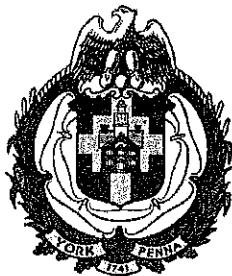


# Council of the City of York, Pennsylvania

Henry Hay Nixon, President of Council  
Sandie Walker, Vice President of Council  
Judy A. Ritter-Dickson, Member of Council  
Edquina Washington, Member of Council  
H. Michael Buckingham, Member of Council

Dianna L. Thompson-Mitchell, City Clerk  
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## AGENDA March 19, 2019 6:00 p.m.

### I. Public Hearing

York City Council convened a public hearing at 6:00 p.m. on Tuesday, March 19, 2019 for the purpose of receiving public testimony concerning the application filed with the PA Liquor Control Board by M & S Landis Corporation for the transfer of liquor license R18271 from Springettsbury Township, York County, PA, to 1 North George St., York City, York County, PA, for the purpose of serving alcohol at said location. The hearing was recorded by York Stenographic Services, 34 N. George St., York, PA, and will remain on file at York Stenographic Services for a term of five years.

### II. Call Legislative Meeting to Order

### III. Roll Call

### IV. Pledge of Allegiance recited.

### V. Moment of Silence observed.

### VI. Action on previous meeting Minutes of March 5, 2019 (Legislative).

### VII. Presentations, Proclamations, Awards and Announcements

**YMCA of York County:** Larry Richardson, President/CEO, to do a brief presentation on the Urban Park Plan.

### VIII. Meeting(s) Scheduled:

- **Public Hearing:** York City Council will hold a public hearing on Tuesday, March 19, 2019 at 6p.m. in City Council Chambers, 101 S. George St., York, PA, for the purpose of receiving public testimony concerning the application filed with the PA Liquor Control Board by M & S Landis Corporation for the transfer of liquor license R18271 from Springettsbury Township, York County, PA, to 1 North George St., York City, York County, PA, for the purpose of serving alcohol at said location.
- **Council Committee Meeting:** Scheduled for Wednesday, March 27, 2019 at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on March 20<sup>th</sup>.

### 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.)

## Supplemental Agenda

1. Resolution No. 24 - A Resolution  
Supporting the Restore Pennsylvania \$4.5 Billion Infrastructure Improvement Plan. ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Council

## Subdivision / Land Development / HARB

2. Resolution No. 25 - A Resolution  
Accepting the recommendations of HARB. ([View](#))  
Introduced by: Edquina Washington  
Originator: HARB

## Final Passage of Bills / Resolutions

3. Final Passage of Bill No. 7, Ordinance No. 6 (Forthcoming) - A Bill  
Amending the 2019 Budget. (To rollover 2018 unspent grant funds to year 2019) ([View](#))  
Introduced by: Judy A. Ritter-Dickson  
Originator: Economic & Community Development (Health)
4. Final Passage of Bill No. 8, Ordinance No. 7 (Forthcoming) - A Bill  
Amending the 2019 CDBG/HOME Program Budgets. (To reflect changes resulting from actual funding levels rolled over from 2018 and actual funding amounts for 2018 allocations.) ([View](#))  
Introduced by: Judy A. Ritter-Dickson  
Originator: Economic & Community Development (BHS)

## New Business


5. Resolution No. 26 - A Resolution  
Authorizing submittal of the 2018 Consolidated Annual Performance and Evaluation Report (2018 CAPER) ([View](#))  
Introduced by: Judy A. Ritter-Dickson  
Originator: Economic & Community Development (BHS)
6. Resolution No. 27 - A Resolution  
Approving an extension of time to act on the request for a liquor license transfer submitted by M&S Landis Corp. ([View](#))  
Introduced by: Sandie Walker  
Originator: Council

- 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 (717) 849-2246 if any accommodations are needed to participate in the proceedings. Persons with hearing impairments may contact the Deaf Center at TDD (717) 848-6765 for assistance.

Council of the City of York, PA  
Session 2019  
Resolution No. 24

INTRODUCED BY:  Henry Hay Nixon

DATE: March 19, 2019

A Resolution

In Support of Restore Pennsylvania's \$4.5 Billion Infrastructure Improvement Plan

WHEREAS, Pennsylvania must position its communities for success and position itself as a leader in the 21st century by investing in critical infrastructure needs that for too long have been neglected; and

WHEREAS, To help build a better future for all Pennsylvanians, Restore Pennsylvania will invest \$4.5 billion over the next four-years in significant, high-impact projects throughout the commonwealth to help catapult Pennsylvania ahead of every state in the country in terms of technology, development, and infrastructure; and

WHEREAS, Restore Pennsylvania will provide funding to bridge the digital divide, supporting the installation of infrastructure to bring high-speed internet to communities across the commonwealth and making Pennsylvania a better place to work, do business, and live; and

WHEREAS, Restore Pennsylvania will provide funding to assist individuals who suffer severe weather-related losses and funding to help communities prepare for flooding and severe weather, upgrade flood walls and levees, replace high-hazard dams, and conduct stream restoration and maintenance; and

WHEREAS, Restore Pennsylvania will address blight by providing financial resources to local communities to establish land banks and acquire and demolish blighted buildings in order to create new development opportunities or provide new green space; and

WHEREAS, Restore Pennsylvania will fund expanded efforts to remove lead and other contaminants from communities; and

WHEREAS, Restore Pennsylvania will enable new environmental projects and new recreational opportunities across the commonwealth, including infrastructure and maintenance in state parks, local water quality improvements on farms, and funding for new hiking, biking and trail projects; and

WHEREAS, Restore Pennsylvania will help to build manufacturing facilities and other downstream businesses while helping businesses and individuals use more of Pennsylvania's natural gas in their homes, creating jobs, lowering costs, and improving energy efficiency; and

WHEREAS, Restore Pennsylvania will provide funding for local road upgrades, create new flexible funding options for businesses that need local infrastructure upgrades to enable development projects, and multimodal and large-scale capital projects for transit; and

Resolution No. 24 of Session 2019

WHEREAS, Restore Pennsylvania projects will be driven by local input about local needs, and projects will be evaluated through a competitive process to ensure that high-priority, high-impact projects are funded and needs across Pennsylvania are met;


NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of York, Pennsylvania, hereby urges the Pennsylvania General Assembly to support Restore Pennsylvania.

PASSED FINALLY: March 19, 2019

BY THE FOLLOWING VOTE:

YEAS: Washington Ritter-Dickson Buckingham Walker, Nixon - 5


NAYS: None.

  
Henry Hay Nixon, President of Council


ATTEST:

  
Dianna L. Thompson-Mitchell, City Clerk

Endorsed by the Mayor this 19th day of March 2019.

  
Mayor 3/19/19  
Date

Council of the City of York, PA  
Session 2019  
Resolution No.25

  
Introduced by: **Edquina Washington**

Date: **March 19, 2019**

**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. Application for work to be done at 21 N. Broad St.

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

Passed Finally: **March 19, 2019**

By the following vote:

YEAS: Washington, Ritter-Dickson, Buckingham, Walker, Nixon - 5

NAYS: None.

  
Henry Hay Nixon, Vice President of Council

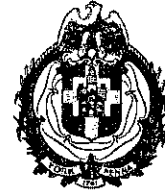
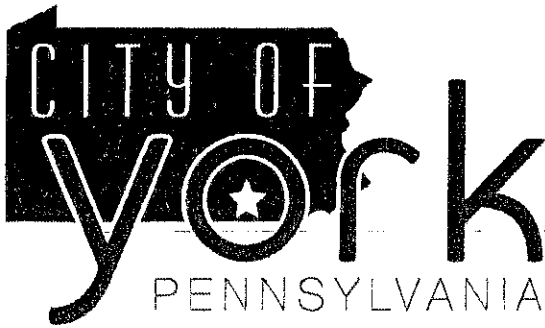
ATTEST:

  
Dianna L. Thompson-Mitchell, City Clerk



**York Historical Architectural Review Board  
Agenda  
6:00 PM Thursday March 14, 2019  
101 South George Street, York PA. 17401**

- I **Welcome:** Craig Zumbrun, HARB Chair
- II **Agenda:** Additions or changes to the agenda
- III **Minutes:** Approve minutes from the February 28, 2019 HARB meeting
- IV **Cases:**
  - 1. **21 N Broad Street:** A request Tim Riley for the installation of two Simonton 6500 Series replacement windows on the front of the property
  - 2. **132 S. Beaver Street:** A request by Derek Dilks for the replacement of existing one-over-one windows on the façade of the property. The proposed work has already been completed.
- V **Other Business**



**York Historical Architectural Review Board  
Meeting Minutes  
March 14, 2019**

Members in attendance included: Craig Zumbrun (Chair), Dennis Kunkle (Vice-Chair), Joe Downing, Mark Shermeyer

Absent: Rebecca Zeller, Dave Redshaw, Robyn Pottorff, Mark Skehan, Ruth Robbins

Consultant: Christine Leggio, JMT Senior Architectural Historian/ HARB Consultant

AGENDA ITEM	DISCUSSION	ACTION/RESULT
Welcome and call to order	The meeting was called to order at 6:00 pm.  The agenda was prepared by the HARB Consultant.	
Changes to the Agenda		
Minutes of February 28, 2019		Mr. Shermeyer moved to approve February 28, 2019 minutes. Mr. Kunkle seconded. Approved.
Cases	The following cases are approved and tabled with the recommended actions.	

**Case #1 – 21 N Broad Street**

**Discussion:** The applicant is proposing to install two Simonton 6500 Series vinyl replacement windows on the front of the building. The proposed window replacement will not alter the size or shape of the existing windows.

Brian Dudley, sales manager for Home Depot presented the application. Two vinyl replacement windows are proposed for the two windows on the front first floor below the porch roof. The existing windows are one-over-one wood windows.

Mr. Shermeyer noted that the Board doesn't typically allow vinyl window replacements on street-visible facades. Mr. Dudley noted that most of the windows on the block have been replaced with vinyl and so they wanted to see if it might be allowed in this instance. Mr. Shermeyer noted that any vinyl windows

would have been installed without prior approval or before the district was established. He noted that a fiberglass window would be an acceptable substitute.

Mr. Zumbrun also noted that the Board has never approved vinyl windows on a front façade. He stated that he recognizes that the block in question has less integrity than other areas but that HARB's mission is to make recommendations in keeping with the Secretary of the Interior's Standards for Rehabilitation.

Mr. Dudley stated that the homeowner may be amenable to installing fiberglass or composite windows depending on the cost difference, and Mr. Zumbrun stated that if that proposal were acceptable to the homeowner, the application for the specified windows could be approved at Staff level upon submittal of appropriate specs.

Mr. Dudley presented a corner cut sample of the proposed vinyl window. Mr. Shermeyer noted that the profile of the proposed window is not historically appropriate. Mr. Shermeyer stated that a 100 Series or another composite or fiberglass window would be approvable.

The applicant asked about wrapping the sills and Mr. Shermeyer stated that the Board wouldn't approve wrapping. The applicant is interested in wrapping the sills so that they can be easily cleaned. Mr. Shermeyer noted that it is not historically appropriate and is damaging to the underlying materials. He noted that an epoxy consolidate system could be a potential option to restore the wood sills.

Upon further discussion, the applicant amended the proposed replacement windows to the 100 Series one-over-one fiberglass composite windows.

**Motion:** Mr. Zumbrun motioned to approve the installation of two 100 series one-over-one composite windows, or a similar product, and Mr. Shermeyer seconded approval of the application as amended.

**Additional Discussion:** None.

**Vote:** 0-4; motion approved.

#### **Case #2 – 132 S Beaver Street**

**Discussion:** The applicant is proposing to repair, replace, and repaint existing one-over-one windows on the façade of the property. The proposed repair and replacement work has already been completed without prior approval (painting was approved in a 2015 Staff Review). The applicant will provide photographs and samples at the HARB meeting.

The applicant was not in attendance to provide samples and photographs of the completed work or to answer questions regarding the replacement windows.

**Motion:** Mr. Shermeyer motioned to table the application pending further research into the type and material of replacement window which has been installed, and Mr. Downing seconded.

**Additional Discussion:** The Board agreed that they would not approve the installation of vinyl windows on the Beaver Street façade.

**Vote:** 0-4; application is tabled.



**Other Business: None.**

**Adjourning and next meeting**    **The meeting was adjourned by general consent at 6:37 pm the next scheduled meeting is set for Thursday March 28, 2019.**

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

DRAFT

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

APPLICATION FOR PROPERTY ADDRESS: 21 N Broad Street

APPLICANT: Tim Riley (TNG Building Permits)/John Yingling (Owner)

At the public meeting held on Thursday, March 14, 2019 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 is proposing to install two Simonton 6500 Series vinyl replacement windows on the front of the building. The proposed window replacement will not alter the size or shape of the existing windows.

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)]:

Existing 1 over 1 wood windows are original.

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:

Windows are original 1 over 1 wood. Vinyl has not been recommended for any street facade window replacement. Metal wrapping of sill or trim also not recommended.

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: amend to

100 Series one over one composite (not vinyl) windows or similar composite.

DISSENTING VOTES AND RATIONALE: \_\_\_\_\_


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

DISSENTING VOTES AND RATIONALE: \_\_\_\_\_

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

  
\_\_\_\_\_  
Craig Zumbro, HARB Chair

This application was reviewed by York City Council on 3-19-19 and has been  
 APPROVED  DENIED

  
\_\_\_\_\_  
Henry Nixon, President of City Council

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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.

*Judy A. Ritter-Dickson*  
Judy A. Ritter-Dickson

INTRODUCED BY:

DATE: March 19, 2019

**A RESOLUTION**

**AUTHORIZING SUBMITTAL OF THE 2018 CONSOLIDATED ANNUAL  
PERFORMANCE AND EVALUATION REPORT (CAPER)**

WHEREAS, under title I of the Housing and Community Development Act 1974, as amended, the Secretary of the Department of Housing Development (HUD) has made grants available to the City of York, Pennsylvania to implement Community Development Block (CDBG) programs; and

WHEREAS, under title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, HUD has made grants available to the City of York, Pennsylvania to implement the HOME Investment Partnership (HOME) Program; and

WHEREAS, under 24 CFR Part 91.520 Entitlement Communities shall submit a Consolidated Annual Performance and Evaluation Report 90 days after the completion of the most recent program year; and

WHEREAS, the Consolidated Annual Performance and Evaluation Report was available for comment for a period of fifteen (15) days, and a public hearing has been held to review the City's administration of the CDBG and HOME programs.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania:

1. That the 2018 Consolidated Annual Performance and Evaluation Report for the City of York is hereby approved in all aspects
2. That the President of City Council is hereby authorized and directed to submit the Consolidated Annual Performance and Evaluation Report on or about March 29, 2019.
3. That Mr. James E. Crosby, Deputy Director Bureau of Housing Services, is hereby authorized to submit corrections and/or additional information as required by HUD.

PASSED FINALLY: March 19, 2019

BY THE FOLLOWING VOTE:

YEAS: Washington, Ritter-Dickson, Buckingham, Walker, Nixon - 5

NAYS: None

*Henry Hay Nixon*  
Henry Hay Nixon, President of Council

ATTEST:

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

**Public Hearing**  
Held on 3/19/19 @ 6pm

Council of the City of York, PA  
Session 2019  
Resolution No. 27

**Steno**  
York Stenographic Service  
recorded the hearing  
which will remain on  
file at York Steno for  
5 yrs.

INTRODUCED BY: *Judy A. Ritter-Dickson* *Dickson* DATE: March 19, 2019

**WHEREAS**, M & S Landis Corp. submitted a request to the City of York to transfer Liquor License R-18271 from Springettsbury Township, York County, PA, to 1 North George St., City of York, York County, PA, for the purpose of serving alcohol at 1 North George St.; and

**WHEREAS**, Section 461 of the PA Liquor Code (47 P.S. 4-461, hereinafter the "Code") authorizes, among other things, the PA Liquor Control Board to approve the transfer of liquor licenses across municipal boundaries within the same county; and

**WHEREAS**, Section 4-461(b.3) of the Code requires that an intermunicipal transfer must first be approved by the governing body of the receiving municipality; and

**WHEREAS**, in accordance Section 4-461 (b.3) of the Code, City Council held a public hearing on Tuesday, March 19, 2019 at 6:00 p.m. in City Council Chambers, 101 S. George St., York, PA, to receive public testimony concerning the request to transfer Liquor License R-18271 from Springettsbury Township to the City of York; and

**WHEREAS**, Section 4-461 (b.3) of the Code also requires that the receiving municipality issue a resolution or ordinance approving or disapproving the intermunicipal transfer within forty-five (45) days from receipt of the request; and

**WHEREAS**, the purpose of this Resolution is to notify the applicant that York City Council wishes to exercise its authority granted under Section 4-461 (b.3) of the Code for an extension of time not to exceed sixty days (by April 15, 2019) to render a decision on said request for a liquor license transfer;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of York, York County, PA, that York City Council hereby approves an extension of time not to exceed sixty days (by April 15, 2019) to render a decision on the request received by M & S Landis Corp. to transfer Liquor License R-18271 from Springettsbury Township, York County, PA to 1 North George St., City of York, York County, PA.

PASSED FINALLY: March 19, 2019

BY THE FOLLOWING VOTE:

YEAS: Washington, Ritter-Dickson, Buckingham, Walker, Nixon - 5

NAYS: None.

  
Henry Hay Nixon, President of Council

ATTEST:  
  
Dianna L. Thompson-Mitchell, City Clerk