

# 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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## Minutes June 6, 2017 6:30 p.m.

[Signed Resolutions](#) / [Signed Bills](#) / [5-24-17 Committee Minutes](#)

**CALL TO ORDER:** President Helfrich called the June 6, 2017 general public comment session to order at 6:30 p.m., in Council Chambers, 101 S. George St., York, PA, with the following members present: Judy A. Ritter-Dickson, Sandie Walker, Renee S. Nelson, Henry Hay Nixon, Vice President, and Michael Ray Helfrich, President, with President Helfrich presiding.

**Members of the Administration in attendance included:** Jason Sabol, Assistant Solicitor.

**Members of York City Council staff in attendance included:** Dianna L. Thompson-Mitchell, City Clerk.

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

Jerry King, York, PA, discussed a property in the 800 block of S. Duke St. (rear) with trees growing to the point the sidewalk is pushing up and shrubs are over-grown. He said he believes there is a home illegally renting out rooms and that he's reported it but nothing has been done.

Richard Olbit, York, PA, said nothing has been done with the parking issues in his neighborhood and he wants lines painted on the street for parking. He then talked about trees with over-hanging limbs causing a safety hazard for residents. He said one of the trees is growing up through the chimney. Mr. Olbit stated that he reported his issues to PP&Z and one response received was that he's responsible for trimming the tree. He disagrees.

Jeff Kirkland, York, PA, said he got a citation for \$184 for putting his trash out too early and he felt that was an extremely high fine for a first time offender and that he should have been given a warning first. Next, he discussed the marijuana legislation and said he supports decriminalization of marijuana. He said African-American communities are most affected by the criminalization of marijuana which tends to be the gateway to a life of crime.

Kathy Morris, York, PA, said her neighbor knocked her down last summer and a police officer came but said she must not have been hurt that bad because she didn't call for an ambulance. She shared other confrontations between her and her neighbor and how the police have been ineffective. Ms. Morris then discussed a car parked in front of 452 Park Place with a bunch of tickets on it. She'd like a sign erected for no parking.

Michelle Hans stated that she supports decriminalization of marijuana because an arrest for a small amount of marijuana could have a negative impact on the rest of someone's life.

Daniel Massey, Carlisle, PA, gave statistics about medical marijuana. He discussed several patented uses for marijuana and feels he should have the right to use this non-deadly plant for legitimate reasons. He supports decriminalization of marijuana.

Les Stark, Reading, PA, Executive Director Keystone Cannabis Corporation, said they organized three rallies in the City of York. He too supports decriminalization of marijuana. He gave statistics on the number of arrests in York for

marijuana. He said if PA retains the status quo then tens of thousands of PA residents will have their lives disrupted at exorbitant costs to maintain the criminalization of this plant. He said Philadelphia & Harrisburg have decriminalized marijuana and he hopes York will follow suit. He said the proposed ordinance does not decriminalize marijuana, it just downgrades the penalty. He said we need statewide decriminalization laws. He said his organization does oppose the cost of the fines outlined in the proposed legislation.

Tina Charles, York, PA, also supports decriminalization of marijuana because there are more serious crimes occurring in the City of York. She discussed how race plays a role in arrests for possession of marijuana with African-Americans being arrested at higher rates than any other race.

Shane Cannon Coolbaugh, York, PA, supports the decriminalization of marijuana. He said he was busted for smoking a small amount of weed, which was reported to his school. He was kicked out of school and sent to an alternative school, which negatively affected his life.

Franklin Williams, York, PA, said we've heard some moving stories this evening and he hopes Council will consider adopting this ordinance.

Chris Prince, Hanover, PA, said he was diagnosed with lymphoma which sent him on a journey to be healthy so he's in support of decriminalization of marijuana.

Michael Heiss, Lancaster, PA, supports decriminalization of marijuana. He said the myth is that if someone smokes weed they will seek harder substances - which he said is not true.

Mary Eckstine, West York, PA, supports decriminalization of marijuana. She said Harrisburg, Philadelphia, and State College have made moves on decriminalization and hopes that York steps up to the plate too.

There being no further public comment, President Helfrich adjourned the public comment session at 7:24 p.m. and immediately convened in legislative session.

II. Call Legislative Meeting to Order

III. Roll Call

IV. Pledge of Allegiance recited

V. Moment of Silence observed

VI. Action on previous meeting Minutes of May 17, 2017 (legislative) and May 24, 2017 (committee): Council dispensed with the reading of the minutes and unanimously approved them as written.

VII. Presentations, Proclamations, Awards and Announcements: None

VII. Meeting(s) Scheduled

**Council Recess:** After tonight's meeting, Council will observe its summer recess from June through August. During the recess, Council will only meet for legislative sessions on July 18<sup>th</sup> and August 15<sup>th</sup> at 6:30 p.m. in Council Chambers. There are no committee meetings held during the summer recess.

IX. Status of Prior Committee Referrals

**Economic & Community Development Committee:** At its May 24<sup>th</sup> committee meeting, Council tabled [Bill No. 17](#) – A Bill amending Article 136 “Small and Disadvantaged Business Enterprise Program” to allow for further discussion.

Vice President Nixon said he and Councilwoman Walker are meeting with Economic & Community Development Director Shilvosky Buffaloe on June 14<sup>th</sup> to further discuss this legislation so he asked that any comments be submitted to him or Councilwoman Walker prior to June 14<sup>th</sup>.

- 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. 53** - A Resolution  
Accepting the recommendations of HARB. ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: HARB

Resolution No. 53, Session 2017, A Resolution accepting the recommendations of HARB in issuing a certificate of appropriateness to George Ambrose for work to be done at 37 S. Newberry St., was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Walker, Resolution No. 53 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

2. **Resolution No. 54** - A Resolution  
Authorizing the release of security funds to Richard D. Poole, LLC (d/b/a Poole Construction - \$218,732.80 related to the Helen Thackston Charter School Expansion located at 625 E. Phila. St.) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Resolution No. 54, Session 2017, A Resolution authorizing the release of security funds to Richard D. Poole, LLC (d/b/a Poole Construction) in the amount of \$218,732.80 related to the Helen Thackston Charter School Expansion located at 625 E. Phila. St., was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 54 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

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

3. **Final Passage of Bill No. 18, Ordinance No. 16** - 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)

Final Passage of Bill No. 18, Ordinance No. 16, Session 2017, A Bill amending the 2017 Budget for the Bureau of Health to appropriate revenue and expenditures for an Emergency Preparedness Grant in the amount of \$43,200.00 and a Dental Grant in the amount of \$40,000.00, which was introduced by Nixon at the May 17<sup>th</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Walker, Bill No. 18, Ordinance No. 16, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

### **New Business**

4. **Introduction of Bill No. 19** - A Bill  
Authorizing an Intergovernmental Cooperation Agreement (For the Route 30 Adaptive Signal System Project) ([View](#))  
Introduced by Renee S. Nelson  
Originator: Public Works

Introduction of Bill No. 19, Session 2017, A Bill authorizing an Intergovernmental Cooperation Agreement with other local governments to provide for the collaborative maintenance, support and operation oversight program for the multi-jurisdictional Route 30 (SR0030) adaptive signal system project, was introduced by Nelson, read by short title and deferred to the July 18<sup>th</sup> meeting of Council.

5. Introduction of **Bill No. 20** - A Bill  
Amending Article 307 “Exemption for Dwelling Improvements.” (RETAP) ([View](#))  
Introduced by Henry Hay Nixon  
Originator: Treasurer / Economic & Community Development
- Introduction of Bill No. 20, Session 2017, A Bill amending Article 307 “Exemption for Dwelling Improvements” to amend the title to read Article 307 “Incentive Programs for Dwelling Improvements” and repeal sections 307.01 through 307.08 and establish new language for sections 307.01 through 307.08 to include Definitions, Eligible Areas, Abatement, Procedure for Obtaining Abatement, Abatement Conditions and Limitations, Revocation of Abatement, Conflicts & Severability, and Effective Date, was introduced by Nixon, read by short title and deferred to the July 18<sup>th</sup> meeting of Council.
6. Introduction of **Bill No. 21** - A Bill  
Amending Article 308 “Local Economic Revitalization Tax Assistance (LERTA) Program.” ([View](#))  
Introduced by Henry Hay Nixon  
Originator: Treasurer / Economic & Community Development
- Introduction of Bill No. 21, Session 2017, A Bill amending Article 308 “Local Economic Revitalization Tax Assistance (LERTA) Program,” to repeal said Article in its entirety and replace with new language to include Definitions, Eligible Areas, Abatement, Procedure for Obtaining Abatement, Abatement Conditions & Limitations, Revocation of Abatement, Conflicts & Severability, and Effective Date, was introduced by Nixon, read by short title and deferred to the July 18<sup>th</sup> meeting of Council.
7. Introduction of **Bill No. 22** - A Bill  
Establishing Article 718 “Marijuana Possession” of the Codified Ordinances. ([View](#))  
Introduced by: Judy A. Ritter-Dickson  
Originator: Council (Ritter-Dickson)
- Introduction of Bill No. 22, Session 2017, A Bill establishing Article 718 “Marijuana Possession” of the Codified Ordinances, was introduced by Ritter-Dickson, read by short title, and deferred to the July 18<sup>th</sup> meeting of Council. (Note: See the “Public Comment” section of these minutes for community remarks regarding this legislation.)
8. Resolution No. **55** - A Resolution  
Reappointing members to the York City Human Relations Commission. (K. Woerthwein, M. Rhodes, L. Rivera, & J. Buckingham) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Mayor
- Resolution No. 55, Session 2017, A Resolution reappointing Dr. Kenneth F. Woerthwein, Mark Rhodes, Louis F. Rivera, III, and Jeanne E. Buckingham, as members of the York City Human Relations Commission to serve until July 16, 2020, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Ritter-Dickson, Resolution No. 55 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.
9. Resolution No. **56** - A Resolution  
Authorizing a Lease Amendment with Skipjacks Hockey Club. ([View](#))  
Introduced by: Renee S. Nelson  
Originator: Public Works
- Resolution No. 56, Session 2017, A Resolution authorizing a lease amendment with the Skipjacks Hockey Club for the York City Ice Arena located in Memorial Park with said lease commencing on August 15, 2017 and to include a new section, 2.01 “Basic Rent,” was introduced by Nelson, read at length, and on motion of Nelson, seconded by Nixon, Resolution No. 56 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

10. Resolution No. 57 - A Resolution Adopting the Green Infrastructure Plan. (Design of the rail trail extension thru the NWT & creation of a Green Action Plan) ([View](#))  
Introduced by: Renee S. Nelson  
Originator: Public Works

Resolution No. 57, Session 2017, A Resolution adopting the Green Infrastructure Plan and to include the rail trail extension through the Northwest Triangle, was introduced by Nelson, read at length and on motion of Nelson, seconded by Nixon, Resolution No. 57 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

11. Resolution No. 58 - A Resolution Authorizing an agreement with Capstone Turbine Corporation, E-Finity Distributed Generation, LLC. (For maintenance of microturbines) ([View](#))  
Introduced by: Renee S. Nelson  
Originator: Public Works (WWTP)

Resolution No. 58, Session 2017, A Resolution authorizing an agreement with Capstone Turbine Corporation, E-Finity Distributed Generation, for services related to the maintenance of the CR600 microturbine at a cost of \$38,510.00 per year, and the C1000 at a cost of \$66,557 per year under Plan Option B, was introduced by Nelson, read at length and on motion of Nelson, seconded by Walker, Resolution No. 58 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

12. Resolution No. 59 - A Resolution Authorizing a lease agreement with West York Borough. (For office space for the York City Human Relations Commission at 1381 W. Poplar St., York, PA) ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Solicitor's Office

Resolution No. 59, Session 2017, A Resolution authorizing a lease agreement with West York Borough to lease office space located at 1381 W. Poplar St. to the York City Human Relations Commission, was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Ritter-Dickson, Resolution No. 59 came up for discussion.

In an email received from Assistant Solicitor Sabol, he explained the following:

“I received the agreement the City Clerk attached to the previous email from West York’s Solicitor a couple minutes ago. It was passed by the West York Council and, when coupled with the lease agreement, meets the requirements of our ordinance for a statement of intent for a governmental unit seeking an affiliation agreement.”

“As we previously discussed, this is a stop gap measure designed to allow the HRC to start physically operating in West York while West York, the HRC, and the City determine what ultimate level of involvement West York wants to have with the HRC. As it would stand if you adopt this lease and affiliation, the HRC would be able to operate out of West York and would enter into a lease with West York, but the services the HRC provides to the citizens of West York have not yet changed. The HRC would still be offering the same advisory services it always has. The City’s HRC would not handle investigations into allegations in West York, but would assist West York citizens with filing the proper forms with the State HRC office, give them contact information etc... Essentially, the status quo is maintained, but the office is located in West York.”

“Currently, the HRC’s computers are in storage and they are operating out of the HR conference room with no direct phone lines. It is very difficult for the HRC to be productive with the current



arrangement. This agreement allows the HRC to move forward, while still giving all interested parties the necessary time to develop a long term relationship and strategy.”

President Helfrich said he's not sure he agrees that the Resolution passed by West York Borough meets the affiliation agreement criteria but he supports moving forward.

There being no further discussion, Resolution No. 59 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

13. Resolution No. **60** - A Resolution Authorizing a loan (note) extension for Delphia Management Corporation. (For Liberty Apartments & King St. Apartments) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Resolution No. 60, Session 2017, A Resolution authorizing a 15 year loan extension for Delphia Management Corporation (Formerly Liberty Apartments Partners, LP, and King Street Apartments Partners, LP) and forgiving all current interest due and 0% interest going forward for six (6) dwelling units located at 37 East Philadelphia Street, York PA, (known as Liberty Apartments) and six (6) dwelling units located at 312, 314, 334 East King Street York PA (known as King Street Apartments) with both notes being due on June 30, 2032, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Nelson, Resolution No. 60 came up for discussion.

Vice President Nixon said he's disappointed that interest is being waived but he understands that affordable housing is necessary. He said the only way we can have affordable housing is to have interest go back into the pool but unfortunately a previous agreement doesn't allow for this option.

President Helfrich explained that this is federal funding, not city taxpayer dollars, but he agrees it would be nice to have that money returned to the city.

There being no further discussion, Resolution No. 60 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

14. Resolution No. **61** - A Resolution Authorizing a loan (note) extension for the YMCA of York & York County. (For properties located in the 300 blocks of W. Market St & W. King St.) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Resolution No. 61, Session 2017, A Resolution authorizing a 15 year loan extension for the YMCA of York and York County for seven (7) properties, collectively, containing a total of 31 unit(s) for rent or lease located at 270-272, 290-294, 342, 344-346, 375-379 W. Market St and 353 and 367 W. King Street; with said note being due on September 7, 2031, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 61 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

15. Resolution No. **62** - A Resolution Authorizing a loan (note) extension for SKW Housing Partners. (For 34 rental/lease units) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Resolution No. 62, Session 2017, A Resolution authorizing a 15 year loan extension for SKW Housing Partners for twenty (20) properties, collectively, containing a total of 34 unit(s) for rent or lease at 423 S. George St, 236 Liberty Court, 25 W. Maple St, 43 W. Maple Street, 29 E. South St, 518 S. George St, 15 E. South St, 17 E. South St, 19 E. South St, 21 E. South St, 44 W. Maple St, 42 W. Maple St, 45 E. Maple St, , 37 N. Albemarle St, 341 N. Beaver St., 17 W. Maple St, 360 S. George St, 41W. Maple, 325 E. King

St, 354 S. George St, and 39W. Maple St., with said note being due on March 13, 2027, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Nelson, Resolution No. 62 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

XI. Requests for Future Meetings: None

XII. Council Comment

Councilwoman Ritter-Dickson thanked residents for voicing their opinions on the marijuana legislation.

Councilwoman Walker announced various summer youth programs now open for registration. For more information, please visit: <http://www.yorkcity.org/visitor/programs-activities/>.

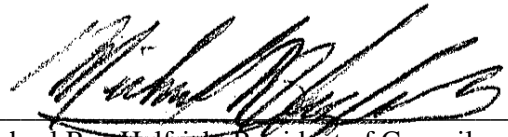
President Helfrich invited residents to attend the International & Culture Festival being held at Kiwanis Lake on June 17<sup>th</sup>.

XIII. Administration Comment: None

XIV. Adjournment: The next legislative meeting of Council is scheduled for July 18, 2017 at 6:30 p.m. (public comment begins at 6:30 p.m.) in Council Chambers. There being no further business, the June 6, 2017 meeting of Council adjourned at 7:56 p.m.

XV. Resumption of Public Comment Period (at the discretion of the presiding officer): None

  
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Dianna L. Thompson-Mitchell, City Clerk

  
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Michael Ray Helfrich, President of Council