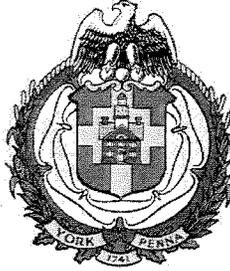


Council of the City of York, Pennsylvania

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: dthomps@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

March 17, 2015

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 **February 17, 2015 (legislative) & February 25, 2015 (committee)**.

VII. Presentations, Proclamations, Awards and Announcements:

- **MS4 Storm Water Program:** Public Works Director Jim Gross and City Engineering Consultant Jeff Shue to give a brief presentation on said program.

VII. Meeting(s) Scheduled: None

IX. Status of Prior Committee Referrals: No new 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. 18 - A Resolution
 Approving the final subdivision plan submitted by Capital Self Storage and West York LLP. (Lot addition at ~~4044~~ **915** Carlisle Rd.)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (PP&Z)
2. Resolution No. 19 - A Resolution
 Accepting the recommendations of HARB.
 Introduced by: Carol Hill-Evans

Final Passage of Bills / Resolutions

NONE

New Business

3. Introduction of Bill No. 6 (Will be on 4/7/15 Agenda) - A Bill
 Authorizing an intergovernmental cooperation agreement with the County of York. (For inclusion of the City of York in the York County Board of Appeals)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (PP&Z)
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 April 7th.
4. Introduction of Bill No. 7 (Will be on 4/7/15 Agenda) - A Bill
 Establishing Article 334 “Mobile Food Vehicles” of the Codified Ordinances.
 Introduced by: David Satterlee
 Originator: Mobile Vendors Committee
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 April 7th.
5. Resolution No. 20 - A Resolution
 Encouraging the Pennsylvania Historical & Museum Commission to explore regulations relating to digital retention of permanent records.
 Introduced by: Carol Hill-Evans
 Originator: City Clerk
6. Resolution No. 21 - A Resolution
 Reappointing Chester Landis as a member of the Nuisance Abatement Board of Appeals.
 Introduced by: Henry Hay Nixon
 Originator: Mayor
7. Resolution No. 22 - A Resolution
 Awarding a contract to York Materials Group. (For purchase of asphalt mixes - \$95,177.50)
 Introduced by: David Satterlee
 Originator: Public Works

- 8. Resolution No. 16 - A Resolution Authorizing a budget transfer. (\$44,384.48 to cover self-insured loss and \$6,178.99 to cover health administrative expenses)
Introduced by: Michael Ray Helfrich
Originator: Business Administration

- 9. Resolution No. 17 - A Resolution Authorizing a budget transfer. (\$54,675.25 to cover other professional services expenses)
Introduced by: Michael Ray Helfrich
Originator: Business Administration (Human Resources)

- 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 2015
Resolution No. 16

Introduced by: **Michael Ray Helfrich**



Date: **March 17, 2015**

WHEREAS, The Department of Business Administration, Risk Management, is requesting a transfer in the 2014 budget in the amount of \$44,384.48 to cover self-insured loss expenses and \$6,178.99 to cover health administrative expenses; and

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

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

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

Account	Description	Increase	Decrease
70-202-43050-00000	Self-Insured Losses	\$44,384.48	
70-202-41080-00000	Health Administrative	\$ 6,178.99	
70-202-44340-00000	Vehicle Insurance		\$ 8,354.48
70-202-44380-00000	Police Professional Liability Insurance		\$10,000.00
70-202-44390-00000	Public Official Insurance		\$32,208.99

PASSED FINALLY: **March 17, 2015**

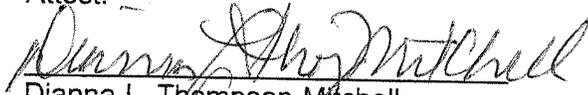
BY THE FOLLOWING VOTE:

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

NAYS: None

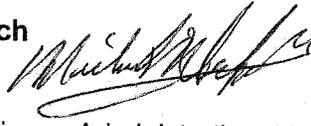

Carol Hill-Evans
President of Council

Attest: _____


Dianna L. Thompson-Mitchell
City Clerk

Council of the City of York, PA
Session 2015
Resolution No. 17

Introduced by: **Michael Ray Helfrich**



Date: **March 17, 2015**

WHEREAS, The Department of Business Administration, Human Resources, is requesting a transfer in the 2014 budget in the amount of \$54,675.25 to cover other professional services expenses; and

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

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

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

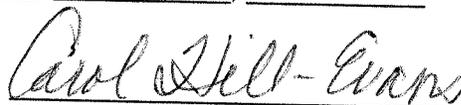
Account	Description	Increase	Decrease
70-201-42070-00000	Other Professional Services	\$54,675.25	
70-201-40010-00000	Salaries/Wages		\$ 5,349.00
70-201-40020-00000	Part Time Employees		\$ 6,430.00
70-201-41010-00000	Fica		\$ 2,327.25
70-201-42050-00000	Arbitration		\$27,550.00
70-201-43010-00000	Travel		\$ 800.00
70-201-43020-00000	Training		\$ 3,377.00
70-201-44020-00000	Printing/Binding		\$ 170.00
70-201-44030-00000	Association Dues/Conferences		\$ 1,505.00
70-201-45090-00000	Books/Subscriptions		\$ 309.00
70-201-45300-00000	Other Supplies/Materials		\$ 789.00
70-201-44010-00033	Postage/Shipping		\$ 500.00
70-202-41090-00000	Workmens Comp Insurance		\$ 5,569.00

PASSED FINALLY: **March 17, 2015**

BY THE FOLLOWING VOTE:

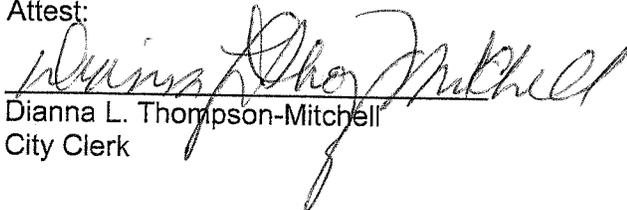
YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None



Carol Hill-Evans
President of Council

Attest:



Dianna L. Thompson-Mitchell
City Clerk

***Amended - Address should
be 915 Carlisle Rd.**

Council of City of York, PA
Session 2015
Resolution No. 18


INTRODUCED BY: **Renee S. Nelson**

DATE: **March 17, 2015**

WHEREAS, Capital Self Storage and West York LP have submitted a Final Subdivision Plan for a lot addition to ~~4044~~ Carlisle Road, proposing to add a 2.00 acre lot to this property; and
***915**

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 March 9, 2015 with the following waivers and contingency items:

Waivers:

1. 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.
2. Section 1333.04(a), Plan scale of 50' or 100' per inch. The applicant has requested a waiver of this requirement.
3. Section 1333.04(b)5, Existing contours. The applicant has requested a waiver of this requirement.
4. Section 1333.04(b)8, Existing features. The applicant has requested a waiver of this requirement.
5. Section 1333.07(m), Names and addresses of adjoining within 200' of the property. The applicant has requested a waiver of this requirement.
6. Section 1333.07(n), Line markers and monuments. The applicant has requested a waiver of this requirement.
7. Section 1333.07(s), Traffic Summary. The applicant has requested a waiver of this requirement

Contingency Items:

1. Revise the plan to address all City Engineer comments.

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the action of the York City Planning Commission in recommending approval of the Final Subdivision Plan submitted by Capital Self Storage and West York LP with the above waivers and completion of all contingency items 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: **March 17, 2015**

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 2015
Resolution No. 19

Carol Hill-Evans

Introduced by: **Carol Hill-Evans**

Date: **March 17, 2015**

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. Royal Square Development for streetscape work to be done in the **100 blocks of S. Duke St. and E. King St.**
2. Royal Square Development for façade improvements to be done at **25-27 W. Market St.**

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

Passed Finally: **March 17, 2015**

By the following vote:

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

NAYS: Helfrich - 1

Carol Hill-Evans

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell

Dianna L. Thompson-Mitchell, City Clerk

**CERTIFICATE of APPROPRIATENESS
RECOMMENDATION to YORK CITY COUNCIL**

APPLICATION FOR PROPERTY ADDRESS: 100 Block of South Duke Street & 100 Block of East King Street

APPLICANT: Zack Funt – Royal Square Development

At the public meeting held on Thursday, March 12, 2015 the Board of Historical Architectural Review considered an application for a permit for work to be performed on the above property located with the Historic District.

Proposed Work: The applicant will be presenting a proposal for the revitalization of the street scape for the 100 blocks of South Duke and East King Streets. This project will entail the construction of new sidewalks, and the placement of street trees and street lights in this area of the city.

Photos/Plans Attached:

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

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

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

Other relevant findings of fact:

WHEREUPON THE BOARD VOTED TO RECOMMEND **APPROVAL** OF THE APPLICATION:

X AS PRESENTED IN THE ATTACHED PRELIMINARY REVIEW SHEET.

_____ AS AMENDED FROM THE PRELIMINARY REVIEW SHEET AS FOLLOWS: _____

DISSENTING VOTES AND RATIONALE: _____

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

DISSENTING VOTES AND RATIONALE: _____

Dennis Kunkle
~~John Fox, HARB Chair~~ Dennis Kunkle, HARB VICE-CHAIR

This application was reviewed by York City Council on 3-17-15 and has been
 APPROVED DENIED

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

The Secretary of the Interior's Standards for Rehabilitation

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

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

**CERTIFICATE of APPROPRIATENESS
RECOMMENDATION to YORK CITY COUNCIL**

APPLICATION FOR PROPERTY ADDRESS: 25-27 West Market Street

APPLICANT: Zack Funt – Royal Square Development

At the public meeting held on Thursday, March 12, 2015 the Board of Historical Architectural Review considered an application for a permit for work to be performed on the above property located with the Historic District.

Proposed Work: The applicant proposes to insert new windows and doors into the east facade of the building located at 25-27 East Market Street. The former Zakies Bar location building's east façade fronts to Cherry Lane Park. This is a prominent and historic façade which currently has NO windows or doors on this facade.

Photos/Plans Attached:

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

In 1997, this building along with 33 other buildings located throughout the City of York was chosen by Historic York, Inc., The Chamber of Commerce, The Heritage Trust, The Visitors Bureau and the City of York to promote York's historic heritage. This is identified on the east facade of the building by a pewter plaque. Historic York, Inc. believes in and supports economic development, but disagrees with the alterations planned for this historic and quit visible façade.

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

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

Other relevant findings of fact:

WHEREUPON THE BOARD VOTED TO RECOMMEND **APPROVAL** OF THE APPLICATION:

AS PRESENTED IN THE ATTACHED PRELIMINARY REVIEW SHEET.

AS AMENDED FROM THE PRELIMINARY REVIEW SHEET AS FOLLOWS: THE 3
WINDOWS WILL BE OPERABLE. APPLICANT WILL RETURN
WITH DETAILS ON WINDOW + DOORS.

DISSENTING VOTES AND RATIONALE: _____

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

DISSENTING VOTES AND RATIONALE: _____

Dennis Kunkle

John Fox, HARB Chair *Dennis Kunkle, HARB VICE-CHAIR*

This application was reviewed by York City Council on 3-17-15 and has been

APPROVED DENIED

Carol Hill-Evans

Carol Hill-Evans, President of City Council

The Secretary of the Interior's Standards for Rehabilitation

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

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

Council of the City of York, PA
Session 2015
Resolution No. 20

Carol Hill-Evans

INTRODUCED BY: **Carol Hill-Evans**

DATE: **March 17, 2015**

WHEREAS, The Pennsylvania Legislature passed Senate Bill 1204-2002, amending the act of May 9, 1949 (P.L.908, No.250), to include the use of digital imaging for State and Municipal records retention in accordance with standards, policies and procedures for the creation, maintenance, transmission or reproduction of images of records approved by the Pennsylvania Historical and Museum Commission (PHMC); and

WHEREAS, while the PHMC allows the use of digital imaging for the retention of temporary records, the PHMC still requires Counties and Municipalities to use microfilm and other non-digital media to retain permanent records; and

WHEREAS, the use of digital imaging will free up storage space, will make documents more accessible and discoverable, provide a more affordable alternative to required document retention, and place records at the fingertips of the public and governmental employees.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that York City Council encourages the Pennsylvania Historical and Museum Commission to explore regulations relating to retention of certain permanent records thus permitting Counties and Municipalities the option to use digital media to retain permanent records in an effort to eliminate the requirement of using both microfilm and digital media for document retention.

PASSED FINALLY: **March 17, 2015**

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

Council of the City of York, PA
Session 2015
Resolution No. 21

INTRODUCED BY: 
Henry Hay Nixon

DATE: **March 17, 2015**

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby consents to the reappointment made by the Mayor of **Chester C. Landis** as a member of the **Nuisance Abatement Board of Appeals**, which term shall expire April 1, 2017.

PASSED FINALLY: **March 17, 2015**

BY THE FOLLOWING VOTE:

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

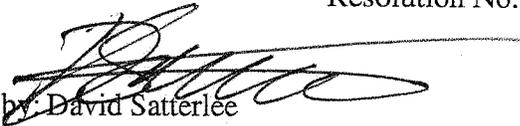
NAYS: None.


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2015
Resolution No. 22

Introduced by:  David Satterlee

Date: **March 17, 2015**

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

WHEREAS, one vendor submitted a bid with York Materials Group LLC. , P.O. Box 2464, York, PA 17405 being the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes the City to award a contract for Asphalt Mixes to York Materials Group, 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 \$95,177.50 which said cost shall be paid from the Liquid Fuels fund, account numbers 21-421-45150-10008 and the Degradation fund, account number 22-421-45150-00000.

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

PASSED FINALLY: **March 17, 2015**

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