

# Council of the City of York, Pennsylvania

Michael Ray Helfrich, President of Council  
Henry Hay Nixon, Vice President of Council  
Renee S. Nelson, Member of Council  
Sandie Walker, Member of Council  
Judy A. Ritter-Dickson, Member of Council

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## COMMITTEE AGENDA

### April 26, 2017

6:00 p.m.

Police	Fire	Public Works	E&C Development	Business Admin	Rules & Admin
<b>Walker</b> Helfrich Nelson	<b>Walker</b> Ritter-Dickson Nelson	<b>Nelson</b> Ritter-Dickson Helfrich	<b>Nixon</b> Ritter-Dickson Walker	<b>Helfrich</b> Nixon Nelson	<b>Helfrich</b> Nixon Walker

**\*Bold text indicates Chairperson**

**Note: General Committee is chaired by Council President or designee and includes all Council members.**

**Council members in attendance:** Judy A. Ritter-Dickson, Sandie Walker, Renee S. Nelson, Henry Hay Nixon, Vice President, and Michael Ray Helfrich, President.

**Administration in attendance:** Jim Gross, Director of Public Works; Chaz Green, Deputy Director of Public Works; Shilvosky Buffaloe, Director of Economic & Community Development; Nicole Davis, Deputy Director of Economic & Community Development; Steve Buffington, Building Code Official; Michael Doweary, Business Administrator; and Don Hoyt, Assistant Solicitor.

**Council staff in attendance:** Dianna L. Thompson-Mitchell, City Clerk

- I. Called committee meeting to order at 6:00 p.m.
- II. Committee Issues for the **May 2 & 17, 2017** legislative Agenda as follows:

#### **PUBLIC WORKS** ([View Issues Chart](#))

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##### **1. Resolution authorizing the lease purchase of a wide area mower.**

Director Gross explained that this Resolution is to purchase one (1) Wide Area Mower for the Department of Public Works from Lawn & Golf Supply Co., Inc., at a cost of \$67,940.27 through the PA State Contract #4400011381, and through a five year lease purchase agreement which will be financed through Fulton Leasing Company.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Helfrich, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Helfrich, Nixon – 3; Nays – 0.

##### **2. Resolution authorizing a lease amendment with T-Mobile for cellular tower installation.**

Director Gross stated that this is a Lease Amendment for a Communications Site Lease Agreement with T-Mobile USA Tower LLC dated January 13, 2004, for a cell tower located at Memorial Park, to amend the agreement to provide that the new final Lease expiration date will be January 11, 2054.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Helfrich, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Helfrich, Nixon – 3; Nays – 0.

### 3. Resolution authorizing a contract for the roof replacement at Voni Grimes Gym.

Director Gross explained that the main roof at the Voni Grimes Gym needs replaced. The city is a member of U.S. Communities, a nonprofit government purchasing cooperative that assists public agencies in reducing the cost of purchased goods and services through pooling the purchasing power of public agencies nationwide. Garland/DBS, Inc. is an approved vendor through this program and they have submitted a proposal for the roof replacement project at a cost of \$283,011.00. Therefore, this resolution is to approve Garland/DBS to do the work.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Helfrich, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Helfrich, Nixon – 3; Nays – 0.

## SOLICITOR'S OFFICE ([View Issues Chart](#))

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### 1. Resolution approving the sale of property to History Center.

Jeff Lobach, Barley Snyder, representing York County History Center, said this is a conveyance by the city of 157 W. Market St., 201 W. Market St., and 201 W. Market St. to the History Center to develop a \$20 million History Center Campus.

Ms. Joan Mummert, York County History Center, said the York County History Center (formerly the York County Heritage Trust), will consolidate their public buildings into a campus in downtown. They purchased the Met-Ed steam plant as part of this project. She said they represent the museums of York County. The project will take a blighted building and puts \$20 million into the project for a community museum. She said their goals are to create economic impact, and provide innovative historical educational experiences. She then outlined the mission of the History Center.

Pastor Patrick Rooney, York County History Center, detailed the layout of the campus, and funding support which includes filing an RACP grant application, capital campaigns, tax credits and other available grants. He said this project is economically viable for the community.

Ms. Mummert said history creates community, nurtures cultural identity, develops critical thinking skills, stimulates economic development engages citizens, inspires leadership, and provides a legacy.

Mr. Lobach said their board and their staff all believe this campus concept offers the best opportunity to share the 300 year history of this city and we ask that Council authorize the transfer of these properties.

Vice President Nixon said you've been maintaining these properties over several decades so essentially nothing will change for the city because the city hasn't been maintaining the properties, with the exception of the old Colonial Courthouse.

President Helfrich said these are city assets worth millions of dollars and he's curious as to how that might affect us.

Assistant Solicitor Hoyt responded that since the city doesn't pay any taxes on this property, an appraised value of the property would have to be determined by an appraiser.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Nelson, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

## ECONOMIC & COMMUNITY DEVELOPMENT

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[PP&Z \(View Issues Chart\)](#)

### 1. Bill amending Article 730 “Neighborhood Improvement Ordinance.”

Vice President Nixon said this will put real teeth in this ordinance that we didn’t have before, which in part is the implementation of the hand-held computers. He said neighborhood nuisances have been an ongoing problem in our community and he’s pleased to see more is being done to enforce our laws. He said this ordinance amendment is good news for the people of the City of York.

Councilwoman Walker asked why section 730.08 (c)(8) was being stricken.

Building Code Official Steve Buffington responded that it’s redundant because it is also covered in 730.08(b)(15).

BCO Buffington then outlined each amendment being made to the ordinance which includes adding the definition of “vehicle” to mean motor vehicle or other vehicle that is self-propelled or meant to be towed by another vehicle; and establishing 730.11 to allow appointment of a responsible agent to allow someone who resides outside of the County of York to authorize someone who lives in the county to act on their behalf and is able to accept service of violations, notices or warnings. Finally, adding 730.99(e) to allow the city to recoup costs related to enforcement of this ordinance.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

### 2. Bill amending the 2017 Budget for purchase of handheld computers associated with enforcement of the Neighborhood Improvement ordinance.

Director Buffaloe stated that the challenge in implementing the Neighborhood Improvement Ordinance has primarily been administrative when trying to issue citations and warnings on the spot, which isn’t currently available to our Property Maintenance Inspectors (PMI’s). This amendment will allow for the purchase of two additional hand-held devices that will allow the Property Maintenance Inspectors to issue citations on the spot.

President Helfrich asked about the amounts noted in the amendment.

BCO Buffington said the city’s share of the cost is \$11,000, and projected revenue from implementation of the 2 additional hand-held units is estimated at around \$16,000 through year end 2017, which is probably a conservative. He said we’ll probably have these units up and running sometime in May. Training is included with purchase of the devices. Nixon said revenue is good but he wants to see our city cleaned up more than anything.

Councilwoman Ritter-Dickson asked if there is information sent out into the community to inform them of their property maintenance responsibilities.

BCO Buffington said maybe we can get something sent out in a mailer with sewer bills. He said we do have a warning system in place wherein we provide a brief outline of the Neighborhood Improvement Ordinance.

President Helfrich said he was able to get the abbreviated version of the Neighborhood Improvement Ordinance down to three pages, which is why he submitted the amendment to provide a warning when this ordinance was originally adopted. He said it’s a one-time warning and after that, citations will be issued.

Stephanie Seaton, resident, thanked BCO Buffington for shutting down an illegal speakeasy in her neighborhood. She then suggested notification to residents through occupancy licenses.

Louis Rivera, resident, asked what happens if he’s out of town and sets his trash out before trash day. President Helfrich said that’s a violation of the ordinance so he should ask a neighborhood to set it out for him.

Vice President Nixon said he wants residents to know this isn't a revenue generating initiative; it's an initiative to clean up our streets.

Franklin Williams, resident, said he wishes there was more flexibility on the time to set out trash because in the winter months it's dark by 5:00 p.m. and he's concerned about his safety.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

[BHS \(View Issues Chart\)](#)

### **1. HOME Resolution for Transfer of Funds to York Area Housing Group \$166,500.00.**

Director Buffaloe explained that we will be transferring HOME CHDO set aside funds from 2015, 2016, and 2017 in the amount of \$166,500 to the York Area Housing Group for the complete renovation of 320 W. Princess Street. Once completed, the home will be sold to a low – moderate income family.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/17/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

### **2. CDBG Ordinance to fund Lancaster Housing Partnership \$53,000.00.**

Director Buffaloe stated that we will be transferring \$53,000 from our 2016 program income to LHOP (Lancaster Housing Opportunity Partnership). LHOP will be providing the First Time Homebuyer education and counseling classroom training and administer the down payment and closing cost assistance program for income eligible York City residents. The program activity is tentatively scheduled to start operation on May 1.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

### **3. Resolution for 2015, 2016, & 2017 Action plans.**

Director Buffaloe explained that this is amending the action plans to reflect the dollars being rolled over for York Housing Group for renovation of 320 W. Princess St.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/17/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

Economic & Community Development ([View Issues Chart](#))

### **1. Bill amending Article 136 “Small & Disadvantaged Business Enterprise Program.**

Director Buffaloe said the flow of the work is a lot different than it was when this ordinance was adopted back in 1993. Since our department structure is different, he said we developed some logically appropriate flow changes to make this ordinance more effective.

President Helfrich asked why the quarterly reporting requirement to City Council is being removed because he doesn't agree with that.

Director Buffaloe responded that this amendment does not rule Council out from oversight. He said Council can request to see our books anytime. He said he has monthly meetings with their Council liaison, Vice President Nixon.

Vice President Nixon said he'd be happy to give a short written report to Council following is monthly meetings with Director Buffaloe if that's the will of Council.

Director Buffaloe and President Helfrich discussed gross receipts and whether those figures should be refigured. Director Buffaloe said we have to set a baseline and would be willing to entertain the idea if President Helfrich thinks the gross receipts amounts are too low.

Vice President Nixon said the purpose of this ordinance is to increase participation from our local businesses and if we amend these numbers we could box them out.

Stephanie Seaton, resident, asked questions about how this ordinance will tie in with the Human Relations Commission, as noted in section 136.07(g) "Review and determine the continued eligibility of contractors certified by the Office of Economic Development and the City Human Relations Commission."

Director Buffaloe responded that they will rely on the County and State's list of approved vendors because the city will not maintain such a list.

Ms. Seaton said if that is the case, then the language in 137.07(g) should be stricken.

Councilwoman Walker said she would like more time to review these proposed amendments and asked that introduction be moved to the May 17<sup>th</sup> legislative agenda.

Helfrich said he'd like to offer specific language for inclusion of businesses operating in the "City of York" and would also like additional time to review this legislation.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/17/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

## **2. Amending Article 307 "Exemption for Dwelling Improvements" (RETAP).**

Director Buffaloe explained that this is a residential tax abatement program. The changes clean up elements we identified in the ordinance such as changing Community Development to "Economic & Community Development," and inclusion of 307.08 to read "The exemption from real estate taxes provided in the article shall also be forfeited if the applicant and/or any subsequent owner appeals the assessment of the real estate during the life of the exemption."

Deputy Director Davis said addition of section 307.08 will put us in line with the county. If an applicant appeals the assessment during the life of the exemption, then the exemption will become null and void. She said the county adopted the state's LERTA program and this was part of the new language.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

## **3. Bill amending Article 308 "Local Revitalization Tax Assistance Program" (LERTA).**

Director explained the proposed amendments also change Community Development to "Economic & Community Development," and includes section 308.08 to read "The exemption from real estate taxes provided in the article shall also be forfeited if the applicant and/or any subsequent owner appeals the assessment of the real estate during the life of the exemption."

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

## **4. Requesting the York County Planning Commission to review a zoning map amendment (300 S. State St.)**

Director Buffaloe explained that the Department of Community and Economic Development (DECD) has submitted a ZONING MAP of the Northeast Neighborhood Association area, and has identified neighborhoods where the existing zoning is negatively restrictive, suppressing a variety of development opportunities that would benefit the community as a whole, or where the zoning does not correspond to the current neighborhood fabric and goals defined in the City's Comprehensive Plan. DECD would like to explore the rezoning of these neighborhoods, which would identify possible zones that would allow for development that would better fit the residents and their needs. With that said, we would like Council to request engagement of the York City Planning Commission in a zoning map amendment exercise for the neighborhood located in the northeast section of the City of York that is historically industrial in nature. With the help of a consultant and Department staff, we will evaluate potential amendments to the City of York Zoning Map. So in a

nutshell, we are asking City Council to request the York City Planning Commission, in conjunction with the Department of Economic and Community Development, to evaluate the zoning designations in the northeast neighborhood and make recommendations to amend or not to amend the City's Zoning Map. Director Buffaloe did say mention of 300 S. State St. is an error and asked that it be stricken.

**DECISION:** A motion was made by Ritter-Dickson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon- 3; Nays – 0.

## **RULES & ADMINISTRATIVE CODE** ([View Issues Chart](#))

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### **1. Bill No. 11 amending the Human Relations Commission ordinance to allow the Commission to maintain an office in and meet within the county limits.**

President Helfrich explained that the Solicitor's office added an amendment to 185.10(b)(2) to now read "To meet and function at any place within the City in any municipality in York County that has entered into an affiliation agreement with the City of York." He said he would like to add language that Council shall approve any move of the commission because he would like Council to have a say as to where their central office is located.

Vice President Nixon said Council still has the hammer because we approve the budget for the HRC so we can surely control funding to discourage a move that Council does not support.

Karen Rollins-Fitch, Chair, York City Human Relations Commission, explained that on January 1, 2017, she had no idea that they would be in this place today. She said she thought they had a nice location at the County Administrative Offices; however, the County gave us notice in February that we had to be out by March 31<sup>st</sup>. She said West York has offered a space for our central office in their municipal building. She said until an agreement is vetted and approved, HRC staff are operating out of the York City Human Resources Office. If a call is received from a resident, then we will find a location in the City where we can meet. She said we still need to get our services up and running such as phones and computers to allow accessibility to our residents. She said our goal and intent is not to turn our backs on city residents. Additionally, once their move to West York is approved, if a resident cannot find transportation to West York, they will find a meeting place in the city to accommodate their clients.

President Helfrich said he hasn't heard any opposition from Council about the move to West York but he wants to be sure that the HRC doesn't have the sole authority to relocate their offices in perpetuity without Council's approval.

Chair Rollins-Fitch said if Council feels the need to make this part of the legislation then Council can make the amendment to require its approval.

Ken Woerthwein, HRC Commissioner, said he doesn't see any problem with Council approving the HRC's relocations.

Franklin Williams, resident, said he's excited about this move to West York which is probably more convenient to city residents than if their office was located deep in the Fireside neighborhood. He said the former West York Mayor made disparaging racial comments; however the new Mayor has been working to heal the community and has embraced the HRC under West York's umbrella. He said we are gaining more than we are losing with the move to West York.

Stephanie Seaton, resident, said there is a lot involved in forming a strong city-county commission and moving to West York doesn't accomplish this. She said this is a city commission so she's pleased to hear that the commission will make accommodations for residents who cannot travel to West York. She said language is important so be considerate in amending language by communicating with the HRC, and Administration, as well as keeping our residents informed.

President Helfrich said none of us expected this move but we are adapting as best we can. He said the question still exists for him - should Council be involved with the HRC's relocation.

**Motion to amend:** President Helfrich made a motion to amend section 185.10(b)(1) as follows: " To establish and maintain a central office in the City any municipality, **with the approval of City Council**, in York County that has entered into an affiliation agreement with the City of York." The motion to amend was seconded by Nelson, and passed by the following vote: Yeas: Ritte-Dickson, Walker, Nixon, Nelson, Helfrich -5; Nays – 0.

**DECISION:** A motion was made by Nelson, seconded by Walker, to place this item on the **5/2/17** legislative agenda. The motion passed by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich - 5; Nays – 0.

III. Council Comment: None

IV. Administration Comment: None

V. Next Committee Meeting **May 24, 2017 at 6:00 p.m.** in Council Chambers to discuss June's legislative agenda.

VI. Adjournment: There being no further business, the April 26, 2017 committee meeting of Council adjourned at 8:33 p.m.

  
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Dianna L. Thompson-Mitchell, City Clerk

  
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Michael Ray Helfrich, President of Council