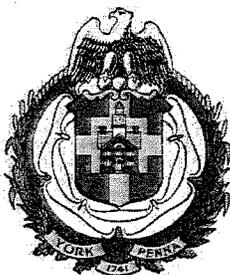


Council of the City of York, Pennsylvania

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
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Website: www.yorkcity.org

AGENDA

May 5, 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 **April 21, 2015 (legislative); April 29, 2015 (committee).**

VII. Presentations, Proclamations, Awards and Announcements

- Council's next legislative meeting will be held on Wednesday, May 20th instead of Tuesday, May 19th in observance of Tuesday's primary election.

VII. Meeting(s) Scheduled:

- **Public Hearing:** York City Council will hold a public hearing on **Friday, May 8, 2015 at 8:00 a.m.** in City Council Chambers, 101 S. George St., York, PA, for the purpose of conducting a disciplinary hearing for two police officers in accordance with the rules and regulations of the 3rd Class City Code, Section 4408. **(CANCELED)**
- **Public Hearing:** York City Council will hold a public hearing on **Wednesday, May 20, 2015 at 6:00 p.m.** in City Council Chambers, 101 S. George St., York, PA, for the purpose of receiving testimony concerning the application filed with the PA Liquor Control Board by The Handsome Cab Corp for a liquor license transfer from North York Borough to 106 N. George St., City of York, PA, for the purpose of serving alcohol.

- **Committee Work Session:** Council committee work sessions are scheduled for Wednesday, May 27, 2015. Council will discuss items for the June 2nd legislative agenda. (Committee agenda items are due by 12 noon on Wednesday, May 20th)

IX. Status of Prior Committee Referrals

- **Rules & Administrative Code Committee, Carol Hill-Evans, Chair:** Committee members discussed at length amending the Neighborhood Improvement Ordinance (Article 730) to remove the warning system and the Mobile Food Vehicles Ordinance (Article 334) to amend hours of operation and location of food trucks during certain hours. Both pieces of legislation remain in committee until language addressing regulation concerns can be established.
- **Bill No. 11:** A Bill amending the Property Maintenance Code (Article 1763) to require installation of carbon monoxide detectors in tenant occupied dwellings was referred back to the Rules & Administrative Code committee at Council's April 21st meeting. Committee members discussed proposed amendments presented by Vice President Nixon to clarify language and make it consistent with state law. The bill was released from committee and the proposed amendments will be presented this evening.

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. 30 - A Resolution
Accepting the recommendations of HARB.
Introduced by: Carol Hill-Evans
Originator: HARB

New Business

2. Introduction of Bill No. 13 (Will be on 5/20/15 agenda) – A Bill
Amending the 2015 Budget. (HIV, MCH, Dental Sealant, & TB grants)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Health)
Note: Bills must sit for at least one meeting prior to consideration of final passage. Therefore, this Bill will be considered for final passage on or after May 20th.
3. Introduction of Bill No. 14 (Will be on 5/20/15 agenda) – A Bill
Amending the 2015 Budget. (\$14,284.70 for a state Fire Commission grant award)
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
Note: Bills must sit for at least one meeting prior to consideration of final passage. Therefore, this Bill will be considered for final passage on or after May 20th.
4. Resolution No. 31 – A Resolution
Authorizing an agreement with Shenandoah Mobile, LLC. (For installation of a cell tower at Noonan Park)
Introduced by: David Satterlee
Originator: Public Works
5. Resolution No. 32 – A Resolution
Authorizing installation of a streetlight. (Phillips Place – rear of 526 E. King St.)
Introduced by: David Satterlee
Originator: Public Works

Final Passage of Bills/Resolutions

- 6. Final Passage of Bill No. 11 (Forthcoming) - A Bill
Amending Article 1763 "Property Maintenance Code." (To require installation of CO detectors in all tenant occupied dwellings)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (PP&Z)
Note: Vice President Nixon will offer proposed amendments to this legislation prior to consideration of final passage.

- 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. 30

Introduced by: Carol Hill-Evans
Carol Hill-Evans

Date: **May 5, 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. **YWCA** for work to be done on **S. George St.**
2. **LSC Design** for work to be done at **350 N. George St.**

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

Passed Finally: **May 5, 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



**York Historical Architectural Review Board
Agenda
6:00 PM Thursday April 23, 2015
101 South George Street, York PA. 17401**

- I Welcome:** John Fox, HARB Chair
- II Agenda:** Additions or changes to the agenda
- III Minutes:** Approve minutes from the April 9, 2015 HARB meeting
- IV Cases:**

- Approved 1. **YWCA Property** – A request by York YWCA, for Certificate of Appropriateness to replace non-historic windows at the property on South George Street.
- 2. **104-106 N. George Street** – A request by the owners, for Certificate of Appropriateness for a two-phase renovation project. Phase I is demolition of approximately 1600 SF of the rear section of the property; Phase II is the construction of an addition of approximately 1600 SF in the rear of the property and renovations to the remaining original section of the project to accommodate a new use.
- Tabled 3. **29 S. Duke Street** – A request by Dyed Red Holdings, LLC, for Certificate of Appropriateness to alter an existing storefront through the removal of the existing storefront surround and the installation of a glass tile façade on the ground floor. A new sign will be mounted over the storefront, flush with the building. Lighting for the sign, of a style to be determined, is also proposed.
- Tabled 4. **350 North George Street** – A request by LSC Design, for Certificate of Appropriateness for exterior repairs and accessibility improvements. The proposed work includes exterior masonry repairs, door and window repair, installation of three new windows, graffiti removal, and the construction of an ADA Accessible entryway on the southwest corner of the building.
- Approved



**York Historical Architectural Review Board
Meeting Minutes
April 23, 2015**

Members in attendance included Dennis Kunkle, Vice Chair; Mark Shermeyer; Justine Landis, Robin Pottorff

Absent: John Fox, Chair; Dave Redshaw; Matt Argabright; Teresa Johnescu, and W. Craig Zumbrun

Consultant: Mary Alfson Tinsman, Cultural Resource Manager/HARB Consultant, JMT

| AGENDA ITEM | DISCUSSION | ACTION/RESULT |
|--|--|---|
| Welcome and call to order Dennis Kunkle, Vice Chair | The meeting was called to order at 6:00 pm. The agenda had been prepared by City Staff. | A quorum was present. |
| Changes to the Agenda | There were no changes to the agenda. | |
| Minutes of April 9, 2015 | No previous minutes had been provided. | Move to approve by Mr. Shermeyer; seconded by Ms. Pottorff. Approved. |
| Cases | The following cases are forwarded to York City council with the recommended actions. | |

Case #1 – YWCA Property

Applicant represented by Ms. Rexann Richardson

The applicant is proposing to replace 29 non-historic windows with Interstate CompositWood windows on the two street facades and the replacement of 15 non-historic windows with interstate 9400 Adobe Vinyl windows on the side and back façade. Wrap rear and side windows with aluminum.

Discussion:

Mr. Shermeyer expressed the Board’s concerns regarding wrapping the window sills and lintels on the side and rear due to the issue of trapping moisture on these windows. He recommends using Abutron or the West System to help fix the issues with the wood. Mr. Shermeyer also asked about the color for the windows.

Ms. Richardson indicated that the rear and side window color will be “adobe vinyl”; on the street sides the windows will be brown as will the trim.

Motion: On a motion by Mr. Kunkle, seconded by Mr. Shermeyer, the Board voted 4 to 0 to approve the application; Amended to deny the wrapping of the rear and side windows with aluminum.

Case #2 – 104-106 N. George Street

Tabled

Case #3 – 29 S. Duke Street

Tabled

Case #4 – 350 N. George Street

Applicant: Ms. Rebecca Zeller

The applicant is proposing exterior repairs and improvements including spot-pointing of exterior brick work, graffiti removal, patching of deteriorated cast stone elements, the replacement of non-historic asphalt shingle roof, repairs to the gutter system, replacement-in-kind of damaged and missing downspouts, and repairs and repainting to existing historic woodwork including soffits, fascia and other trim. The main entrance door will be repaired and retained, and the historic windows will be re-glazed, repainted and retained. The existing “Western Maryland Freight Station” sign will be retained. Exposed soft interior brick from a previous demolition of an addition will be treated to arrest deterioration due to exposure to exterior conditions. A new ADA accessible ramp will be installed.

Discussion:

Ms. Zeller presented the plan as stated above and added details regarding the proposed work on each side of the building. The applicant’s preference for the rear of the building is to repoint and save the west side of the property where the train shed was however there is exposed interior brick on that side that needs to be addressed. Two options are being considered for this side of the building. Either replacement of the first wythe of soft brick with a hard-faced brick or parging the soft brick.

Ms. Zeller also noted that the roof will be replaced with asphalt shingles; all of the wood work will be repaired and repainted; the wood trim will be repaired and painted and the cast stone will be patched and repaired to match existing. An ADA accessible entrance will be added on the side – the front was too difficult to add the ramp too while still retaining historic integrity. The doors on the west side will be turned into windows. They were previously interior doors so windows are a better use of the openings.

Mr. Kunkle asked which portion of the brick would be parged.

Ms. Zeller indicated that the section of brick that is red brick (the exposed interior brick) would be parged and that the yellow brick will still be exposed. The applicant wants to show the shadowing of where the previous building was. The existing “pockets” will either be infilled with brick that is a close match to the existing or they will be filled and then parged depending on which treatment method is used on this side of the building.

Motion: On a motion by Ms. Pottorff, seconded by Ms. Landis, the Board voted 4 to 0 to approve the application as submitted.

Adjourning and next meeting

A motion to adjourn was made by Mr. Kunkle. Ms. Landis seconded. All in favor and the meeting was adjourned at 6:20 pm.

The next meeting is scheduled for Thursday May 7, 2015.

Minutes recorded by Mary Alfson Tinsman, Cultural Resource Manager/HARB Consultant, JMT.

DRAFT

DISSENTING VOTES AND RATIONALE:

Dennis Kunkle

Dennis Kunkle, HARB Vice-Chair

This application was reviewed by York City Council on 5-5-15 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: 350 N. George Street

APPLICANT: LSC Design

At the public meeting held on Thursday, April 23, 2015 the Board of Historical Architectural Review considered an application for a permit for work to be performed on the above property located within the Historic District.

Proposed Work: The applicant will be doing exterior repairs and improvements including spot-pointing of exterior brick work, graffiti removal, patching of deteriorated cast stone elements, the replacement of non-historic asphalt shingle roof, repairs to the gutter system, replacement-in-kind of damaged and missing downspouts, and repairs and repainting to existing historic woodwork including soffits, fascia and other trim. The main entrance door will be repaired and retained, and the historic windows will be reglazed, repainted and retained. The existing "Western Maryland Freight Station" sign will be retained. Exposed soft interior brick from a previous demolition of an addition will be treated to arrest deterioration due to exposure to exterior conditions. A new ADA accessible ramp will be installed.

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:

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

Dennis Kunkle, HARB Vice-Chair

This application was reviewed by York City Council on 5-5-15 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.

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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. 31


Introduced by: David Satterlee

Date: May 5, 2015

WHEREAS, the City of York, York County, is the owner of Noonan Park lot located at the intersection of Pennsylvania Avenue and Parkway Boulevard in York, PA; and

WHEREAS, the City of York desires to enter into a Site Agreement with Shenandoah Mobile, LLC for the installation of equipment for the transmission and reception of radio communication signals; and

WHEREAS, said equipment will be installed per the attached plans and in accordance with all local, state and federal laws.

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 Site Agreement, a copy of which is attached hereto and made a part hereof, for same on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **May 5, 2015**

BY THE FOLLOWING VOTE:

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

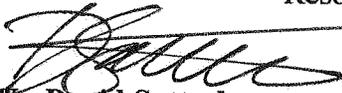
NAYS: None


Carol Hill-Evans
PRESIDENT OF COUNCIL

Attest:


Dianna L. Thompson-Mitchell
CITY CLERK

Council of the City of York, PA
Session 2015
Resolution No. 32


INTRODUCED BY: **David Satterlee**

DATE: **May 5, 2015**

WHEREAS, a contract was entered into by the City of York and Metropolitan Edison Company, on April 28, 1987 whereby said company shall furnish lighting; and

WHEREAS, it is necessary and proper that existing lighting should be upgraded and maintained for the service, accommodation, convenience and safety of the public; and

WHEREAS, the City of York requests the installation of one (1) new Company owned 150-watt high pressure sodium vapor cobra head streetlight on wood pole #29008-23161 located on Phillips Place at the rear of 526 E. King St., City of York, County of York, PA;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and rules and regulations now on file, that the City of York does hereby order and direct Metropolitan Edison Company to install said lights per the attached agreement.

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: **May 5, 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

RESOLUTION #

FOR ADDITIONAL STREET LIGHTS

WHEREAS, a contract was entered into by the City of York and Metropolitan Edison Company (hereinafter Met-Ed), on April 28, 1987, whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City, pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

One (1) Company owned 150-watt high pressure sodium vapor cobrahead streetlights on wood poles to be installed on pole 29008-23161 on Phillips Place in the rear of 526 East King Street within the City.

Payment to be made to Met-Ed for the additional lighting at the rates specified in the Tariff.

Resolution adopted this 5th day of May, 2015.

By: _____

C. Kim Bracey
Mayor, City of York

Robert F. Lambert
Controller, City of York

Attest:

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

I, Dianna L. Thompson-Mitchell, City Clerk of the City of York, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly convened and held on the 5th day of May, 2015.

Witness my hand and the seal of said City this 5th day of May, 2015.

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