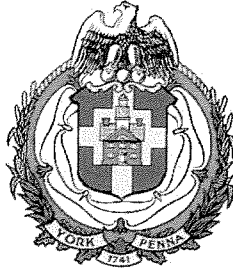


# Council of the City of York, Pennsylvania

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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## AGENDA NOVEMBER 15, 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 November 1, 2016.

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

- Mayor Bracey to present the 2017 Proposed York City Budget, 2017 Tax Ordinance and related documents.
- Greg Shenk, Maillie LLP, to do a brief update on the 2015 audit.
- York City Council is accepting resumes to fill a vacancy on York City Council to serve until the first Monday of January 2018. Interested applicants should submit their resume and letter of interest to the York City Clerk no later than Wednesday, November 16, 2016 at 12:00 noon.

### VII. Meeting(s) Scheduled

- **Monday, November 21, 2016** – Council committee meeting scheduled for 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. Council will also conduct public interviews of selected candidates for the City Council Vacancy and will appoint a candidate on this same evening immediately following interviews.

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. **Introduction of Bill No. 23** - A Bill  
Increasing refuse fees.  
Introduced by: Michael Ray Helfrich  
Originator: Mayor / Finance  
(**Note:** Bills must sit for at least one meeting prior to consideration of passage. As this Bill is related to the 2017 Budget, consideration of final passage is projected for no later than 12/20/16.)
2. **Introduction of Bill No. 24** - A Bill  
Increasing sewer fees.  
Introduced by: Michael Ray Helfrich  
Originator: Mayor / Finance  
(**Note:** Bills must sit for at least one meeting prior to consideration of passage. As this Bill is related to the 2017 Budget, consideration of final passage is projected for no later than 12/20/16.)
3. **Introduction of Bill No. 25** - A Bill  
Amending Article 741 “Park Conduct” to amend penalty fees.  
Introduced by: Renee S. Nelson  
Originator: Public Works  
(**Note:** Bills must sit for at least one meeting prior to consideration of passage. As this Bill is related to the 2017 Budget, consideration of final passage is projected for no later than 12/20/16.)
4. **Introduction of Bill No. 26** - A Bill  
Adopting the 2017 York City Budget.  
Introduced by: Michael Ray Helfrich  
Originator: Mayor / Finance  
(**Note:** Bills must sit for at least one meeting prior to consideration of passage. Consideration of final passage is projected for no later than 12/20/16.)
5. **Introduction of Bill No. 27** - A Bill  
Approving the 2017 Tax Rate.  
Introduced by: Michael Ray Helfrich  
Originator: Mayor / Finance  
(**Note:** Bills must sit for at least one meeting prior to consideration of passage. As this Bill is related to the 2017 Budget, consideration of final passage is projected for no later than 12/20/16.)

**Subdivision / Land Development / HARB**

6. **Resolution No. 109** - A Resolution  
Accepting the recommendations of HARB.  
Introduced by: Henry Hay Nixon  
Originator: HARB

## **Final Passage of Bills / Resolutions**

7. **Final Passage of Bill No. 22, Ordinance No. 21 (Forthcoming)** – 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)

## **New Business**

8. **Final Passage of Resolution No. 102** – 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)
9. **Final Passage of Resolution No. 106** – A Resolution  
Establishing fees for the Treasurer’s Office. (\$5/transaction histories; \$3/duplicate receipts)  
Introduced by: Michael Ray Helfrich  
Originator: Treasurer
10. **Resolution No. 110** – A Resolution  
Appointing probationary police officers.  
Introduced by: Sandy Walker  
Originator: Mayor / Police / HR

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.

See also Ord. 21 of 2016

Council of the City of York, PA  
Session 2016  
Resolution No. 102

Article 111.10 of the Codified Ordinances requires fee legislation to sit for at least one mtg prior to consideration of passage. Therefore, this Resolution will be considered for final passage on or after 11/15/16.

Introduced by:

  
Henry Hay Nixon

Date: November 1, 2016

**WHEREAS**, by passage of Bill No. 22, Ordinance No. 21 of Session 2016, City Council approved an amendment to Article 753 "Streets and Sidewalks" of the York City Codified Ordinances requiring a permit for the closure of streets and sidewalks for construction and rehabilitation activities, and

**WHEREAS**, Article 753.05(b) states; An applicant for a Sidewalk Closure Permit shall complete an application provided by the Bureau of Permits, Planning and Zoning and pay such fee as is established from time to time by resolution of Council;" and

**WHEREAS**, Article 753.05(f) states; A Sidewalk Closure Permit shall not be issued for a period exceeding ninety (90) days. The permittee may, with thirty (30) days prior notice, be granted an additional ninety (90) day extension upon payment of such fee as is established from time to time by resolution of Council. Such extension shall be approved by the Traffic Safety Committee, the Director of Public Works, the Police Chief and Fire Chief."

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of York, Pennsylvania, hereby approves sidewalk closure permit fees as follows:

Initial ninety (90) day Sidewalk Closure Permit fee:	\$50.00
Ninety (90) day Sidewalk Closure Permit Renewal fee:	\$100.00

Said fees shall become effective immediately upon approval.


PASSED FINALLY: **November 15, 2016**


BY THE FOLLOWING VOTE:

YEAS: Walker Nixon Nelson Helfrich - 4

NAYS: None

ATTEST:

  
Dianna Thompson-Mitchell, City Clerk

  
President of Council

Council of the City of York, PA  
Session 2016  
Resolution No. 106

Article 111.10 of the Codified Ordinances requires fee legislation to sit for at least one mtg prior to consideration of passage. Therefore, this Resolution will be considered for final passage on or after 11/15/16.

INTRODUCED BY: **Michael Ray Helfrich**

DATE: **November 1, 2016**

**WHEREAS**, the Office of the City Treasurer is called upon to provide tax information to individuals, lenders, law offices, banks, mortgage service companies, developers, etc., on a regular basis; and

**WHEREAS**, fees have been previously established for tax certifications, duplicate bills and returned checks; and

**WHEREAS**, no fee has been established for real estate tax transaction histories as has been established for sewer and refuse annual histories; and

**WHEREAS**, no fee has been established for duplicate receipts issued subsequent to the payment of taxes; and

**WHEREAS**, City Council is empowered to establish and set such fees;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of York, that City Council hereby approves a fee of \$5/parcel for transaction histories equal to the fee for sewer/refuse annual histories now in effect and a fee of \$3/parcel for duplicate receipts issued subsequent to the payment of taxes effective January 1, 2017.

PASSED FINALLY: **November 15, 2016**

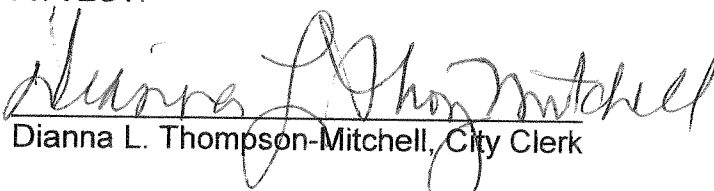
BY THE FOLLOWING VOTE:

YEAS: Walker, Nixon, Nelson, Helfrich - 4, \_\_\_\_\_

NAYS: None.

  
\_\_\_\_\_  
President of Council

ATTEST:

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

Council of the City of York, PA  
Session 2016  
Resolution No. 109

Introduced by: **Michael Ray Helfrich**

Date: **November 15, 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. **Marquette Investments** for work to be done at **34-36 E. Philadelphia St.**


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

Passed Finally: **November 15, 2016**

By the following vote:

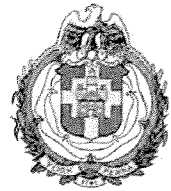
YEAS: **Walker**, **Nixon**, **Nelson**, **Helfrich - 4**

NAYS: **None**

  
\_\_\_\_\_  
Michael Ray Helfrich, President of Council

ATTEST:

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



**York Historical Architectural Review Board**

**Agenda**

**6:00 PM Thursday November 10, 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 September 8, 2016 HARB meeting
- IV Cases:**

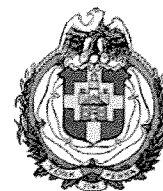
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- 1. **156 W. Philadelphia Street** – A request by Royal Square to replace five (5) windows on the building. The proposed new windows are on the rear of the property, overlooking the parking lot.

(A)

- 2. **34-36 E. Philadelphia Street** - A request by Marquette Investments for general upgrade and repairs to the property. The proposed work includes the removal of the existing sign on Philadelphia Street, the repair of the windows and frames, painting the doors and window trim, adding new awnings above the entrances, and painting a vertical sign on the brick at the Court Ave. entrance.

- V Other Business**



**York Historical Architectural Review Board  
Meeting Minutes  
November 10, 2016**

Members in attendance included: Dennis Kunkle, Chair; Mark Shermeyer; Dave Redshaw; Justine Landis; John Fox; Becky Zeller

Absent: Robin Pottorff; Teresa Johnescu

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 September 8, 2016</b>		Move to approve by Mr. Shermeyer seconded by Ms. Landis. Approved.
<b>Cases</b>	The following cases are approved with the recommended actions.	

**Case #1 – 156 W. Philadelphia Street**

A request for a Certificate of Appropriateness from Royal Square Development for the replacement of five (5) windows on the rear of the building. The applicant was not present.

**The application was Tabled.**

**Case #2 – 34-36 E. Philadelphia Street**

A request by Marquette Investments for general upgrades and repairs to the property. The proposed work includes the removal of the existing sign on Philadelphia Street, the repair of windows and frames, painting



the doors and window trim, adding awnings above the entrances, and painting a vertical sign on the brick at the Court Ave. entrance.

The applicant indicated that they did some research at the York Historical Society to find historic photographs of the property. They believe that the property was previously used as an oyster house as far back as 1887 (on a previous map). They were unable to find photographs of the building however they looked into other properties that were previously used as an oyster house and they submitted photos of properties that previously used for this purpose. The property also previously housed an automobile shop and was used as the plan house for the judicial center.

The applicant would like to return the property to its earlier appearance. This would include removing the existing front sign and replace it with two awnings – the property will house two separate tenants. They would also like to paint the exterior brick and the wood trim. The awning is proposed as a straight awning in a black and white vertical striped pattern. The proposed awnings in the front will be 36 inches high and 15 feet wide. There is stained glass along the top of the existing windows and they are looking into repairing the stained glass. The stained glass will be retained.

Mr. Kunkle asked what was happening on the side of the building where there are plywood coverings. The glass is missing from the windows however the frames remain. The applicant will replace the glass and retain the frames. The existing garage door will be replaced with a single frame door for egress. The infill for the replacement door will be brick. The second existing garage door (which is a double-bay garage) will become a single pane window and single frame door with a transom. The window will match the front windows. A secondary door on the side will be closed and boarded over. The frame and transom from this door will be used on the rear (for the replacement garage door). Mr. Redshaw clarified that there will be three tenants – two in the front and one in the rear. The rear property will be 18 Court Alley.

The applicant would like to paint the brick to help create a consistent brick façade. The existing brick is in poor condition in some areas, has incorrect pointing and replacement bricks, and some openings will need to be rebricked. Ms. Zeller asked if all the brick was painted already and the applicant indicated that the majority is painted. Mr. Redshaw asked if there was a sealer coat that would be applied to the brick prior to painting. The applicant indicated that they would need to clean the brick first prior to repairs and painting. Mr. Shermeyer indicated that a primer would need to be used under the paint.

The applicant indicated that they will use the same fixtures on the front and along the side.

**Motion:** Mr. Redshaw made a motion to approve the application as presented. Mr. Shermeyer seconded the motion.

The motion was approved 5 to 0.

**Other business:**

**Adjourning and next meeting**    **The meeting was adjourned by general consent at 6:25pm; the next scheduled meeting is set for Thursday December 8, 2016.**

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

Council of the City of York, PA

Session 2016

Resolution No. 110

INTRODUCED BY: *Sandie Walker* Sandie Walker

DATE: November 15, 2016

**WHEREAS**, the York City Police Department has four (4) 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:

1. **Mark J. Hummel**
2. **Dakota A. Fauver**
3. **Thomas M. Ewald**
4. **Michael P. Harris**

**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 **Mark J. Hummel, Dakota A. Fauver, Thomas M. Ewald, and Michael P. Harris** 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. In the event that any of the above four listed candidates do not meet the above conditions and are disqualified from service, Council hereby appoints Candidates **Galen Detweiler and Casey Fuller** as Alternates to fill the positions for any disqualified candidates.

**PASSED FINALLY: November 15, 2016**

**BY THE FOLLOWING VOTE:**

**YEAS:** Walker Nixon Nelson Helfrich - 4

**NAYS:** None

**ATTEST:**

*Dianna L. Thompson-Mitchell*

*Michael Ray Helfrich*  
Michael Ray Helfrich, President of Council

Dianna L. Thompson-Mitchell, City Clerk