

# 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  
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## Minutes May 17, 2017 6:30 p.m.

### [Signed Resolutions](#) / [Signed Bills](#) / [4-26-17 Committee Minutes](#)

#### I. Public Comment: 6:30 p.m.

Franklin Williams, resident, spoke about the May 16<sup>th</sup> primary election and urged voters to remain true to their party and not change for one particular candidate. He then spoke about his experiences living in the 500 block of W. Market St., including memories of his neighbors. He encouraged residents to get to know their neighbors. He then asked Council to consider changing the time when trash can be set out for resident's safety so we're not setting trash out after dark during the winter months.

Nicholas Stanonis, Scoutmaster, Boy Scout Troop 177, was in attendance with a handful of scouts from his troop as part of their community merit badge requirement. Each troop member introduced themselves to Council.

There being no further public comment, President Helfrich adjourned the public comment period at 6:45 p.m. and convenience in legislative sessions.

#### II. Called Legislative Meeting to Order at 6:45 p.m.

#### III. Roll Call

#### IV. Pledge of Allegiance recited.

#### V. Moment of Silence observed.

#### VI. Action on previous meeting Minutes of **May 2, 2017**: Council dispensed with the reading of the Minutes and unanimously approved them as written.

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

- **Summer Recess:** After the June 6, 2017 Council meeting, Council will observe its summer recess and therefore won't meet again until July 18, 2017 at 6:30 p.m. in Council Chambers. There are no committee meetings held during Council's summer recess.

#### VII. Meeting(s) Scheduled:

- **Council committee meeting:** Scheduled for Wednesday, May 24, 2017 to discuss items for the June 6, 2017 legislative agenda. (Agenda items due by 12 noon on May 17, 2017)

#### IX. Status of Prior Committee Referrals: No updates.

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. 48** - A Resolution  
Accepting the recommendations of HARB. ([View](#))  
Introduced by: Judy A. Ritter-Dickson  
Originator: HARB

Resolution No. 48, Session 2017, A Resolution accepting the recommendations of HARB in approving certificates of appropriateness for work to be covered in the applications filed by RSDC, Inc. for work to be done at 100 N. George St.; Gilbert Barker for work to be done at 252 E. Princess St.; St. Mary’s Church for work to be done at 305 S. George St.; Lynn Nelson for work to be done at 309-311 W. Market St.; Lance Howard/J&J Home Improvements for work to be done at 371 W. King St.; and Yorni LaRosa for work to be done at 206 E. Market St., was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Nelson, Resolution No. 48 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

2. **Resolution No. 49** - A Resolution  
Approving the final subdivision plan submitted by the York City School District. (To subdivide existing parcels at 200 N. Albemarle St. – Roosevelt School) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Resolution No. 49, Session 2017, A Resolution approving the final subdivision plan submitted by the York City School District for the Roosevelt School Subdivision at 200 North Albemarle Street, to subdivide an existing parcel of 3.88 acres into two parcels of 2.25 and 1.63 acres, respectively, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 49 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays - 0.

3. **Resolution No. 50** - A Resolution  
Approving the final land development plan submitted by York Academy Regional Charter School. (Demolition of the existing bldg. and construction of a new 3-story facility at 2 W. Hamilton Ave.)([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Resolution No. 50, Session 2017, A Resolution approving the final land development plan submitted by York Academy Regional Charter School for the York Academy Regional High School at 2 West Hamilton Avenue, to demolish the existing buildings, and construct a new 3-story educational facility with associated parking, utilities, and stormwater management facilities, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Ritter-Dickson, Resolution No. 50 came up for discussion.

Vice President Nixon briefly outlined the project and said he’s glad to see the school’s growth but is disappointed this will be turned into a tax exempt property as it’s currently on the tax rolls.

President Helfrich said he shares Vice President Nixon's concerns but said he does realize this is a good cause. He then asked if a traffic study was completed for this area.

Kathy Conley, LSC Design, said a study was done and the city engineer made additional requests such as adjustments to changing signals and a beginning-end of school day traffic pattern plan, which they intend to honor.

Franklin Williams, resident, said he found it regrettable about the removal of the Penn Supreme smoke stack. He said this has been a part of the city's skyline for quite some time so he'd like to know why it's being demolished as part of this project.

Dennis Baughman, Chief Executive Officer, York Academy Regional Charter School, responded that they considered its historical significance so they had a restoration company look at the smoke stack and how much it would cost to maintain and fix. He said the estimate to fix the smokestack would be approximately \$400,000 and \$50,000-\$100,000 to maintain it each year. He said we couldn't afford that especially when that money could be spent for educating students. He said the smoke stack leans toward the east and bricks are falling off which poses a safety hazard.

There being no further discussion, Resolution No. 50 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

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

4. **Final Passage of Bill No. 12, Ordinance No. 11** – A Bill Amending Article 730 “Neighborhood Improvement Ordinance.” (To expand on the definition of “abandoned vehicles” and establish section 730.11 “Appointment of a Responsible Agent.”) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Final Passage of Bill No. 12, Ordinance No. 11, Session 2017, A Bill amending Article 730 “Neighborhood Improvement Ordinance” to expand the definition of “abandoned vehicles” and establish section 730.11 “Appointment of a Responsible Agent,” which was introduced by Nixon at the May 2<sup>nd</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Walker, Bill No. 12, Ordinance No. 11, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

5. **Final Passage of Bill No. 13, Ordinance No. 12** – A Bill Amending Article 307 “Exemption for Dwelling Improvements” (RETAP). (To update language to read the “Department of Economic and Community Development;” add language that exemption shall be forfeited if the applicants appeals the assessment during the life of the exemption; and to remove the monthly requirement to file reports with Council.) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Final Passage of Bill No. 12, Ordinance No. 11, Session 2017, A Bill amending Article 307 “Exemption for Dwelling Improvements” (RETAP) to update language to read the “Department of Economic and Community Development;” add language that exemption shall be forfeited if the applicant appeals the assessment during the life of the exemption; and to remove the monthly requirement to file reports with Council, which was introduced by Nixon at the May 2<sup>nd</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Walker, Bill No. 13, Ordinance No. 12, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

6. Final Passage of **Bill No. 14, Ordinance No. 13** – A Bill Amending Article 308 “Local Economic Revitalization Tax Assistance (LERTA) Program.” (To change update language to read the “Department of Economic and Community Development;” and add language that exemption shall be forfeited if the applicants appeals the assessment during the life of the exemption; and to remove the monthly requirement to file reports with Council.) ([View](#))

Introduced by: Henry Hay Nixon

Originator: Economic & Community Development (PP&Z)

Final Passage of Bill No. 14, Ordinance No. 13, Session 2017, A Bill amending Article 308 “Local Economic Revitalization Tax Assistance (LERTA) Program” to change language to read the “Department of Economic and Community Development;” add language that exemption shall be forfeited if the applicant appeals the assessment during the life of the exemption; and to remove the monthly requirement to file reports with Council, which was introduced by Nixon at the May 2<sup>nd</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Nelson, Bill No. 14, Ordinance No. 13, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

7. Final Passage of **Bill No. 15, Ordinance No. 14** – A Bill Amending the York City Budget for the year 2017. (To increase revenue in the amount of \$16,000.00 and expenses in the amount of \$11,000.00 for Neighborhood Improvement Ordinance fine revenue and purchase of two hand held computers.) ([View](#))

Introduced by: Henry Hay Nixon

Originator: Economic & Community Development (PP&Z)

Final Passage of Bill No. 15, Ordinance No. 14, Session 2017, A Bill amending the York City Budget for the year 2017 to increase revenue in the amount of \$16,000.00 and expenses in the amount of \$11,000.00 for Neighborhood Improvement Ordinance fine revenue and purchase of two hand held computers, which was introduced by Nixon at the May 2<sup>nd</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Ritter-Dickson, Bill No.15, Ordinance No. 14, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

8. Final Passage of **Bill No. 16, Ordinance No. 15** – A Bill Amending the 2017 CDBG & HOME Program Budgets. (To reflect changes resulting in a transfer of funds from program income in the amount of \$53,000.00 to the Lancaster Housing Opportunity Partnership of CDBG funds.) ([View](#))

Introduced by: Henry Hay Nixon

Originator: Economic & Community Development (PP&Z)

Final Passage of Bill No. 16, Ordinance No. 15, Session 2017, A Bill amending the 2017 CDBG & HOME Program Budgets to reflect changes resulting in a transfer of funds from program income in the amount of \$53,000.00 to the Lancaster Housing Opportunity Partnership of CDBG funds, which was introduced by Nixon at the May 2<sup>nd</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Ritter-Dickson, Bill No.16, Ordinance No. 15, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

## New Business

9. Introduction of **Bill No. 17** - A Bill Amending Article 136 “Small and Disadvantage Business Enterprise Program.” (To incorporate local businesses; update definitions; add new criteria to meet definition of local business; change definition of small business; add considerations, exemptions, and powers and duties of the Department of Business Administration; and amending penalties. ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development

Introduction of Bill No. 17, Session 2017, A Bill amending Article 136 “Small and Disadvantage Business Enterprise Program” to incorporate local businesses; update definitions; add new criteria to meet definition of local business; change definition of small business; add considerations, exemptions, and powers and duties of the Department of Business Administration; and amending penalties, was introduced by Nixon, read by short title, and deferred to the May 24<sup>th</sup> committee meeting of Council.

10. Resolution No. **51** - A Resolution Amending the 2015-2017 Annual Action Plan to reflect changes resulting from transfers of CDBG/HOME funds. (\$166,500 in HOME funds for the York Area Housing Group; \$53,000 in CDBG funds for the Lancaster Housing Opportunity Partnership) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Resolution No. 51, Session 2017, A Resolution amending the 2015-2017 Annual Action Plan to reflect changes resulting from transfers of CDBG/HOME funds in the amount of \$166,500 in HOME funds for the York Area Housing Group, and \$53,000 in CDBG funds for the Lancaster Housing Opportunity Partnership, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 51 came up for discussion.

Franklin Williams, resident, said this money could be used in other ways to help people instead of for redevelopment purposes.

President Helfrich said we are limited on what we can do with this funding. He said some of these funds have been used for redevelopment of homes in blighted areas and that this money will be used to complete renovations at 320 W. Princess St., which will be sold to a low-moderate income family. Being that the funds are limited, President Helfrich opined that this is a good place for those funds to be used.

Councilwoman Walker added that when dealing with CDBG/HOME funds we are also limited as to what contractors are hired to do work because there are special certification requirements that must be met.

There being no further discussion, Resolution No. 51 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

11. Resolution No. **52** - A Resolution Authorizing a transfer of HOME funds. (CHDO - \$166,500 for the York Area Housing Group) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Resolution No. 52, Session 2017, A Resolution authorizing a transfer of HOME funds from CHDO in the amount of \$166,500 for the York Area Housing Group, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 52 PASSED by the following vote: Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

## SUPPLEMENTAL AGENDA

May 17, 2017

6:30 p.m.

### New Business

A motion was made by Nixon, seconded by Nelson, to waive the provisions of Resolution No. 215 of Session 1969 to permit consideration of a supplemental agenda containing one item. The motion PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

12. Introduction of **Bill No. 18** - A Bill Amending the 2017 Budget. (To appropriate revenue/expenditures of an Emergency Preparedness Grant for \$43,200 & a Dental Grant for \$40,000) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (Health)

Introduction of Bill No. 18, Session 2017, A Bill amending the 2017 Budget to appropriate revenue and expenditures of an Emergency Preparedness Grant in the amount of \$43,200 and a Dental Grant in the amount of \$40,000, was introduced by Nixon, read by short title, and deferred to the June 6<sup>th</sup> meeting of Council.

XI. Requests for Future Meetings: None

XII. Council Comment

President Helfrich asked that the 15 year loan extensions for Liberty & King St. Apartments, the YMCA, and SKW Housing Properties be placed on the May 24<sup>th</sup> committee agenda because the loans come due in June so this extension will need to be considered no later than Council's June 6<sup>th</sup> meeting.

Councilwoman Walker announced that registration for the city's summer parks program begins June 12-15 from 5-8 p.m. for ages 6-13 years, and the Police Dept. summer bowling program registration will be held on June 12<sup>th</sup> for ages 7-17 years.

President Helfrich thanked all candidates and voters for participating in the election process and reminded residents to register and vote. He then congratulated all who participated in the play "The Wiz" sponsored by the Weary Arts Group which was held on May 12-13.

XIII. Administration Comment

Assistant Solicitor Sabol invited residents to participate in the 2<sup>nd</sup> Annual Burger Week festivities May 20-27 where you can order off-menu burgers, Burger Week-only exclusives, and burger specials at participating restaurants all week long. For more information, visit [www.rwyork.com/burgerweek/](http://www.rwyork.com/burgerweek/).

XIV. Adjournment: The next legislative session of Council is scheduled for Tuesday, June 6, 2017 at 6:30 p.m. (public comment begins at 6:30 p.m.) in City Council Chambers. There being no further business, the May 17, 2017 meeting of Council adjourned at 7:27 p.m.

XV. Resumption of Public Comment Period (at the discretion of the presiding officer)

  
Dianna L. Thompson-Mitchell, City Clerk

  
Michael Ray Helfrich, President of Council