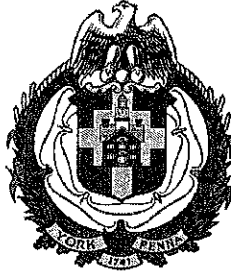


# Council of the City of York, Pennsylvania

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



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## AGENDA April 2, 2019 6:00 p.m.

### I. Public Comment: 6:00 p.m.

Public comment on non-agenda items begins at 6:00 p.m., with Council sitting as a General Committee. 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 & Procedures may be obtained by contacting the City Clerk or they may be viewed online by visiting [www.yorkcity.org/rules-of-council](http://www.yorkcity.org/rules-of-council).

***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.*

### II. Call Legislative Meeting to Order

### III. Roll Call

### IV. Pledge of Allegiance

### V. Moment of Silence

### VI. Action on previous meeting Minutes of April 2, 2019.

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

### VIII. Meeting(s) Scheduled:

- Council Committee Meeting: Scheduled for Wednesday, April 24, 2019 at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on April 17<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.)

### Subdivision / Land Development / HARB

1. Resolution No. 28 - A Resolution  
Accepting the recommendations of HARB. ([View](#))  
Introduced by: Edquina Washington  
Originator: HARB

**Final Passage of Bills / Resolutions: NONE**

**New Business**

2. Introduction of Bill No. **9** (Will be on the 4/16/19 agenda for a vote) - A Bill  
Approving inclusion of the 2018 ordinances in to the Codified Ordinances. ([View](#))  
Introduced by: Judy A. Ritter-Dickson  
Originator: Council | City Clerk
  
3. Resolution No. **29** - A Resolution  
Appointing Chaz A. Green as the Director of Public Works. ([View](#))  
Introduced by: Sandie Walker  
Originator: Mayor

- 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. 28

\*Amended

Introduced by: **Edquina Washington**

Date: **April 2, 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 filed by ~~Zachary Jackson~~ **Derek Dilks** for work to be done at 132 S. Beaver St.

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

PASSED FINALLY: April 2, 2019

BY THE FOLLOWING VOTE:

YEAS: Washington, Ritter-Dickson, Walker, Nixon - 4, \_\_\_\_\_

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 28, 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 March 14, 2019 HARB meeting

**IV Cases:**

- (T)** 1. **246 W Philadelphia Street:** A request Zachary Jackson for the replacement an existing gutter and downspout and replacement and aluminum wrapping of existing wood elements on the façade of the property.
- (A)** 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 28, 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

<b>AGENDA ITEM</b>	<b>DISCUSSION</b>	<b>ACTION/RESULT</b>
<b>Welcome and call to order</b>	The meeting was called to order at 6:00 pm.  The agenda was prepared by the HARB Consultant.	
<b>Changes to the Agenda</b>		
<b>Minutes of March 14, 2019</b>		Mr. Kunkle moved to approve March 14, 2019 minutes. Mr. Shermeyer seconded. Approved.
<b>Cases</b>	The following cases are approved and tabled with the recommended actions.	

**Case #1 – 246 W Philadelphia Street**

A request Zachary Jackson for the replacement of an existing gutter and downspout and replacement and aluminum wrapping of existing wood elements on the façade of the property.

**Discussion:** Mr. Jackson introduced the proposed work and explained that the homeowner would like to replace the existing gutter with a five-inch K style gutter and would remove any rotted wood that is found in the process. The rotted wood will be replaced with new wood and then wrapped in aluminum to create a uniform appearance.

The existing gutter is a half round gutter. Mr. Kunkle stated that the Board would like to see a new half round gutter installed.

Mr. Zumbrun asked what the rationale for installing the K style gutter. Mr. Jackson stated that he is representing the application on behalf of his father who is the owner of the company. The K Style gutter is his recommendation.

Mr. Shermeyer stated that the board would approve replacement of the wood elements with a composite material but do not approve of wrapping wood elements. The applicant asked whether painted wood would be acceptable, and the Board indicated that it would be. Mr. Shermeyer stated that while painted wood would be allowable, composite material would likely be more durable. Mr. Zumbrun noted that the Board has allowed K style gutter in the rear of properties but recommend keeping the historically appropriate half round gutters on the facades of properties in the historic district.

Mr. Shermeyer noted that it appears that the original gutter was a concealed gutter with a half round gutter set into it. He noted that the installation appears to be improper and is allowing water infiltration causing damage to the cornice and possibly underlying structural members. He noted that in order to effectively install a working gutter significant repair to the rotted areas of the fascia, soffit, and trim would be needed. He stated that even if the original design was a concealed gutter, its design has been compromised and it should not be redone. He stated that there is precedent for the installation of a K gutter on the block. He indicated that the Board's biggest concern regarding the gutter replacement would be preserving the appearance of the cornice.

Mr. Jackson agreed that conditions may not support the proposed K gutter installation and stated that they may need to remove the existing gutter to really know what they're dealing with. He stated he will need to examine the existing conditions.

The Board requested that in order to evaluate the application, they would like to see a cross section sketch of the existing installation and a sketch of the proposed modification based on the applicant's investigation the existing condition of the wood members.

**Motion:** Mr. Shermeyer motioned to table the application pending further investigation of existing conditions and development of a workable repair, and Mr. Downing seconded.

**Additional Discussion:** The Board noted that a potential option for repairing the decorative wood elements would be use of a consolidant repair system.

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

### **Case #2 – 132 S Beaver Street**

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 consultant visited the property and determined that the new windows, which were installed on the second and third stories, are one-over-one wood windows.

**Discussion:** The Board agreed that because appropriate windows have been installed, the application for a certificate of appropriateness for the existing work can be approved. The windows, as installed, are compliant with the Secretary of the Interior's Standards for Rehabilitation and are in keeping with HARB guidelines.

**Motion:** Mr. Shermeyer motioned to approve the application as presented, and Mr. Downing seconded..

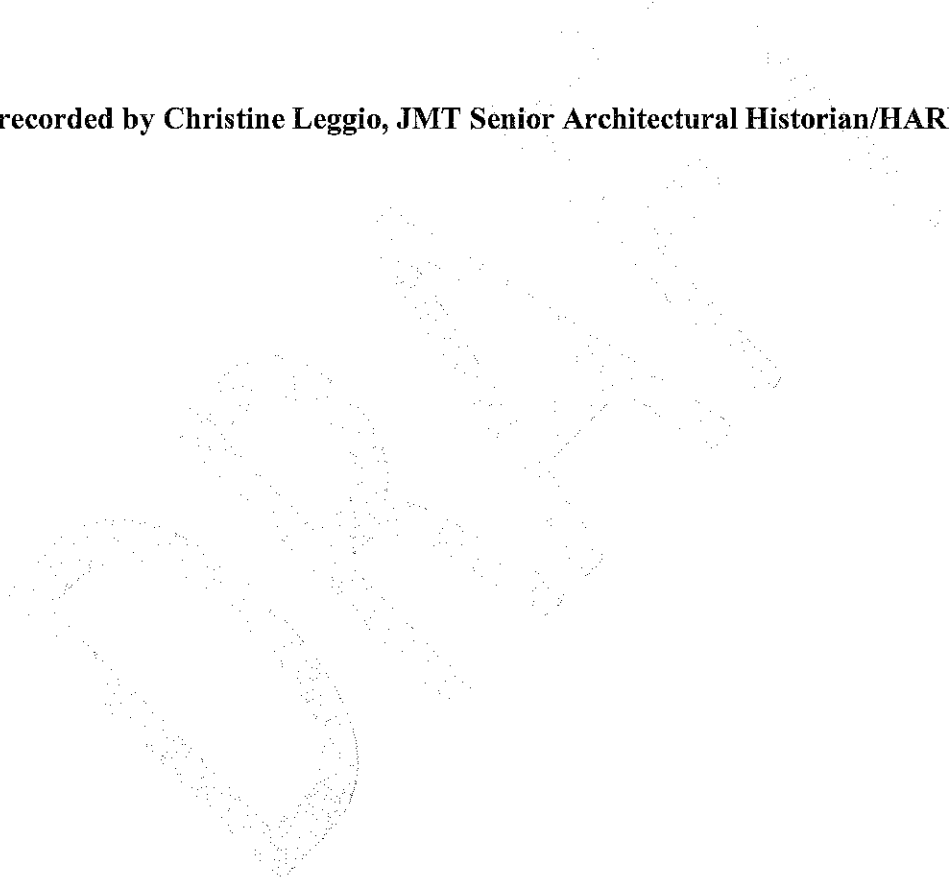
**Additional Discussion:**

**Vote:** 0-4; Approved.

**Other Business:** None.

**Adjourning and next meeting**      **The meeting was adjourned by general consent at 6:48 pm the next scheduled meeting is set for Thursday April 11, 2019.**

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



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

APPLICATION FOR PROPERTY ADDRESS: 132 S Beaver Street

APPLICANT: Derek Dilks (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 repair, replace, and repaint existing one-over-one windows on the façade of the property. The proposed work has already been completed without prior approval. The applicant will provide photographs and samples at the HARB meeting.

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:

*It appears that street facade windows were replaced appropriately with wood one over one. (as confirmed by consultant). Note work completed prior to submission to board or council.*

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:

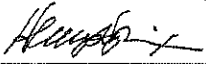
DISSENTING VOTES AND RATIONALE: \_\_\_\_\_



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

  
\_\_\_\_\_  
Craig Zumbun, HARB Chair

This application was reviewed by York City Council on April 2, 2019 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.

Council of the City of York, PA  
Session 2019  
Resolution No. 29

  
INTRODUCED BY: Sandie Walker

DATE: April 2, 2019

**WHEREAS**, Article 141 Department of Public Works §141.01(a) requires the Department of Public Works be headed by a Director of Public Works; and,

**WHEREAS**, under Article 123.04(d), the Mayor has the power to appoint Department Heads, including the Director of Public Works, with the advice and consent of the City Council; and

**WHEREAS**, Chaz Green, has served in the position of Acting Public Works since June 04, 2017; and

**WHEREAS**, in that time interim Chaz Green has demonstrated his experience to fulfill the duties of the Director of Public Works position, as well as an openness and compassion that is crucial to building trust between the City of York Department of Public Works and the people of the City of York; and

**WHEREAS**, the Mayor hereby appoints Chaz Green to the position of the Director of Public Works with an annual salary of \$89,687.26;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of York, Pennsylvania, that City Council confirms the appointment of Chaz Green, to the position of Director of Public Works with an annual salary of \$89,687.26 effective April 07, 2019.

PASSED FINALLY: April 2, 2019

BY THE FOLLOWING VOTE:

YEAS: Washington, Ritter-Dickson, Walker, Nixon - 4, \_\_\_\_\_

NAYS: None.

  
Henry Hay Nixon, President of Council

ATTEST:

  
Dianna L. Thompson-Mitchell, City Clerk