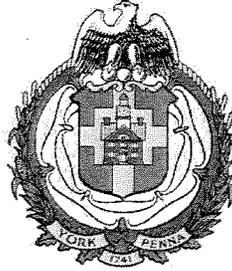


# Council of the City of York, Pennsylvania

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



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Dianna L. Thompson-Mitchell, City Clerk  
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## AGENDA June 7, 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](http://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 May 17, 2016 (legislative); May 25, 2016 (committee).

### VII. Presentations, Proclamations, Awards and Announcements: None

- **Summer Recess:** Council will observe its summer recess during the months of June through August. Therefore, after tonight's meeting, Council will not meet in legislative session again until July 19<sup>th</sup>, then again on August 16<sup>th</sup>. There are also no committee meetings held during Council's recess.

### VII. Meeting(s) Scheduled: None

### 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. **70** - A Resolution  
Authorizing the release of security funds. (\$20,889 – Distinct Equities 3, LLC related to the land development project located at 175 W. Gay Ave. – Keystone Color Works Bldg)  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)
2. Resolution No. **71** - A Resolution  
Re-approving the final land development plan submitted by Penn State University. (Stormwater detention center at 1031 Edgecomb Ave. – Ruhl Student Center)  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)
3. Resolution No. **72** - A Resolution  
Accepting the recommendations of HARB.  
Introduced by: Carol Hill-Evans  
Originator: HARB

**Final Passage of Bills / Resolutions**

NONE

**New Business**

4. Introduction of **Bill No. 13** (Will be on 7/19/16 agenda) - A Bill  
Amending the 2016 Budget. (\$99,546.00 for overtime/training)  
Introduced by: Sandie Walker  
Originator: Fire/Rescue Services
5. Resolution No. **73** - A Resolution  
Appointing/Reappointing members to various boards.  
Introduced by: Carol Hill-Evans  
Originator: Mayor/Council
6. Resolution No. **74** - A Resolution  
Approving conditional offers of employment as probationary police officers. (S. Pickel; B. Engie)  
Introduced by: Sandie Walker  
Originator: Police
7. Resolution No. **75 (\*Amended)(FAILED)** - A Resolution  
Authorizing a budget transfer. (\$21,000 for temporary, part-time help)  
Introduced by: Michael Ray Helfrich  
Originator: Treasurer's Office

- 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 2016  
Resolution No. 70

INTRODUCED BY:  Henry Hay Nixon

DATE: June 7, 2016

WHEREAS, Distinct Equities 3, LLC requested the release of the public improvements security funds associated with the building renovation and land development project, known as the Keystone Color Works Building, located at 175 West Gay Avenue; and

WHEREAS, the financial security bond was received in the amount of \$20,889.00; and

WHEREAS, York City Council approved the Final Land Development Plan at its regularly scheduled meeting held on April 5, 2016; and

WHEREAS, the request for the release of the remaining financial security in the amount of \$20,889.00 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 Keystone Color Works Building Land Development Plan 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: **June 7, 2016**

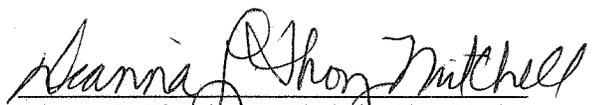
BY THE FOLLOWING VOTE:

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. 71

INTRODUCED BY:

  
Henry Hay Nixon

DATE: **June 7, 2016**

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.

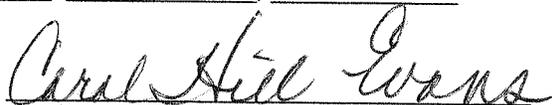
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the action of the York City Planning Commission in recommending approval of the Final Land Development Plan submitted by the Pennsylvania State University and completion of all contingency items is hereby affirmed, and the President of Council and City Clerk are authorized to certify this approval by affixing their signatures to the Final Land Development Plan.

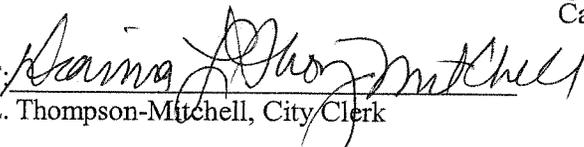
PASSED FINALLY: **June 7, 2016**

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

## Memorandum

To: Dianna L. Thompson-Mitchell, City Clerk  
Shilvosky Buffaloe, Economic Development/Community Development

From: Nicole Gallup, City Planner

Date: May 31, 2016

RE: Council Agenda Item: Penn State York – Ruhl Student Center Land Development Plan

- This resolution is a second request for an extension of recording time with York County, as the 90-day window has expired. The initial approval by Council was on October 6, 2015 and the first re-approval was on January 4, 2016.
- 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. This project lies within the City of York.
- This project is proposing installation of an underground stormwater detention system within City limits for the Student Center, which lies in Spring Garden Township.
- The York City Planning Commission recommended approval with the following waivers and contingency items:

Waivers:

- a. 1333.03: Waiver from Preliminary Plan submission
- b. 1333.07.s: Waiver from Traffic Impact Study
- c. 1336.08: Waiver from City Fire Department approval

Contingencies:

- a. Address all City Staff and City Engineer comments
- b. City Engineer review of Public Bonding requirements
- c. Written request of all applicable waivers

The applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation. City Staff recommends approval of this plan with the condition that staff reviews final revisions to ensure all items and contingencies have been addressed.

End

Council of the City of York, PA  
Session 2016  
Resolution No. 72

*Carol Hill-Evans*

Introduced by: **Carol Hill-Evans**

Date: **June 7, 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. **Robert McGrath** for work to be done at **19 N. George St.**
2. **Darren Surdich** for work to be done at **305 S. George St.**
3. **Rep. Kevin Schreiber** for work to be done at **53 E. North St.**

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

Passed Finally: **June 7, 2016**

By the following vote:

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

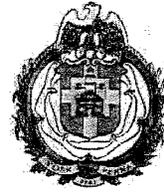
NAYS: None

*Carol Hill-Evans*  
Carol Hill-Evans, President of Council

ATTEST:

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

Morpheus/Resolutions2016/HARB-for-6-7-16



**York Historical Architectural Review Board  
Agenda  
6:00 PM Thursday May 26, 2016  
101 South George Street, York PA. 17401**

- I Welcome:** Dennis Kunkle, HARB Chair
- II Agenda:** Additions or changes to the agenda
- III Minutes:** Approve minutes from the May 12, 2016 HARB meeting
- IV Cases:**

*modified  
Approval*

1. **19 N. George Street** - A request for a Certificate of Appropriateness from Robert McGrath for the installation of a new sign. The proposed sign will be painted onto the brick and will be a simple rectangle that is 10 feet long and 6 feet wide.
2. **305 S. George Street** - A request for a Certificate of Appropriateness from Darren Surdich on behalf of St. Mary's Church for the replacement of three third floor windows on the side facing S. George Street.
3. **53 E. North Street** - A request for a Certificate of Appropriateness from State Representative Kevin Schrieber's office for the installation of four new signs on the building.

- V Other Business**



**York Historical Architectural Review Board  
Meeting Minutes  
May 26, 2016**

Members in attendance included: Dennis Kunkle, Chair; Mark Shermeyer; Justine Landis; Teresa Johnescu; John Fox

Absent: Dave Redshaw; Becky Zeller; Robin Pottorff

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

AGENDA ITEM	DISCUSSION	ACTION/RESULT
<b>Welcome and call to order Dennis Kunkle, Chair</b>	The meeting was called to order at 6:00 pm.  The agenda was prepared by the HARB Consultant.	A quorum was present.
<b>Changes to the Agenda</b>		
<b>Minutes of May 12, 2016</b>		Move to approve by Ms. Johnescu seconded by Ms. Landis. Approved.
<b>Cases</b>	The following cases are approved with the recommended actions.	

**Case #1 – 19 N. George Street**

The applicant would like to paint a sign onto the brick on the upper story on the side of the building to replace the existing sign that is in poor condition. The proposed sign would say "Ottos". The applicant indicated that every time they install a sign on the north facing wall of the building it weathers poorly. Mr. Kunkle referred to the earlier HARB denial for the painting of the sign so that if the restaurant fails then the next owner does not have to paint over the sign they can just remove it and replace it with their own. The applicant explained that it appears there is a piece of metal from a previous sign that impacts the ability of the sign to adhere to the building.

Mr. Fox asked why they owner doesn't just remove the sign and find a different option for their sign. He stated that he will not approve painting the brick and Ms. Landis agreed. Mr. Schermeyer asked if they had considered a material other than wood. The applicant indicated that he felt painting the sign on the building was more in keeping with the historic nature of the city and the historic district. Mr. Fox explained that the proposed sign would be new and not in keeping with the historic painted signs. He

further noted that he understands why the restaurant wants the sign (for marketing and visibility) however he is still opposed to painting on the brick. Ms. Johnescu noted that something attached to the brick would be more acceptable to the Board. Mr. Schermeyer noted that while he does not necessarily object to painting the sign on the building he understands that finding an alternative material and application method would be a better option.

The applicant clarified that it's not the sign that the Board opposes its painting the sign directly on the brick. Mr. Fox recommended a wooded sign with appropriate outdoor paint would weather better.

**Motion:** Mr. Fox made the motion to deny the sign being painted directly on the building and approving the application for a sign applied to the building, materials and details to be reviewed by the consultant.

The motion was approved 5 to 0.

#### **Case #2 – 305 S. George Street**

The applicant was represented by Darren Surdich on behalf of St. Mary's Church for the installation of three windows on the third floor of the building on the side facing S. George Street. The existing windows are no longer energy efficient and are in poor condition.

**Motion:** Mr. Schermeyer made a motion to accept as submitted, Mr. Fox seconded.

The motion was approved 5 to 0.

#### **Case #3 – 53 E. North Street**

The application was made by State Representative Kevin Schreiber's office for the installation of three signs on the building.

**Motion:** Mr. Schermeyer made a motion to accept as submitted, Ms. Landis seconded.

The motion was approved 5 to 0.

#### **Other business:**

**Adjourning and next meeting**      **The meeting was adjourned by general consent at 6:20pm; the next scheduled meeting is set for Thursday June 9, 2016.**

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

Council of the City of York, PA  
Session 2016  
Resolution No. 73

INTRODUCED BY: Carol Hill-Evans

DATE: June 7, 2016

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

1. Reappointment of **Dr. Charles M. Reilly** as a member of the **York City Board of Health**, which term shall expire the first Monday of April 2021.
2. Appointment of **Harold N. Myers, Jr.** as a member of the **York City Human Relations Commission**, to fill the unexpired term of Amy Chamberlain, and to continue to serve in said capacity until July 16, 2019.
3. Appointment of **Gregory C. Halpin**, as a member of the **York City Civil Service Board**, to fill the unexpired term of Joe Stein, which term shall expire the first Monday of January 2019.

PASSED FINALLY: **June 7, 2016**

BY THE FOLLOWING VOTE:

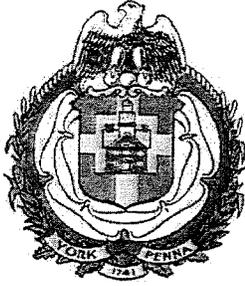
YEAS: Walker, Helfrich, Nixon, Nelson, Hill-Evans - 5

NAYS: None

Carol Hill-Evans  
Carol Hill-Evans, President of Council

ATTEST:

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



# The City of York Pennsylvania

101 South George Street ❖ PO Box 509 ❖ York PA 17405  
www.yorkcity.org

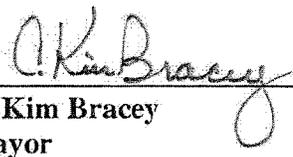
*The Honorable C. Kim Bracey, Mayor*

## Executive Order

Issued by C. Kim Bracey, Mayor

I hereby appoint Harold N. Myers, Jr. as a member of the York City Human Relations Commission, to fulfill the unexpired term of Amy Chamberlain, and continue in said position until which term shall expire July 16, 2019.

Witness my hand and seal this twenty-fourth day of May 2016.

  
\_\_\_\_\_  
C. Kim Bracey  
Mayor

Council of the City of York, PA  
Session 2016  
Resolution No. **74**



INTRODUCED BY: Sandie Walker

DATE: **June 7, 2016**

**WHEREAS**, the York City Police Department has vacancies for the position of Probationary Police Officer; and,

**WHEREAS**, the City of York Civil Service Board eligibility list reflects the following individuals are eligible to appointment as a Probationary Police Officer:

**Steven Pickel  
Bradley Engie**

**WHEREAS**, the following conditions must be met prior to an appointment to the position of Probationary Police Officer, to-wit:

1. Applicant must successfully pass a psychological examination as required by the City of York Police Civil Service Board.
2. Applicant must successfully pass a medical examination as required by the City of York Police Civil Service Board.

**WHEREAS**, If anyone of the above named candidates do not meet the above conditions, a conditional offer of employment would be offered to the next suitable individual in compliance with the Civil Service provisions, and subject to the same conditions for hiring as set forth above, and if no candidate is ultimately deemed qualified, the York City Police Department will request a new list of eligible individuals from the City of York Civil Service Board.

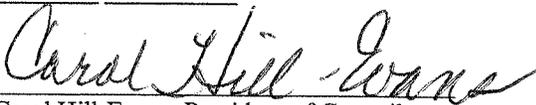
**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of York, Pennsylvania, that City Council hereby approves and authorizes the appointment of **Steven Pickel and Bradley Engie** to the position of Probationary Police Officer for the York City Police Department pursuant to the provisions as stated in the York City Police Civil Service Board Rules.

**PASSED FINALLY: June 7, 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 the City of York, PA  
Session 2016  
Resolution No. 75

\*AMENDED



**FAILED**

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **June 7, 2016**

WHEREAS, the Office of the City Treasurer is requesting a transfer of \$21,000 **\*\$20,000** in money allocated but not expended in the 2015 budget to the 2016 budget to cover essential part-time temporary help; and

WHEREAS, professional services from outside contractors have consistently been a part of the Treasurer's Office in the past and the services required of the Office continue to increase on an annual basis; and

WHEREAS, this transfer exceeds five percent (5%) of the appropriated item; and

WHEREAS, as in accordance with Article 137.02 (b) of the Codified Ordinances of the City of York, such a transfer shall require an affirmative vote of at least four members of City Council,

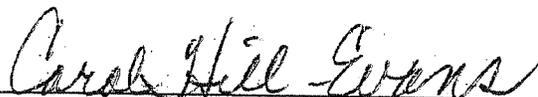
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, that City Council hereby approves the transfer of \$21,000 **\*\$20,000** into Account 10-130-42070 Other Professional Services.

PASSED FINALLY: **FAILED - June 7, 2016**

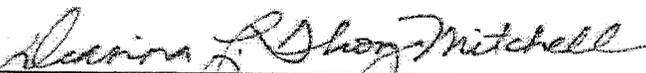
BY THE FOLLOWING VOTE:

YEAS: **Helfrich - 1**

NAYS: **Walker, Nixon, Nelson, Hill-Evans - 4**

  
\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

  
\_\_\_\_\_  
Dianna L. Thompson-Mitchell, City Clerk