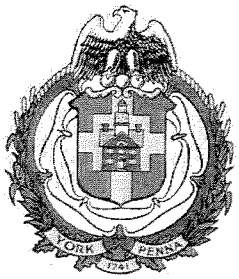
Council of the City of York, Pennsylvania

Carol Hill-Evans, President of Council
Michael Ray Helfrich, Vice President of Council
Henry Hay Nixon, Member of Council
Renee S. Nelson, Member of Council
Sandie Walker, Member of Council

Dianna L. Thompson-Mitchell, City Clerk
Email: dthompso@yorkcity.org



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AGENDA

July 19, 2016

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 **June 7, 2016 & July 12, 2016**.

VII. Presentations, Proclamations, Awards and Announcements

- **Eric Menzer, President, York Revolution** – Will provide highlights on the lease agreement between the City of York and Skipjacks Hockey Club for use of the York City Ice Arena.

VII. Meeting(s) Scheduled: None

IX. Status of Prior Committee Referrals

X. Legislative Agenda: (Order of Business – Action on Subdivision/Land Development & HARB Resolutions; Final Passage of Bills/Resolutions; New Business.)

Special Agenda

1. Resolution No. **76** - A Resolution
Authorizing a lease agreement with Skipjacks Hockey Club. (To lease the York City Ice Arena)
Introduced by: Michael Ray Helfrich
Originator: Business Administration

Subdivision / Land Development / HARB

2. Resolution No. **77** - A Resolution
Accepting the recommendations of HARB.
Introduced by: Carol Hill-Evans
Originator: HARB

3. Resolution No. **78** - A Resolution
Authorizing the release of security funds. ($330,162.80 to PIHRL related to the George St. Commons Project at 233-261 S. George St.)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

4. Resolution No. **79** - A Resolution
Re-approving the subdivision plan submitted by Apple Retail Properties. (To combine 3 lots at 890 Loucks Rd.)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

5. Resolution No. **80** - A Resolution
Re-approving the land development plan submitted by Apple Retail Properties. (For demolition and construction at 890 Loucks Rd.)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

Final Passage of Bills / Resolutions

6. Final Passage of **Bill No. 13, Ordinance No. 13** (Forthcoming) – A Bill
Amending the 2016 Budget. ($99,546.00 for overtime/training)
Introduced by: Sandie Walker
Originator: Fire/Rescue Services

New Business

7. Introduction of Bill No. **15** (Will be on 8/16/16 agenda) - A Bill
Amending Article 169 "Police Officers' Pension Fund." (To reflect changes resulting from collective bargaining agreements, grievances and interest arbitration awards)
Introduced by: Michael Ray Helfrich
Originator: Business Administration (HR)

8. Introduction of Bill No. **16** (Will be on 8/16/16 agenda) - A Bill
Amending the 2016 Budget. (In the amount of $5,400 for other professional services)
Introduced by: Michael Ray Helfrich
Originator: Treasurer

9. Introduction of Bill No. **17** (Will be on 8/16/16 agenda) - A Bill
Amending the 2016 Budget. (For various grants awarded to the York City Health Bureau)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (Health)

10. Resolution No. **81** - A Resolution
Approving the 2016-2018 Teamsters, Chauffeurs & Helpers Local 76 collective bargaining agreement.
Introduced by: Michael Ray Helfrich
Originator: Business Administration (HR)

11. Resolution No. **82** - A Resolution
Accepting a Justice Assistance Grant (JAG). ($43,654.00)
Introduced by: Sandie Walker
Originator: Police

12. Resolution No. **83** - A Resolution
Authorizing a 2016 budget transfer. ($4,890.00 for data processing equipment & software/maintenance)
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 the City of York, PA
Session 2016
Resolution No. **76**

INTRODUCED BY: **Michael Ray Helfrich** DATE: **July 19, 2016**

WHEREAS, Skipjacks Hockey Club ("Tenant") desires to enter into a lease agreement ("Lease") with the City of York ("Landlord") for the property known as the York City Ice Arena ("Premises") located at 941 Vander Avenue, City of York, County of York, Pennsylvania, for the purpose of operating an elite hockey and academic instructional facility; and

WHEREAS, the term of said Lease shall be for seven (7) years commencing on September 1, 2016 and ending on the day immediately preceding the seventh (7th) anniversary of the commencement date; and

WHEREAS, Tenant shall have the right to renew this Lease for two (2) additional five (5) year terms; and

WHEREAS, the Tenant agrees to pay to Landlord, its agent, or authorized representative as basic rent for the Premises the annual sums payable in monthly installments, each such installment to be paid on or before the first (1st) day of each month to Landlord in accordance with the Lease agreement;

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 lease agreement with Skipjacks Hockey Club, a copy of which is attached hereto and made a part hereof, for same on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **July 19, 2016** BY THE FOLLOWING VOTE:

YEAS: **Walker**, **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans** – **5**

NAYS: **None**.

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk

Morpheus/Resolutions-2016/Skipjacks-lease-resolution

Council of the City of York, PA
Session 2016
Resolution No. **77**

Carol Hill-Evans

Introduced by: **Carol Hill-Evans** Date: **July 19, 2016**

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 & Construction** for work to be done at **57 W. Market St.**
2. **Jean Nicolas** for work to be done at **411 W. King St.**

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

Passed Finally: **July 19, 2016** By the following vote:

YEAS: **Walker**, **Helfrich**, **Nixon**, **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

Morpheus/resolutions2014/HARB-for-7-19-16

Council of the City of York, PA
Session 2016
Resolution No. **78**

INTRODUCED BY: **Henry Hay Nixon** DATE: **July 19, 2016**

WHEREAS, PIRHL Contractors, LLC requested the release of the public improvements security funds associated with the George Street Commons located at 233-261 South George Street; and

WHEREAS, the financial security bond was received in the amount of $330,162.80; and

WHEREAS, York City Council approved the Final Land Development Plan at its meeting held on March 12, 2012; and

WHEREAS, the request for the release of the remaining financial security in the amount of $330,162.80 has been reviewed by the City Planner and City Engineer, and determined the full amount can be released; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the financial security associated with the George Street Commons can be released, and the President of Council and City Clerk are authorized to certify this approval by affixing their signatures to the resolution.

PASSED FINALLY: **July 19, 2016** BY THE FOLLOWING VOTE:

YEAS: **Walker**, **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans** – **5**

NAYS: **None**.

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk

Morpheus/Resolutions-2016/PIRHL-$330.1K-release

Council of City of York, PA
Session 2016
Resolution No. 79

INTRODUCED BY: Henry Hay Nixon

DATE: **July 19, 2016**

WHEREAS, Apple Retail Properties submitted a Final Subdivision Plan for the Apple Retail – 890 Loucks Road project at Loucks Road and Fairlane Drive, proposing the combination of 3 lots (Parcels 41, 42, and 43) into 1 lot (Parcel 42); and

WHEREAS, the City Zoning Officer, City Planner, and City Engineer have reviewed and recommended conditional approval of the plan; and

WHEREAS, the Final Subdivision 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 Subdivision Plan at its regularly scheduled meeting held on December 14, 2015 with the following waivers and contingency items:

Waivers:
1. Section 1333.03: Waiver from submission of Preliminary Plan

Contingencies:
1. Address all City Staff and City Engineer comments
2. Address all York County Planning Commission comments

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. And the Council of the City of York previously approved the Final Subdivision Plan at their regularly scheduled meeting on March 1, 2016.

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 Apple Retail Properties 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 Subdivision Plan.

PASSED FINALLY: **July 19, 2016** BY THE FOLLOWING VOTE:

YEAS: **Walker**, **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans** – **5**

NAYS: **None**

Carol Hill-Evans, President of Council

ATTEST:
Dianna L. Thompson-Mitchell, City Clerk

Council of City of York, PA
Session 2016
Resolution No. **80**

INTRODUCED BY: **Henry Hay Nixon** DATE: **July 19, 2016**

WHEREAS, Apple Retail Properties submitted a Final Land Development Plan for the Apple Retail – 890 Loucks Road project at Loucks Road and Fairlane Drive, proposing several building demolitions, the construction of a new 2-restaurant building with associated parking lot and stormwater management facilities; 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 December 14, 2015 with the following waivers and contingency items:

Waivers:
1. Section 1333.03: Waiver from submission of Preliminary Plan

Contingencies:
1. Address all City Staff and City Engineer comments
2. Address all York County Planning Commission comments

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. And, the Council of the City of York previously approved the Final Land Development Plan at its regularly scheduled meeting on March 1, 2016.

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 Apple Retail Properties 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: **July 19, 2016** BY THE FOLLOWING VOTE:

YEAS: **Walker**, **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans** – **5**

NAYS: **None**

Carol Hill-Evans, President of Council

ATTEST:
Dianna L. Thompson-Mitchell, City Clerk

Morpheus/Resolutions-2016/890-Loucks-Rd-LD-reapproval

Council of the City of York, PA
Session 2016
Resolution No. **81**

INTRODUCED BY: **Michael Ray Helfrich** DATE: **July 19, 2016**

WHEREAS, The Teamsters, Chauffeurs and Helpers Local 76 (Teamsters) is the recognized bargaining unit for certain City employees in the Department of Public Works;

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

WHEREAS, the City and the Teamsters 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 Teamsters, Chauffeurs and Helpers Local 76 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: July 19, 2016 BY THE FOLLOWING VOTE:

YEAS: **Walker** **Helfrich** **Nixon** **Nelson** **Hill-Evans** - **5**

NAYS: **None**

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk

Morpheus/Resolutions-2016/Teamsters-Union-Agreement-2016-2018-res

Council of the City of York, PA
Session 2015
Resolution No. **82**

INTRODUCED BY: **Sandie Walker** DATE: **July 19, 2016**

WHEREAS, The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions to support all components of the criminal justice system; and

WHEREAS, JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation, data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance various law enforcement programs; and

WHEREAS, the York City Police Department applied for, and was awarded a 2016 Edward Byrne Memorial Justice Assistance Grant in the amount of $43,654.00;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the York City Council hereby approves the acceptance of the 2016 Byrnes Justice Assistance Grant in the amount of $43,654.00.

PASSED FINALLY: **July 19, 2016** BY THE FOLLOWING VOTE:

YEAS: **Walker**, **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans** - **5**

NAYS: **None**.

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk

Morpheus/Resolutions-2016/JAG-$43.6K-award

Council of the City of York, PA
Session 2016
Resolution No. **83**

Introduced by: **Michael Ray Helfrich** Date: **July 19, 2016**

WHEREAS, The Department of Business Administration, Central Services, is requesting a transfer in the 2016 budget, in the amount of $4,890.00, to cover Data Processing Equipment and Software/Maintenance expense.

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
70-213-46120-00000	Data Processing Equipment	$1,400.00	
70-213-46122-00000	Capital-DP Software/ Maintenance	$3,490.00	
70-213-43200-00000	Merchant/Bank Fees		$4,890.00

PASSED FINALLY: **July 19, 2016** BY THE FOLLOWING VOTE:

YEAS: **Walker**, **Helfrich**, **Nixon**, **Nelson**, **Hill-Evans** – **5**

NAYS: _____

Carol Hill-Evans
President of Council

Attest:

Dianna L. Thompson-Mitchell
City Clerk

Morpheus/Resolutions-2016/Central-Services-$4.8K-xfer