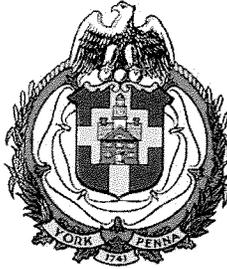


Council of the City of York, Pennsylvania

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



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AGENDA

May 6, 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 **April 15, 2014 (legislative) & April 23, 2014 (committee)**.

VII. Presentations, Proclamations and Awards

- Mayor C. Kim Bracey – Will outline professional services to be provided by Michael Johnson in the area of strategic planning, management and public policy development for the York City Department of Business Administration.

VII. Committee Meeting(s) Scheduled

- Committee Work Sessions: Scheduled for Wednesday, May 28, 2014 at 6:00 p.m. in Council Chambers. (Committee items due by 12 noon on May 21st)

IX. Status of Prior Committee Referrals

- **Bill No. 9** – Amending Article 705 “Keeping of Animals” of the Codified Ordinances to define and establish regulations for the keeping of wild animals was discussed at length at Council's April 23 committee meeting. Additional amendments are being researched, therefore, the Bill remains in committee at this time.

- LERTA – A Bill amending Article 308 “Local Economic Revitalization Tax Assistance (LERTA) Program” of the Codified Ordinances to include exceptions to investment opportunity eligible areas was discussed at Council’s April 23 committee meeting. Clarification on tax incentives/disincentives is being examined, therefore, the Bill remains in committee at this time.

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

Subdivision / Land Development / HARB

NONE

Final Passage of Bills / Resolutions

1. Final Passage of Bill No. 10 (Forthcoming) – A Bill
Amending the 2014 Budget. (To accept a JAG award in the amount of \$51,748.00)
Introduced by: Henry Hay Nixon
Originator: Police

New Business

2. Introduction of Bill No. 11 (Final passage on 5/21/14 agenda) - A Bill
Amending the 2014 CDBG/HOME Budgets. (To reflect changes in revenue/expenses resulting from actual allocations for the 2014 program year)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (BHS)
(Note: Bills sit for at least one meeting; therefore, this Bill will be considered for final passage on or after May 21, 2014)
3. Introduction of Bill No. 12 (Final passage on 5/21/14 agenda) - A Bill
Amending the 2014 Budget. (To roll over 2013 unspent JAG funds into the 2014 Budget - \$33,074.70)
Introduced by: Henry Hay Nixon
Originator: Police
(Note: Bills sit for at least one meeting; therefore, this Bill will be considered for final passage on or after May 21, 2014)
4. Introduction of Bill No. 13 (Final passage on 5/21/14 agenda) - A Bill
Approving an intergovernmental cooperation agreement. (York City & Spring Garden Twp. for law enforcement services at 401 W. Jackson St.)
Introduced by: Henry Hay Nixon
Originator: Police
(Note: Bills sit for at least one meeting; therefore, this Bill will be considered for final passage on or after May 21, 2014)
5. Introduction of Bill No. 14 (Final passage on 5/21/14 agenda) - A Bill
Amending the 2014 Budget. (For a dental sealant grant award - \$9,250.00)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Health)
(Note: Bills sit for at least one meeting; therefore, this Bill will be considered for final passage on or after May 21, 2014)

- 6. Introduction of Bill No. 15 (Final passage on 5/21/14 agenda) - A Bill
Amending Article 1113.10 “Sidewalk Cafes” of the Codified Ordinances. (To update and clarify language)
Introduced by: Michael Ray Helfrich
Originator: Council (Helfrich)
(Note: Bills sit for at least one meeting; therefore, this Bill will be considered for final passage on or after May 21, 2014)
- 7. Resolution No. 44 - A Resolution
Supporting Senate Bill 1340 & House Bill 1272. (To enable municipal police to use speed-timing equipment)
Introduced by: Henry Hay Nixon
Originator: Council (Nixon)
- 8. Resolution No. 45 - A Resolution
Awarding a contract to Doug Lamb Construction. (For the Penn Park Improvement Project - \$525,230.00)
Introduced by: David Satterlee
Originator: Public Works
- 9. Resolution No. 46 - A Resolution
Authorizing conditional letters of employment as probationary firefighters. (S. Bowman/C. Frederick)
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
- 10. Resolution No. 47 - A Resolution
Authorizing purchase of a 2015 Chevy Tahoe. (\$32,875.00)
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
- 11. Resolution No. 48 - A Resolution
Approving the Chauffeurs, Teamsters and Helpers Local 776 union contract.
Introduced by: Michael Ray Helfrich
Originator: Business Administration (HR)

- 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. 44

INTRODUCED BY:


Henry May Nixon

DATE: May 6, 2014

A RESOLUTION IN SUPPORT OF SENATE BILL 1340 AND HOUSE BILL 1272 ENABLING ALL MUNICIPAL POLICE TO USE THE SAME MOTOR VEHICLE SPEED-TIMING EQUIPMENT AS THE PENNSYLVANIA STATE POLICE

Whereas, public protection is a principal reason why municipalities are established and exist; and

Whereas, municipal police and the Pennsylvania State Police are statutorily authorized to protect the public, primarily through the enforcement of the Crimes Code and Motor Vehicle Code; and

Whereas, all of the tools of law enforcement available to the Pennsylvania State Police are also available to municipal police, with one notable exception, that being radar; and

Whereas, Pennsylvania is the only state in the United States of America that gives its municipal police a law enforcement mandate and then prohibits them from using a common and effective piece of speed-timing equipment that the Pennsylvania State Police are permitted to use; and

Whereas, the inability of municipal police to use radar has resulted in uneven enforcement of the maximum speed laws across Pennsylvania, as well as contributed to Pennsylvania's distinction as the state with the 3rd highest number of speed-related vehicle fatalities and the 2nd highest percentage of speed-related vehicle fatalities in the country.

NOW, THEREFORE, BE IT RESOLVED, this 6th day of May 2014, that the Council of the City of York, Pennsylvania, calls upon the Members of the Senate and House of Representatives of the General Assembly of Pennsylvania to support Senate Bill 1340 and House Bill 1272 which would enable all municipal police to use the same motor vehicle speed-timing equipment as the Pennsylvania State Police.

PASSED FINALLY: May 6, 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. 45


Introduced by: David Satterlee

Date: May 6, 2014

WHEREAS, the City of York; York County, desires to contract for construction services for the Penn Park Improvements Project; and

WHEREAS, bids were received from two (2) contractors with Doug Lamb Construction, 1180 Zeager Road, Elizabethtown, PA 17022 being the lowest responsive bid; and

WHEREAS, bid costs exceeded available funding and the project has been scaled to meet the existing budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes the City to award a contract for the Penn Park Improvements Project to Doug Lamb Construction, for work to be done at Penn Park in accordance with the price set forth in the attached bid tabulation sheet, which said bid has been received and reviewed by the City and found to be correct, said contract shall be in the amount of \$525,230.00 which said cost shall be paid from the Capital fund, account number 50-425-47120-10158.

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

PASSED FINALLY: **May 6, 2014**

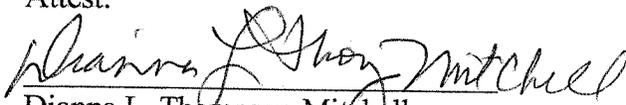
BY THE FOLLOWING VOTE:

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. 46

INTRODUCED BY:


Henry Hay Nixon

DATE: **May 6, 2014**

WHEREAS, the City of York Fire Civil Service Board, on November 14th, 2012, certified an eligibility list of thirteen(13) individuals that are eligible for consideration to be appointed as a Probationary Firefighter; and

WHEREAS, the Fire Civil Service Board has certified the top three names on the eligibility list and

WHEREAS, Two vacancies exists in the Department of Fire/Rescue Services and

WHEREAS, the Department of Fire/Rescue Services would like the ability to use the eligibility list to make a conditional offer of employment for the position of Probationary Firefighter to Steven Bowman and Clifton Frederick subject to Mr. Bowman's' and Mr. Frederick's ability to meet several conditions set forth below and

WHEREAS, the following conditions must be met prior to an appointment to the position of Probationary Firefighter, to-wit:

1. The applicants must successfully pass a psychological examination as required by the City of York Fire Civil Service Board.
2. The applicants must successfully pass a medical examination as required by the City of York Fire Civil Service Board.
3. The applicants must successfully pass a background investigation as required by the City of York Fire Civil Service Board.

WHEREAS, If Steven Bowman and/or Clifton Frederick do not meet the above conditions, a conditional offer of employment would be offered to the next suitable individual in compliance with the Fire Civil Service provisions, and subject to the same conditions for hiring as set forth above, and if no candidate is ultimately deemed qualified, the Department of Fire/Rescue Services will request a new list of eligible individuals from the City of York Fire Civil Service Board.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of York, Pennsylvania, that Council hereby approves and accepts the City of York Fire Civil Service Board's eligibility list, certifying that the top three candidates on the list of thirteen (13) individuals are eligible for consideration for appointment to the position of Probationary Firefighter after meeting the aforementioned conditions contained in this Resolution, and approves the appointment of a Probationary Firefighter effective June 9th, 2014, subject to the conditions set forth above.

PASSED FINALLY: **May 6, 2014**

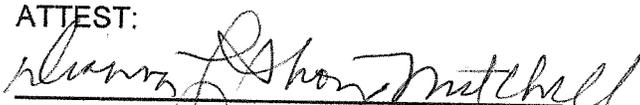
BY THE FOLLOWING VOTE:

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. 47

Introduced by: 
Henry Hay Nixon

Date: May 6, 2014

WHEREAS, the City of York desires to purchase one 2015 Chevrolet Tahoe 4-door 4WD SSV for use by the Department of Fire/Rescue Services; and

WHEREAS, the City desires to purchase the said vehicle through Costars State Contract # 13, at a total cost of \$32,875.00; and

WHEREAS, the vendor for this purchase is Apple Automotive, 1200 Loucks Road, York, PA 17404; and

WHEREAS, the purchased will be made through a lease/purchase through Fulton Bank with a term of 5 years at a bank qualified rate of 3.20% and an annual payment of \$7,030.37;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the Mayor is authorized and the Controller is authorized and directed to enter into a vehicle purchase agreement with Apple Automotive through Costars State Contract #13 for same on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **May 6, 2014**

BY THE FOLLOWING VOTE:

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

NAYS: None, _____, _____, _____, _____


Carol Hill-Evans
PRESIDENT OF COUNCIL

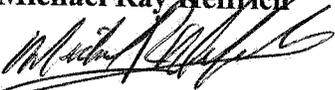
Attest:


Dianna L. Thompson-Mitchell
CITY CLERK

Council of the City of York, PA
Session 2014
Resolution No. 48

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **May 6, 2014**



WHEREAS, the Chauffeurs, Teamsters and Helpers Local 776 is the recognized bargaining unit for the blue collar City employees; and,

WHEREAS, The City of York and the Teamsters Local 776 members of the City of York, are parties to a Collective Bargaining Agreement that expired on December 31, 2012; and,

WHEREAS, the City and the Teamsters Local 776 have reached an agreement for the period of January 01, 2013 to December 31, 2015 inclusive that has been ratified by the Union membership, a copy of which is attached hereto and,

WHEREAS, the agreement must be approved by the Council of the City of York and the Mayor of the City of York recommends that Council approve the agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the Agreement between the City of York and the Chauffeurs, Teamsters and Helpers Local 776 for the period of January 01, 2013 to December 31, 2015 inclusive is approved. The Mayor is authorized and the Controller is authorized and directed to execute the agreement.

PASSED FINALLY: May 6, 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