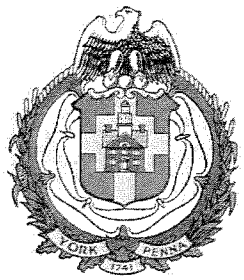
Council of the City of York, Pennsylvania

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
NOVEMBER 1, 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 October 4, 2016 (legislative); October 26, 2016 (committee).

VII. Presentations, Proclamations, Awards and Announcements

VII. Meeting(s) Scheduled

- **Monday, November 21, 2016** – Council committee meeting at 6:00 p.m. in Council Chambers to discuss items for the December legislative agenda. Committee items due by 12 noon on November 16, 2016.

IX. Status of Prior Committee Referrals: None

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. 101 - A Resolution
Approving the preliminary/final land development plan submitted by Tri Corner Communities, LLC. (To redevelop the former J.E. Baker Company office bldg. located at 232 E. Market St. into 43 apartments.)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

Final Passage of Bills / Resolutions: NONE

New Business

2. Introduction of Bill No. **22** (Will be on the 11/15/16 agenda) - A Bill
Establishing section 753.05 "Construction Closures of Sidewalks" of the Codified Ordinances.
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

3. Resolution No. **102** (Will be on the 11/15/16 agenda) - A Resolution
Establishing fees related to section 753.05 "Construction Closures of Sidewalks" of the Codified Ordinances.
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z
(**Note:** Fee legislation must sit for at least one meeting prior to consideration of passage. Therefore, this Resolution will be considered for final passage on or after 11/15/16.)

4. Resolution No. **103** - A Resolution
Awarding a contract to Republic Services for curbside refuse/recycling collection services ($1,765,649.87)
Introduced by: Renee S. Nelson
Originator: Public Works

5. Resolution No. **104** - A Resolution
Authorizing a budget transfer. ($80,000 for engineering services)
Introduced by: Renee S. Nelson
Originator: Public Works (WWTP)

6. Resolution No. **105** - A Resolution
Authorizing a budget transfer. ($13,123.00 for bldg. repair & training)
Introduced by: Sandie Walker
Originator: Fire/Rescue

7. Resolution No. **106** (Will be on the 11/15/16 agenda) - A Resolution
Establishing fees for the Treasurer's Office. ($5/transaction histories; $3/duplicate receipts)
Introduced by: Michael Ray Helfrich
Originator: Treasurer
(**Note:** Fee legislation must sit for at least one meeting prior to consideration of passage. Therefore, this Resolution will be considered for final passage on or after 11/15/16.)

8. Resolution No. **107** - A Resolution
Approving the 2017 Annual Action Plan.
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (PP&Z)

9. Resolution No. **108** - A Resolution
Authorizing an agreement with the PA Dept. of Health. ($57,244.00 for maternal/child health programs)
Introduced by: Henry Hay Nixon
Originator: Economic & Community Development (Health)

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. **101**

INTRODUCED BY: **Henry Hay Nixon** DATE: **November 1, 2016**

WHEREAS, Tri Corner Communities, LLC submitted a Preliminary/Final Land Development Plan for the Baker Building redevelopment at 232 East Market Street, proposing the redevelopment of the former J.E. Baker Company office building into 43 market-rate apartments, and providing 65 off-street parking spaces in the lot on Mason Avenue; and

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

WHEREAS, the Preliminary/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 Preliminary/Final Land Development Plan at its regularly scheduled meeting held on September 12, 2016 with the following waivers and contingency items:

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

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

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 Preliminary/Final Land Development Plan submitted by Tri Corner Communities, LLC 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 Preliminary/Final Land Development Plan

PASSED FINALLY: **November 1, 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-2016/232-E-Market-St-LD

Council of the City of York, PA
Session 2016
Resolution No. **103**

Introduced by: Renee S. Nelson

Date: November 1, 2016

WHEREAS, the City of York; York County, desires to contract for Refuse/Recycling Curbside Collection services; and

WHEREAS, bids were received from two (2) vendors with Republic Services, 3730 Sandhurst Drive, York, PA 17406 being the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby authorizes the City to award a contract for Refuse/Recycling Curbside Collection, in accordance with the price set forth in the attached bid tabulation sheet, which said bid has been received and reviewed by the City and found to be correct, said contract shall be in the amount of $1,765,649.87 annually which said cost shall be paid from the Environmental Services budget account number 10-424-44250-00000.

The Mayor is authorized and the Controller is authorized and directed to enter into a contract for same on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **November 1, 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/Republic-Services-$1.7M

Council of the City of York, Pennsylvania
Session 2016
Resolution No. **104**

INTRODUCED BY: Renee S. Nelson

DATE: November 1, 2016

WHEREAS, the Department of Public Works is requesting a transfer of funds in the 2016 budget to cover the cost for Engineering services at the WWTP; and

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

WHEREAS, in accordance with Article 137.02 (b) of the Codified Ordinance of the City of York, such a 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 transfers in accordance with the following schedule for the Department of Public Works – Intermunicipal Sewer Fund of the City of York.

Account Number	Description	Increase	Decrease
61-440-42010-00000	Engineering	$30,000.00	
61-440-42010-00001	Engineering	$20,000.00	
61-440-42070-00000	Other Professional Services	$15,000.00	
61-440-44400-00000	Other Contractual Services	$15,000.00	
61-440-44190-00000	Building Repair Service		$10,000.00
61-440-44270-00000	Landfill		$5,000.00
61-440-45030-00000	Horticulture		$5,000.00
61-440-45130-00000	Fuel		$5,000.00
61-440-45280-00002	Machinery Supplies		$10,000.00
61-440-45280-00003	Machinery Supplies		$25,000.00
61-440-45300-00002	Other Supplies		$10,000.00
61-440-46140-00000	Lab Equipment		$5,000.00
61-440-46170-00000	Other Capital Equipment		$5,000.00
	Total	$80,000.00	$80,000.00

PASSED FINALLY: **November 1, 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/WWTP-$80K-Xfer

Council of the City of York, PA
Session 2016
Resolution No. **105**

Introduced by: **Sandie Walker**

Date: **November 1, 2016**

WHEREAS, The Department of Fire/Rescue Services is requesting a transfer in the 2016 budget to cover Building Repair and Training expenses, in the amount of $13,123.00; and

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
10-600-44190-00000	Building Repair Service	$8,500	
10-600-43020-00000	Training	$4,623	
10-600-41120-00000	Laundry/Cleaning		$ 1,498.00
10-600-43030-00000	Contributions		$ 7,200.00
10-600-45300-00000	Other Supplies/Materials		$ 2,000.00
10-600-42070-00000	Other Professional Services		$ 1,205.00
10-600-45280-00000	Machinery Supplies		$ 1,220.00

PASSED FINALLY: **November 1, 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/Fire-$13.1K-Xfer

Council of the City of York, PA
Session 2016
Resolution No. **107**

INTRODUCED BY: **Henry Hay Nixon**

DATE: **November 1, 2016**

A RESOLUTION
Approving the 2017 Annual Action Plan

WHEREAS, The Department of Community Development, Bureau of Housing Services, is submitting the Annual Action Plan for fiscal year 2017 for the CDBG & HOME Grants; and

WHEREAS, under Title 1 of the Department of Community Development Act of 1974 and the National Affordable Housing Act of 1990 is authorized to extend financial assistance to communities for activities which will principally benefit low and moderate income individuals and families; aid in the prevention or elimination of slums and blight in the community; and/or meet other community development needs having a particular urgency; and

WHEREAS, the City of York has prepared an Annual Action Plan in compliance with 24CFR Part 91 "Consolidated Submission for Community Planning and Development Programs," outlining federal recourses expected to be available to the City and the City will be undertaking during the next program year to address priority community development and housing needs as identified in the city's five year consolidated plan; and

WHEREAS, 2017 Annual Action Plan was available for citizen review and comments for a period of thirty (30) days, consistent with the Citizen Participation process and considered comments received.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, as follows.

1. The FY 2017 Annual Action Plan as set forth in the schedule of activities and funding amounts, attached hereto and made part thereof, are hereby approved and a copy of said plans are filed in the Office of the York City Clerk.

2. That it is cognizant of the conditions that are imposed in the understanding and carrying out of the community development activities with federal assistance under the Community Development Block Grant Program and the HOME Investment Partnership program.

3. The Mayor is authorized to file the FY 2017 Annual Action Plan with the U.S. Department of Housing and Urban Development and to provide those assurances and/or certifications as required under 24CFR Part 91. hereto.

PASSED FINALLY: **November 1, 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/Annual-Action-Plan-2017-Res.

Council of the City of York, PA
Session 2016
Resolution No. **108**

INTRODUCED BY: **Henry Hay Nixon**

DATE: **November 1, 2016**

WHEREAS, the York City Bureau of Health receives funding through the Commonwealth of Pennsylvania under Title V of the Social Security Act to provide maternal and child health (MCH) programs for residents of the City of York; and

WHEREAS, the Bureau of Health provides MCH services to provide primary and preventative maternal and infant services to improve birth outcomes of women in York City through home visiting and education; and

WHEREAS, the Pennsylvania Department of Health seeks to amend its contract with the City of York to promote safe sleep practices, breastfeeding and to address health disparities for mothers, infants and children within its jurisdiction for the period July 1, 2016 through June 30, 2017 for an additional $57,244.

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 an amended agreement, a copy of which is attached hereto and made of part hereof, with the Pennsylvania Department of Health, on behalf of the City of York, Pennsylvania.

PASSED FINALLY: **November 1, 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/Health-MCH-$57K