennDOT for the Market Street Paving Project from Carlisle Avenue to Harrison Street in the City of York; and

WHEREAS, the City of York must execute an Agreement to Authorize Electronic Access to PennDOT Systems.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the City is hereby authorized to enter into an Agreement to Authorize Electronic Access to PennDOT Systems 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: December 2, 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

**MUNICIPALITY/AUTHORITY RESOLUTION**

BE IT RESOLVED by authority of the Council of the City of York, York County, PA, and it is hereby resolved by the authority of the same, that the Director of Public Works of said Municipality/Authority be authorized and directed to sign the attached Agreement on its behalf and the City Clerk be authorized and directed to attest the same.

CITY OF YORK  
(Name of Municipality)

ATTEST:

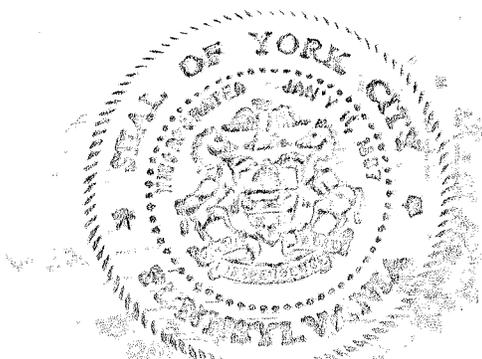
Dianna L. Thompson-Mitchell  
Dianna L. Thompson-Mitchell  
City Clerk

BY Carol Hill-Evans  
Carol Hill-Evans, President  
York City Council

I, Dianna L. Thompson-Mitchell, City Clerk, of the City of York, PA, do hereby certify that the forgoing is a true and correct copy of the Resolution adopted by York City Council at a regular meeting of the York City Council held the 2<sup>nd</sup> day of December 2014.

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

Date: December 2, 2014



Council of the City of York, PA  
Session 2014  
Resolution No. 101



INTRODUCED BY: Renee S. Nelson

DATE: December 2, 2014

WHEREAS, the City of York, Pennsylvania entered into a Second Revised and Restated Rental Rehabilitation Program Mortgage Agreement (Mortgage) and Second Revised and Restated Rental Rehabilitation Program Promissory Note (Note) with Smyser Street Apartments Limited Partnership on December 7, 1998 for the property at 201 N. Penn Street, York, PA 17402, known as Smyser Street Apartments, a 21-unit affordable rental housing development; and

WHEREAS, the aforesaid Note becomes due and payable January 1, 2015; and

WHEREAS, Smyser Street Apartments Limited Partnership has requested the City to cease the accrual of interest, forgive 1/15 of the accrued interest per year over the next fifteen (15) years and delay the maturity on the Note until twenty (20) years after the end of such additional fifteen (15) year period as referenced in the Note and Mortgage;

NOW, THEREFORE, BE IT RESOLVED, by the City of York, Pennsylvania, that the loan between the City of York and Smyser Street Apartments Limited Partnership as evidenced by the Mortgage and Note be extended as requested.

PASSED FINALLY: December 2, 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 the City of York, PA  
Session 2013  
Resolution No. 102

INTRODUCED BY: Michael Ray Helfrich      DATE: December 2, 2014



**WHEREAS**, The City of York maintains a self funded health insurance program to provide health insurance benefits to the employees of the City; and,

**WHEREAS**, the City purchases Stop-Loss Insurance for the purpose of limiting risk exposure to excess liability; and,

**WHEREAS**, The City requested quotes for a Stop Loss Insurance provider services for the year 2015; and,

**WHEREAS**, Optum administered proposed the best combination of services, price and products.;

**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 execute the documents necessary to implement the contract for services proposed by Optum for stop loss insurance for the year 2015.

**PASSED FINALLY:**

**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 2014  
Resolution No. 103

INTRODUCED BY:   
Henry Hay Nixon

DATE: December 2, 2014

**WHEREAS**, the Agreement between the City of York Pennsylvania and ARMAR, Inc., d/b/a White Rose Ambulance, to provide emergency medical response in the City of York will expire on December 31<sup>st</sup> 2014; and

**WHEREAS**, the City wishes to continue its Agreement with ARMAR, Inc., d/b/a White Rose Ambulance for emergency medical response services for the calendar years 2015 – 2017. Year one will be in the amount of \$90,000. Year two will be in the amount of \$90,000. Year three will be in the amount of \$100,000. Funds will be paid from the General Fund.

**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 an agreement, a copy of which is attached herto and made a part hereof, with ARMAR, d/b/a White Rose Ambulance on behalf of the City of York, Pennsylvania.

PASSED FINALLY: December 2, 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