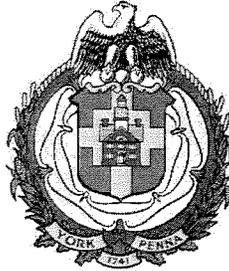


Council of the City of York, Pennsylvania

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



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AGENDA October 6, 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 September 15, 2015 (legislative); September 23, 2015 (committee).

VII. Presentations, Proclamations, Awards and Announcements: None

VII. Meeting(s) Scheduled

- **Committee Work Session** – Scheduled for Wednesday, October 28, 2015 at 6:00 p.m. in Council Chambers to discuss items for the November legislative agenda. Agenda items are due by 12 noon on October 21st.

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. 59 - A Resolution
Approving the final land development plan submitted by Penn State University (For installation of an underground stormwater detention system – 1031 Edgecomb Ave.)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (PP&Z)
2. Resolution No. 60 - A Resolution
Accepting the recommendations of HARB.
Introduced by: Carol Hill-Evans
Originator: HARB

Final Passage of Bills / Resolutions

3. Final Passage of Bill No. 22, Ordinance No. 22 (Forthcoming) – A Bill
Amending Article 183 “Fair Housing” of the Codified Ordinances. (To include “gender identity” as a protected class.)
Introduced by: Michael Ray Helfrich
Originator: Council (Helfrich)
4. Final Passage of Bill No. 23, Ordinance No. 23 (Forthcoming) – A Bill
Amending Article 185 “Human Relations” of the Codified Ordinances. (To include “gender identity” as a protected class.)
Introduced by: Michael Ray Helfrich
Originator: Council (Helfrich)
5. Final Passage of Bill No. 24, Ordinance No. 24 (Forthcoming) – A Bill
Amending the 2015 Budget. (\$60,699.00 for a JAG award)
Introduced by: Henry Hay Nixon
Originator: Police
6. Final Passage of Bill No. 25, Ordinance No. 25 (Forthcoming) – A Bill
Amending Article 1763 “Property Maintenance Code,” Sections 706.2 and 706.2.1.1 to clarify residential structures to be equipped with carbon monoxide alarms. (water heaters)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

New Business

7. Introduction of Bill No. 26 (Will be on 10/20/15 agenda) - A Bill
Establishing Article 190 “Consolidated Board of Appeals.”
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (PP&Z)
8. Introduction of Bill No. 27 (Will be on 10/20/15 agenda) - A Bill
Amending Article 1713 “Flood Plain Management” to comply with state and federal regulations.
Introduced by: David Satterlee
Originator: Public Works

9. Introduction of **Bill No. 28** (Will be on 10/20/15 agenda) - A Bill
 Establishing Article 1730 "Foreclosure Property Registry and Maintenance."
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (PP&Z)
10. Resolution No. 61 - A Resolution
 Appointing members to various boards. (P. Kehr – Civil Service Board; J. Jefcoat – HARB)
 Introduced by: Carol Hill-Evans
 Originator: Council
11. Resolution No. 62 - A Resolution
 Approving the 2016-2018 YPEA Bargaining Agreement.
 Introduced by: Michael Ray Helfrich
 Originator: Business Administration
12. Resolution No. 63 - A Resolution
 Authorizing the filing of a proposal for funds with DCED. (For EIP funding)
 Introduced by: Michael Ray Helfrich
 Originator: Business Administration
13. Resolution No. (PULLED) - A Resolution
 Consenting to issuance of RFP's relating to the 50-year concession lease of the York City Sewer System.
 Introduced by: Michael Ray Helfrich,
 Originator: Business Administration

- 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 2015
Resolution No. 59



INTRODUCED BY: **Renee S. Nelson**

DATE: **October 6, 2015**

WHEREAS, the Pennsylvania State University submitted a Final Land Development Plan for the Penn State York – Ruhl Student Center at 1031 Edgecomb Avenue, proposing installation of an underground stormwater detention system within City limits for the Student Center, which lies in Spring Garden Township; and

WHEREAS, the City Zoning Officer, City Planner, and City Engineer have reviewed and recommended conditional 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 conditional approval of the Final Land Development Plan at its regularly scheduled meeting held on September 14, 2015 with the following waivers and contingency items:

Waivers:

1. 1333.03: Waiver from Preliminary Plan submission
2. 1333.07.s: Waiver from Traffic Impact Study
3. 1336.08: Waiver from City Fire Department approval

Contingencies:

1. Address all City Staff and City Engineer comments
2. City Engineer review of Public Bonding requirements
3. Written request of all applicable waivers

WHEREAS, the applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation. And, the remaining outstanding items are administrative in nature.

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 the Pennsylvania State University 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.

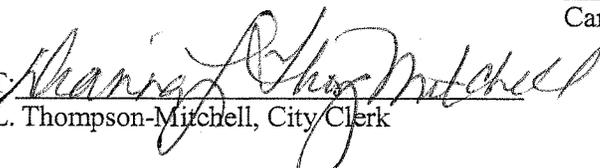
PASSED FINALLY: **October 6, 2015**

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. 60

Carol Hill-Evans

Introduced by: **Carol Hill-Evans**

Date: **October 6, 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. **Murphy & Dittenhafer Architects** for work to be done at **59 E. Market St.**

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

Passed Finally: **October 6 ,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 September 24, 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 September 10, 2015 HARB meeting
- IV Cases:**

(A)

1. **59 East Market Street** – A request by Murphy & Dittenhafer Architects on behalf of the property owners for a Certificate of Appropriateness for the installation of an elevator on the property of 59 East Market Street. The elevator shaft will be visible from the exterior on the North Duke Street elevation and additional exterior renovations, including window repairs, masonry cleaning and repointing, and some repainting, will be made.



**York Historical Architectural Review Board
Meeting Minutes
September 24, 2015**

Members in attendance included: Dennis Kunkle, Vice Chair; Justine Landis; Dave Redshaw; Robin Pottorff; W. Craig Zumbrun

Absent: John Fox, Chair; Matt Argabright; Teresa Johnescu; Mark Shermeyer

Consultant: Christine Leggio, Architectural Historian/ HARB Consultant

| 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 HARB Consultant. | A quorum was present. |
| Changes to the Agenda | | |
| Minutes of September 10, 2015 | | Move to approve by Dave Redshaw; seconded by Ms. Landis. Approved. |
| Cases | The following cases are approved as presented. | |

Case #1 – 59 E. Market Street

A request by Murphy & Dittenhafer Architects for the construction of a two-story, zinc panel clad elevator shaft on the property at 59 E Market Street. The exterior of the elevator shaft will be partially visible on the exterior of the building from North Duke Street. The existing door in the portico, behind which the shaft will be installed, will be moved to the adjacent wall and the opening will be infilled with brick to match the existing. Additionally, the existing masonry will be cleaned and repointed, glazing will be replaced in damaged windows, and the existing low-slope membrane roofs will be replaced in-kin while the historic metal roof will remain unaltered. The scope of work also includes the repainting of some exterior elements.

The applicants, Frank Dittenhafer and Ryan Shank, stated that the building is the former Lafayette Club, which is being purchased by York College. The building was constructed by Phillip Small in 1839 and it has had multiple additions spanning through the early 1970s. York College intends to conduct a phased renovation over several years.

Ms. Landis asked what the use of the building will be, and Mr. Dittenhafer stated that the building will be used for the College's Hospitality Management Program, as well as their Center for Community Engagement. The building will also include classrooms, and apartments for visiting Fellows on the top floors. Mr. Dittenhafer explained that, while there will be some interior alterations, particularly for reasons of accessibility, the College will be using a "light hand" in the renovation and seeks to alter as little historic fabric as possible. The applicants stated that both interior and exterior renovations will be minimal. Some portions of the roof will be replaced because they are in poor condition and active leaking is causing damage to some of the plaster walls and some windows. The applicants stated that damaged windows will be repaired rather than replaced, and that some minor repointing of some exterior areas will occur. They also stated that signage will be added to the exterior of the building, but that work will be reviewed under a future HARB application.

Mr. Dittenhafer emphasized that York College is interested in preserving aspects of the building's history as the Lafayette Club, including keeping stained glass and carpeting with Lafayette Club insignias, and preserving the grand stairway. He stated that York College's primary criteria for any building is ADA accessibility and that the elevator is necessary to that end. Its location was chosen to create the least possible disturbance of interior historic fabric.

Mr. Dittenhafer stated that they found room to fit the elevator behind an existing wall near the alcove on the Duke Street entryway. The elevator will provide access to lower levels as well as the 2nd and 3rd floors from the Duke Street sidewalk level, thus providing ADA access to 5 levels of the building. The relocation of the entryway will allow space for an entryway with access to the existing stairs and proposed the elevator.

Mr. Redshaw asked whether the existing portico is open to the outside. Mr. Shank stated that it is. Mr. Redshaw asked whether the elevator would be accessible from the exterior alcove area or if its users would have to enter the building to access it.

Mr. Dittenhafer stated that elevator will be on the interior, while the alcove will remain open to the street. He clarified that the existing door will be relocated to the adjacent wall. He stated that some existing metal plaques will also be relocated within the entryway. Mr. Shank stated that the brick infill for the door area will match the existing brick.

Mr. Redshaw asked whether the existing historic door would be moved in its entirety (including sidelights, transom, pediment, architrave, etc.). The applicants stated that it would, and Mr. Redshaw stated that it would now be visible from Duke Street.

Mr. Redshaw asked whether tax credits were involved in the project. Mr. Dittenhafer stated that they are not. The applicants went on to explain that only the upper two levels of the elevator shaft will be visible, and only from Duke Street.

Mr. Kunkle asked how it was possible that the elevator did not go higher than the 5th story of the building. Mr. Dittenhafer explained that it does in-fact go higher, but that an attic area above the 5th floor hides the mechanism.

Mr. Kunkle asked what the proposed material for the exterior cladding will be. Mr. Dittenhafer stated that it will be pre-patinated zinc. Mr. Kunkle stated that it looks white in the renderings, and Mr. Dittenhafer stated that there are two finish choices – one that is silver in appearance and a darker, pre-patinated finish. Mr. Redshaw asked which finish they have chosen, and Mr. Dittenhafer stated that they have chosen the darker finish, which is charcoal gray or pewter-like in color. Mr. Redshaw asked

whether the cladding will be held together with clips. Mr. Dittenhafer said yes and stated that the tower will be a stick-built tower, which will diminish the footprint and minimize the size of the tower.

Mr. Zumburn commended the College on the sensitivity of the design.

Motion: A motion was made by Mr. Zumburn, seconded by Ms. Landis, to approve the application as presented.

Additional discussion: Mr. Kunkle noted the other work in the application, including window repairs, masonry cleaning, and repainting, and asked whether the work will be done according to the Secretary of the Interior's Standards for Rehabilitation. Mr. Dittenhafer stated that it would.

Motion: The Motion was approved 5 to 0.

Adjourning and next meeting A motion to adjourn the meeting was made by Mr. Zumburn and seconded by Ms. Pottorff. The meeting adjourned at 6:30 pm. The next meeting is scheduled for Thursday October 8, 2015.

Minutes recorded by Christine Leggio, JMT Architectural Historian / HARB Consultant.

Council of the City of York, PA
Session 2015
Resolution No. 61

INTRODUCED BY:  Henry Hay Nixon

DATE: October 6, 2015

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby appoints to following:

1. **Patricia Kehr** as a member of the **York City Civil Service Board** to serve in said capacity until the **first Monday of January 2017**.
2. **Joe Jefcoat** as an **alternate** member of the **York City Historical Architectural Review Board** to fill the unexpired term of Genevieve Ray, which term shall expire the **first Monday of January 2016**.

PASSED FINALLY: October 6, 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. 62

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **October 6, 2015**


WHEREAS, The York Public Employees Association (YPEA) is the recognized bargaining unit for City clerical employees in the various City; and

WHEREAS, The City of York and the YPEA members of the City of York, are parties to a Collective Bargaining Agreement that will expire on December 31, 2015; and,

WHEREAS, the City and the YPEA have reached an agreement for the period of January 01, 2016 to December 31, 2018 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 York Public Employees Association for the period of January 01, 2016 to December 31, 2018 inclusive is approved. The Mayor is authorized and the Controller is authorized and directed to execute the agreement.

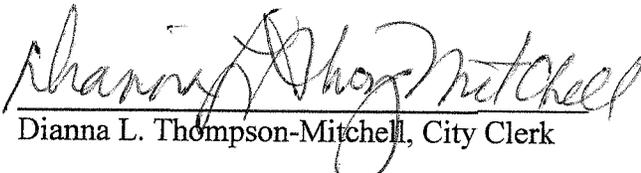
PASSED FINALLY: **October 6, 2015** BY THE FOLLOWING VOTE:

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. 63

INTRODUCED BY: **Michael Helfrich**



DATE: **October 6, 2015**

A Resolution

Of the Council of the City of York, Pennsylvania, authorizing the filing of a proposal for funds with the Pennsylvania Department of Community & Economic Development for fiscal year 2015-2016 Early Intervention Plan Program Funding.

WHEREAS, the City of York, York County, intends to apply for a grant assistance in the amount of \$200,000.00, with a 10% match, through the Pennsylvania Department of Economic & Community Development for fiscal year 2015-2016 Early Intervention Plan Program Funding assistance; and

WHEREAS, these funds will be used to support advanced work recommended in the Third Early Intervention Plan of 2015; and

WHEREAS, the City plans to meet the 10% match through in-kind support by the City of York General Authority; and

WHEREAS, the grant period shall be from November 1, 2015 through October 31, 2016;

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 file for a proposal for grant funds with the Pennsylvania Department of Economic & Community Development for fiscal year 2015-2016 Early Intervention Plan Program Funding assistance, for the purposes herein stated, on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **October 6, 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