

# 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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## AGENDA December 19, 2017 6:30 p.m.

[Signed Resolutions](#) / [Signed Bills](#) / [November 29, 2017 Committee Minutes](#)

**CALL TO ORDER:** President Helfrich called the December 19, 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, resident, said another overdose victim was pulled from the property on S. Duke St. that he's been complaining about. He said it's a recovery house and when the ambulance was called there was no one there supervising the house. He asked how many more dead bodies will need to be removed from the house before something is done.

Franklin Williams, resident, said recovering addicts are a protected class under the laws of the ADA but he thinks Council has the power to reasonably regulate recovery homes. He said he has 2 or 3 in his neighborhood, but they aren't a problem because they are well run and supervised. Next, Mr. Williams said a large cardboard box was set out for the trash that was stuffed with a bunch of smaller boxes. He said if he was a trash collector he would have taken it, but it wasn't taken because it didn't meet the recycling limitations. He said if it were him he wouldn't have the energy to drag those boxes back into his house while trying to figure out what he did wrong. Mr. Williams stated that he wishes there was some leniency especially when you know the person is trying to do the right thing. Lastly, Mr. Williams discussed the ongoing complaint about Mayor-Elect Helfrich's eligibility to serve as Mayor because of his decade old felony. He said he just wishes people would leave this alone and accept that Mayor-Elect Helfrich ran and won a successful election campaign.

There being no further discussion, the public comment session adjourned at 6:43 p.m.

### II. Called Legislative Meeting to Order: 6:43 p.m.

### III. Roll Call

### IV. Pledge of Allegiance recited.

### V. Moment of Silence observed.

### VI. Action on previous meeting Minutes of December 4 & 8 2017 (Special Meetings) and December 5, 2017 (Regular Meeting): Council dispensed with the reading of the Minutes and unanimously approved them as written.

VII. Presentations, Proclamations, Awards and Announcements

**Greg Shenk, Maillie, LLC** – Brief report on the 2016 City of York audits.

Mr. Shenk presented the financial audit report through December 2016. He said the City has complied with all accounting standards required by GASB. He then outlined highlights of the audit and answered questions from Council. He said the city had a negative fund balance in the beginning of the year but has risen out of that deficit. Although the city still has challenges to overcome such as the pension obligations, he said progress is being made. He stated that his firm has presented a clean, unmodified opinion which was a lot of work and a lengthy process and city staff was great in providing the information they needed. Mr. Shenk then reviewed the single audit report and discussed some notable findings. He said the city has made strides in such a difficult environment and the pension challenge is something all municipalities are facing across the Commonwealth.

VII. Meeting(s) Scheduled:

**Reorganization Meeting:** The reorganization meeting of York City Council is scheduled for Tuesday, January 2, 2018 at 6:30 p.m. in Council Chambers, 101 S. George St., York, PA.

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.)

Note: Items were considered out of sequence from the originally printed agenda.

1. Resolution No. **114** - A Resolution Approving various appointments and reappointments to the York Business Improvement District Authority (Downtown Inc). ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Mayor  
Note: This was a supplemental agenda item.

Resolution No. 114, Session 2017, A Resolution approving the following as recommended by the Mayor:

1. Appointment of Joanne P. Ekeledo as a member of the York Business Improvement District Authority (Downtown Inc), which term shall expire January 1, 2020.
2. Reappointment of Dr. Darryl E. Jones as a member of the York Business Improvement District Authority (Downtown Inc), which term shall expire January 1, 2023.
3. Reappointment of Z. Dylan Bauer as a member of the York Business Improvement District Authority (Downtown Inc), which term shall expire January 1, 2023.
4. Reappointment of Mandy Arnold as a member of the York Business Improvement District Authority (Downtown Inc), which term shall expire January 1, 2023.
5. Reappointment of Patti Stirk as a member of the York Business Improvement District Authority (Downtown Inc), which term shall expire January 1, 2023.

The Resolution was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 114 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

2. Resolution No. **115** - A Resolution Appointing and reappointing members to various boards and authorities. (M. Derr, N. Griffin, J. Alexander, M. Pritchard, & K. Barnes) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Mayor

Resolution No. 115, Session 2017, A Resolution approving the following as recommended by the Mayor:

1. Appointment of **Mark Derr** as a member of the **York City General Authority**, which term shall expire January 1, 2023.
2. Appointment of **Nancy Griffin** as a member of the **York City Planning Commission**, to fill the unexpired term of Louis Rivera, which term shall expire January 1, 2021.
3. Reappointment of **Jamiel L. Alexander** as a member of the **York City General Authority**, which term shall expire January 1, 2023.
4. Reappointment of **Mike Pritchard** as a member of the **York City Planning Commission**, which term shall expire January 1, 2022.
5. Reappointment of **Kittrell A. Barnes** as a member of the **York City Planning Commission**, which term shall expire January 1, 2022.

The Resolution was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 115 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

### Subdivision / Land Development / HARB

3. Resolution No. **116** - A Resolution Accepting the recommendations of HARB. ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: HARB

Resolution No. 116, Session 2017, A Resolution approving the recommendations of HARB in issuing certificates of appropriateness for work to be covered in the applications filed by Jeremy Ackerley for work to be done at 330 S. George St., and Linda Street-Krewson for work to be done at 37 N. Newberry St., was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 116 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

4. Resolution No. **117** - A Resolution **Denying** an application as recommended by HARB. (315 W. Princess St.) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: HARB  
Note: This was an appended agenda item.

Resolution No. 117, Session 2017, A Resolution accepting the recommendations of HARB in DENYING a certificate of appropriateness for work to be covered in the application filed by Thomas Warner for work to be done at 315 W. Princess St., was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 117 came up for discussion.

Vice President Nixon said there were several items involved in this application. He outlined the work to be done and why HARB denied it. He said he feels HARB's recommendations will create an undue financial burden on the applicant. He said he is not in favor of removing the balcony and replacing the columns but he has concerns about HARB's recommendation to install custom made balusters to the

railing. Vice President Nixon stated that he would consider allowing replacement of ready-made balusters instead of custom made ones which would be more cost effective for the applicant.

President Helfrich said he has a concern about the pickets being removed and the applicant not responding as to what happened to them.

Vice President Nixon said it's clear that 2/3 of the balusters/railings have been replaced with something modern and 1/3 are original. He did say the general construction or repair of the supports under the balcony are sort of haphazard and looks structurally unsound.

President Helfrich said he recommends the applicant reapply to HARB with an amended application based on the recommendations noted by Vice President Nixon.

There being no further discussion, the Resolution PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0. (This vote means Council approved HARB's recommendation to DENY the application.)

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

5. **Final Passage of Bill No. 30, Ordinance No. 32** – A Bill  
Vacating York Street, Loucks Mill Road, Maple Alley, and a portion of Winterset Avenue. (To consolidate multiple parcels of land separated by these rights-of ways to allow for development) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Final Passage of Bill No. 30, Ordinance No. 32, Session 2017, A Bill vacating York Street, Loucks Mill Road, Maple Alley, and a portion of Winterset Avenue to consolidate multiple parcels of land separated by these rights-of ways to allow for development, which was introduced by Nixon at the November 21<sup>st</sup> meeting of Council, and read by short title, came up for final passage. On motion of Nixon, seconded by Ritter-Dickson, Bill No. 30 came up for discussion.

**Motion to amend.** President Helfrich briefly discussed the project and offered amendments for clarification as follows:

#### **SECTION 3: The vacation of York Street and Loucks Mill Road shall be effective upon the completion of the following contingencies:**

- 1. Saddleback Properties, LP, will repair and install the sidewalks on the north side of Chestnut Street for the properties owned by Saddleback Properties, LP; and**
- 2. The earlier of (a) submission of land development plans by Saddleback Properties, LP (or an affiliated entity) for development of the surrounding parcels, or (b) any requirement of street vacation from any entity providing funding to Saddleback Properties, LP (or an affiliated entity) for its development project.**

#### **SECTION 4: These contingencies shall not apply to vacating Maple Alley and a portion of Winterset Avenue as contemplated in the proposed ordinance.**

SECTION 3 ~~5~~: This ordinance shall become effective in accordance with the law.

The motion to amend was seconded by Nixon and PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

Andrew Paxton, project consultant, was in attendance and answered questions from Council.

There being no further discussion, Bill No. 30, Ordinance No. 32, as amended, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

6. Final Passage of **Bill No. 36, Ordinance No. 33** – A Bill  
Amending the 2017 Annual Action Plan. (Transfer of \$60,000.00 in 2017 CDBG funding to the Emmanuel/St. Joseph School Revitalization Project) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Final Passage of Bill No. 36, Ordinance No. 33, Session 2017, A Bill amending the 2017 Annual Action Plan to transfer of \$60,000.00 in 2017 CDBG funding to the Emmanuel/St. Joseph School Revitalization Project, which was introduced by Nixon at the December 5<sup>th</sup> meeting of Council and read by short title, came up for final passage. On motion of Nixon, seconded by Nelson, Bill No. 36, Ordinance No. 33 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

7. Final Passage of Resolution No. **112** – A Resolution  
Approving the IAFF Collective Bargaining Agreement (January 1, 2018 – December 31, 2022) ([View](#))  
(Note: This agreement replaces Resolution No. 102 of 2017)  
Introduced by: Sandie Walker  
Originator: Fire/Rescue // HR

Final Passage of Resolution No. 112, Session 2017, A Resolution approving the IAFF Collective Bargaining Agreement for the period of January 1, 2018 through December 31, 2022, which was introduced by Walker at the December 5<sup>th</sup> meeting of Council and tabled, came up for final passage. A motion was made by Walker, seconded by Nixon to remove said Resolution from the table for action. The motion PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

Vice President Nixon stated that the Resolution was tabled because at the time this came up for passage, Council had not received the detailed actuarial study, but Council did receive the actuarial graph and has since received the detailed report.

There being no further discussion, Resolution No. 112 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

### New Business

8. Resolution No. **118** - A Resolution  
Approving the preliminary/final lot consolidation and subdivision plan submitted by Saddleback Properties, LP. (For the Think Loud Campus Redevelopment at 210 York St.) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (PP&Z)

Resolution No. 118, Session 2017, A Resolution approving the preliminary/final lot consolidation and subdivision plan submitted by Saddleback Properties, LP, for the Think Loud Campus Redevelopment at 210 York St., was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 118 came up for discussion.

Dan Creep, Project Manager, presented Council with the subdivision plans, outlined the project and answered questions from Council.

There being no further discussion, Resolution No. 118 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

9. Resolution No. **119** - A Resolution  
Amending the expiration term for Kate E. Hynes' appointment to the York Business Improvement District Authority (Downtown Inc). ([View](#))  
Introduced by: Sandie Walker  
Originator: Mayor

Resolution No. 119, Session 2017, A Resolution amending the expiration term of Kate E. Hynes' appointment to the York Business Improvement District Authority (Downtown Inc) to read December 31, 2022, was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 119 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

10. Resolution No. **120** - A Resolution  
Amending the 2017 Annual Action Plan. (\$60,000 for the Emmanuel/St. Joseph School Revitalization Project) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Resolution No. 120, Session 2017, A Resolution amending the 2017 Annual Action Plan in the amount of \$60,000 for the Emmanuel/St. Joseph School Revitalization Project, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Nelson, Resolution No. 120 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

11. Resolution No. **121** - A Resolution  
Authorizing an agreement with the PA Dept. of Health. (\$187,321 for public health preparedness services and activities) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (Health)

Resolution No. 121, Session 2017, A Resolution authorizing an agreement with the PA Dept. of Health in the amount of \$187,321 to provide public health preparedness services and activities for the period of July 1, 2017 through June 30, 2018, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 121 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

12. Resolution No. **122** - A Resolution  
Accepting conveyance of 731 Chestnut St. to the City of York. ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Solicitor's Office

Resolution No. 122, Session 2017, A Resolution conveying 731 Chestnut St. to the City of York from Suncrest Properties, LLC, was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Nixon, Resolution No. 122 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

13. Resolution No. **123** - A Resolution  
Conveying 731 Chestnut St. to the York City Redevelopment Authority. ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Solicitor's Office

Resolution No. 123, Session 2017, A Resolution conveying 731 Chestnut St. to the York City Redevelopment Authority, was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Nixon, Resolution No. 123 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

14. Resolution No. 124 - A Resolution  
Approving the year 2018 Council meeting and committee meeting dates. ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Council

Resolution No. 124, Session 2017, A Resolution approving the 2018 City Council legislative and committee meeting dates was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Ritter-Dickson, Resolution No. 124 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

XI. Requests for Future Meetings: None

XII. Council Comment

With this being her last meeting, President Helfrich thanked Councilwoman Nelson for her 8 years of service on Council and for inspiring him to run for Council. He also announced that there will be two vacancies on Council in 2018 and he hopes we have some interested candidates come forward, especially from our Latino community. Lastly, he thanked Council members Ritter-Dickson, Nixon, and Walker for working with him and the City Clerk for working with him and being a friend.

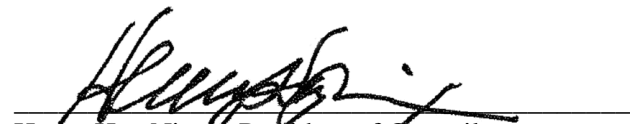
Councilwoman Ritter-Dickson encouraged residents to attend the meetings and participate in the legislative process.

XIII. Administration Comment: None

XIV. Adjournment: The Reorganization Meeting of Council is scheduled for Tuesday, January 2, 2018 at 6:30 p.m. in Council Chambers. There being no further business, the December 19, 2017 meeting of Council adjourned at 7:46 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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Henry Hay Nixon, President of Council