

Council of the City of York, Pennsylvania

Henry Hay Nixon, President of Council
Sandie Walker, Vice President of Council
Judy A. Ritter-Dickson, Member of Council
Edquina Washington, Member of Council
H. Michael Buckingham, Member of Council

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MINUTES June 4, 2019 6:00 p.m.

[Resolutions Approved](#) | [HARB Denial \(Res. #43\)](#) | [Bills Approved](#) | [May 29, 2019 Committee Minutes](#)

CALL TO ORDER: Vice President Walker called the June 4, 2019 general public comment session to order at 6:00 p.m. in Council Chambers, 101 S. George St., York, PA, with the following members present: H. Michael Buckingham, Edquina Washington, Judy A. Ritter-Dickson, and Sandie Walker, Vice President, with Vice President Walker presiding.

Members of the Administration in attendance included: Michael Helfrich, Mayor; Tom Ray, Acting Director of Business Administration; Mike Pritchard, City Planner; and Jason Sabol, Assistant Solicitor.

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

I. Public Comment: 6:00 p.m.

Franklin Williams, resident, said agreements can happen in government but you have city attorneys to help guide you. He then said he hopes everyone attending the June 24th Town Hall meeting will behave themselves and show respect to one another.

Ikysha Jones, resident, alleged that a woman is terrorizing the neighborhood by walking into neighbor's houses and fighting the occupants. She said the woman walked into her house, but she was able to subdue her until police arrived. She then stated that over the next several days the situation escalated to threats of bodily harm, so she called the police again, but they did nothing to help her.

Robert Moore, resident, said he is having problems with his neighbors playing loud music all hours of the night. He said he called the police four times and the police came out to talk to them, but they continued to play music after the officer left. He said the officer heard the music and came back and talked to them again and they got the message that time. He also talked about them parking in his space. He said they have several cars and take up all the parking spaces on the street or they block him in. He said he is in his golden years and his health is declining so he cannot physically tolerate the stress.

Laura Sandman, resident, reiterated Mr. Moore's comments. She said the loud music is a huge problem for neighbors and that she too has called the police, but they don't respond. She said the police drive by and can hear the music, but they do nothing.

Michelle Walker, resident, also discussed the loud music and stated that she has asked them to turn the music down but instead, they turn the music up. She said she also witnessed the police driving by when the music was playing loud and they did nothing. She went on to say parking is another problem. Residents put signs up at the rear of their homes to identify their parking spot, but these same individuals continue to disrespect them and park anyway. She said the police have been called on numerous occasions, but they do nothing.

Debra Martinez, Church House of Reconciliation, invited residents to attend their Stop the Violence event on June 8, 2019 from 12-4pm at Renaissance Park, 230 E. Princess St., York, PA. She said the purpose of the event is to

raise awareness that we need to work together to stop violence in the City of York. She said there will be food, children's games, and agency representation offering literature on their services. The event is free.

Levin Sample, resident, said he is here to represent the children and staff of Hannah Penn Middle School. He said he is a crossing guard and the speed limit between Charles St. and Pine St. is 25 mph, but people are speeding, and they don't stop when he puts up his stop sign to allow pedestrian to cross. Mr. Sample presented a petition to Council for its consideration of designating this area a "school zone" for the safety of our children.

There being no further comment, Vice President Walker adjourned the public comment session adjourned at 6:27 p.m. and immediately convened in legislative session.

II. Called Legislative Meeting to Order at 6:27 p.m.

III. Roll Call

IV. Pledge of Allegiance recited.

V. Moment of Silence observed.

VI. Action on previous meeting Minutes of May 22, 2019 (legislative) and May 29, 2019 (committee): The May 22 and May 29 minutes were unanimously approved.

VII. Presentations, Proclamations, Awards and Announcements

- **Town Hall Meeting:** City Council will host a town hall meeting on Monday, June 24, 2019 at 6:00 p.m. in City Council Chambers, 101 S. George St., York, PA, to receive comments from residents relating to the long-term plans and vision for the Department of Economic & Community Development.
- **Council's Summer Recess:** After tonight's meeting, Council will observe its summer recess. During the recess, Council will meet for legislative sessions on July 16th and August 20th at 6:00 p.m. in Council Chambers. There are no committee meetings held during the summer recess.

VIII. Meeting(s) Scheduled:

- Council Legislative Meeting: Scheduled for **Tuesday, July 16, 2019 at 6:00 p.m.** in Council Chambers. Agenda items are due by 12 noon on July 10th.

IX. Status of Prior Committee Referrals: No reports.

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. 43 - A Resolution Accepting the recommendations of HARB in denying an application. (For work at 340 E. Market St. – Asbury United Methodist Church) ([View](#))
Introduced by: H. Michael Buckingham
Originator: HARB

Resolution No. 43, Session 2019, A Resolution accepting the recommendations of HARB in denying a certificate of appropriateness for the application filed by Asbury United Methodist Church (AUMC) for work to be done at 340 E. Market St., was introduced by Buckingham, read at length, and on motion of Buckingham, seconded by Ritter-Dickson, Resolution No. 43 came up for discussion.

This application was considered at HARB's May 23, 2019 meeting. According to the minutes, Mr. Skeehan stated that, "The proposed sign is not appropriate for the historic district, as digital and internally illuminated box signs were never used historically. He pointed out that the [historic district guidelines](#) specifically discourage internally illuminated signs. He explained that any existing illuminated signs within the district, with few exceptions, were installed without prior approval. He explained that backlit signs and indirectly illuminated signs are considered appropriate, and that the illuminated sign on the Strand Theater was approved because theaters have a historic tradition of using illuminated signage beginning in the early 20th century."

Councilman Buckingham asked for an explanation of internal and external illuminated signs.

Mr. Skeehan responded that it boils down to how the lighting is presented. Internally lit means the lights are inside and project outward, whereas externally lit means lights are on the outside projecting onto the sign. He stated that the AUMC representative was given other options and that they did present revised plans, but the board hasn't had time to review those changes, so we invited them back to HARB to discuss.

Shawn Chronister, AUMC, said he is helping the church to transform their sign into a more modern design. He said he took HARB's suggestions and then showed Council a color rendering of what he considers a "compromise." He said they are mainly looking to do a digital sign, however, HARB will not approve this. He said they took HARB's suggestions to come to a compromise but HARB still said "no." He said the church is losing members and their sign cannot be seen by vehicles driving by or even people walking by. So, the church is looking to invest in themselves. They will own their own advertising. They just want to keep their doors open. They don't want to make any money; they just want to serve the community in a cost-effective way. He said he's done these types of signs for other churches and the signs work. He said we are willing to do whatever we can to agree to a compromise for this digital signage.

Councilman Buckingham asked if there will be advertising on the sign.

Mr. Chronister said events and programs offered at the church will be shown but nothing that will be for profit. He said they will make this sign available to the city to display messages such as live time emergency alerts.

Vice President Walker asked for clarification on whether the compromise sign was presented to HARB. Mr. Chronister said "no" because HARB will not approve any digital signs we present to them.

Dave Redshaw, HARB, said he is the one who made the motion to deny the application as presented because the new rendering was not presented to HARB for consideration. He said the church is proposing a flashing sign so if Council approves, you will basically be approving a billboard that will affect the entire integrity of the historic district.

Assistant Solicitor Sabol reminded Council that they will be voting on denial of the original signage not the revised version.

Councilwoman Ritter-Dickson said she would be more inclined to approve the compromise sign.

Vice President Walker said since the compromise version was not presented to HARB, she recommended AUMC re-submit an application, with the compromise version of the sign, to HARB for consideration.

There being no further discussion, Resolution No. 43 FAILED by split vote as follows: Yeas – Buckingham, Walker – 2; Nays – Washington, Ritter-Dickson – 2. As this ended in a split vote, the application did not receive the majority vote necessary for approval. Two renderings of the sign were presented to Council; however, Council could only consider the original rendering that presented to HARB.

2. Resolution No. **44** - A Resolution
Accepting the recommendations of HARB. ([View](#))
Introduced by: H. Michael Buckingham
Originator: HARB

Resolution No. 44, Session 2019, A Resolution accepting the recommendations of HARB in approving a certificate of appropriateness for the application filed by the Children’s Aid Society for work to be done at 400 W. Market St., was introduced by Buckingham, read at length, and on motion of Buckingham, seconded by Ritter-Dickson, Resolution No. 44 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

3. Resolution No. **45** - A Resolution
Authorizing a release of security funds to Giambalvo Family Limited Partnership. (\$21,756.40 related to the land development project located at 1480 Clugston Rd.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (PP&Z)

Resolution No. 45, Session 2019, A Resolution authorizing a release of security funds to Giambalvo Family Limited Partnership in the amount of \$21,756.40 related to the land development project located at 1480 Clugston Rd., was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Buckingham, Resolution No. 45 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

Final Passage of Bills / Resolutions

4. Final Passage of **Bill No. 11, Ordinance No. 10** – A Bill
Amending Article 714 “Noise” of the Codified Ordinances. {To remove the word “Jake brake” from the description of prohibited motor/engine retarder devices – 714.04(c)(5)} ([View](#))
Introduced by: Henry Hay Nixon
Originator: Solicitor’s Officer

Final Passage of Bill No. 11, Ordinance No. 10, Session 2019, A Bill amending Article 714 “Noise” of the Codified Ordinances to remove the word “Jake brake” from the description of prohibited motor/engine retarder devices, which was introduced by Nixon at the May 22nd meeting of Council and read by short title, came up for final passage. On motion of Washington, seconded by Buckingham, Bill No. 11, Ordinance No. 10 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

Assistant Solicitor Sabol said Jake Brake contacted the city and said “Jake Brake” is a registered trademark name so we cannot use that in our ordinances, and it was therefore removed.

New Business

5. Introduction of **Bill No. 12** - A Bill
Amending Article 149 “Fire Department” of the Codified Ordinances. (To authorize the Dept. of Fire/Rescue Services to recover costs and expenses for its fire/emergency services.) ([View](#))
Introduced by: Edquina Washington
Originator: Dept. of Fire/Rescue Services

Introduction of Bill No. 12, Session 2019, A Bill amending Article 149 “Fire Department” of the Codified Ordinances to authorize the Department of Fire/Rescue Services to recover costs and expenses for its fire/emergency services, was introduced by Washington, read by short title, and deferred to the July 16th meeting of Council .

6. Introduction of **Bill No. 13** - A Bill
Amending the 2019 HOME Investment Partnership Program. (To reflect changes in revenue/expenses resulting from reallocations of funds/program income for York Habitat - \$75,000) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (BHS)

Introduction of Bill No. 13, Session 2019, A Bill amending the 2019 HOME Investment Partnership Program in the amount of \$75,000 to reflect changes in revenue/expenses resulting from reallocations of funds/program income for York Habitat, was introduced by Ritter-Dickson, read by short title, and deferred to the July 16th meeting of Council.

7. Introduction of **Bill No. 14** - A Bill
Amending the 2019 Budget. (\$100,000 for a Family Health Council STD services agreement) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Introduction of Bill No. 14, Session 2019, A Bill amending the 2019 budget for the Health Department in the amount of \$100,000 for a Family Health Council STD services agreement, was introduced by Ritter-Dickson, read by short title, and deferred to the July 16th meeting of Council.

8. Resolution No. **46** - A Resolution
Authorizing acceptance of a York County Stormwater Consortium Implementation Grant. (\$700,000 for the Poorhouse Run (Memorial Park) Stream Restoration Project) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 46, Session 2019, A Resolution authorizing the acceptance of a York County Stormwater Consortium Implementation Grant in the amount of \$700,000 for the Poorhouse Run (Memorial Park) Stream Restoration Project, was introduced by Walker, read at length, and on motion of Walker, seconded by Washington, Resolution No. 46 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

9. Resolution No. **47** - A Resolution
Authorizing an agreement with Mary Yeaple. (To provide special event consulting services) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 47, Session 2019, A Resolution authorizing an agreement with Mary Yeaple for special events consulting and coordination services for the period of February 1, 2019 through January 31, 2020 in the amount of \$5,050 monthly, was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 47 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

10. Resolution No. **48** - A Resolution
Authorizing an agreement with Buchart-Horn. (To perform a Capital Needs Assessment of all city-owned buildings and parks - \$195,000) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 48, Session 2019, A Resolution authorizing an agreement with Buchart-Horn in the amount of \$195,000 to perform a capital needs assessment of all city-owned buildings and parks, was introduced by Walker, read at length, and on motion of Walker, seconded by Washington, Resolution No. 48 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

11. Resolution No. **49** - A Resolution
Authorizing application to the PA Bureau of Justice for JAG funding. (For purchase of body worn cameras for all sworn police officers) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Resolution No. 49, Session 2019, A Resolution authorizing an application to the PA Bureau of Justice for grant funding with a 50/50 match from the city, for the purchase of body-worn cameras for all police officers, was introduced by Washington, read at length and on motion of Washington, seconded by Ritter-Dickson, Resolution No. 49 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

12. Resolution No. **50** - A Resolution
Approving the 2019 Annual Action Plan. ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (BHS)

Resolution No. 50, Session 2019, A Resolution approving the 2019 Annual Action Plan, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 50 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

13. Resolution No. **51** - A Resolution
Authorizing an agreement with the Family Health Council of Central PA. (For education, counseling and treatment of STD's) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Resolution No. 51, Session 2019, A Resolution authorizing an agreement with the Family Health Council of Central PA for family planning, education, counseling, and treatment of sexually transmitted diseases for the period of January 1, 2019 through March 30, 2020 in the amount of \$125,000, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 51 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

14. Resolution No. **52** - A Resolution
Authorizing an agreement with the PA Dept. of Health. (To continue its agreement for emergency preparedness services - \$181,923) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Resolution No. 53, Session 2019, A Resolution authorizing an agreement with the Pennsylvania Department of Health to continue its agreement for emergency preparedness services for the period of July 1, 2019 through June 30, 2020 in the amount of \$181,923, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 52 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

15. Resolution No. **53** - A Resolution
Establishing a billing list of fees to be charged for recovery costs/expenses for fire and emergency services. ([View](#))
Introduced by: Edquina Washington
Originator: Fire/Rescue

Resolution No. 53, Session 2019, A Resolution establishing a billing list of fees to be charged for recovery costs/expenses for fire and emergency services (Also see Bill No. 12 of 2019), was introduced by Washington, read at length, and deferred to the July 16th meeting of Council. (Note: Fee legislation must sit for at least one meeting prior to consideration of final passage. Therefore, this resolution will be acted upon on or after Council's July 16th meeting.)

16. Resolution No. 54 - A Resolution Approving the York Public Employees Association (YPEA) Collective Bargaining Agreement. (For the period of 1-1-2019 thru 12-31-2021) ([View](#))
Introduced by: H. Michael Buckingham
Originator: Business Administration

Resolution No. 54, Session 2019, A Resolution approving the York Public Employees Association (YPEA) Collective Bargaining Agreement for the period of January 1, 2019 through December 31, 2021, was introduced by Buckingham, read at length, and on motion of Buckingham, seconded by Ritter-Dickson, Resolution No. 54 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker – 4; Nays – 0.

XI. Requests for Future Meetings: None

XII. Council Comment

Councilman Buckingham congratulated YPEA and the city's Administration for coming to an agreement on the YPEA union contract.

XIII. Administration Comment

Mayor Helfrich congratulated the 2019 York High Graduates, announced First Friday events, and invited residents to attend this weekend's Gusa World Music Festival.

XIV. Adjournment: The next legislative meeting of City Council is scheduled for July 16, 2019 at 6:00 p.m. in City Council Chambers. There being no further business, the June 4, 2019 meeting of Council adjourned at 7:20 p.m.

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



Dianna L. Thompson-Mitchell, City Clerk



Henry Hay Nixon, President of Council