

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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AGENDA August 20, 2019 6:00 p.m.

[Resolutions Approved](#) | [Bills Approved](#)

CALL TO ORDER: President Nixon called the August 20, 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, Sandie Walker, Vice President, and Henry Hay Nixon, President, with President Nixon presiding.

Members of the Administration in attendance included: Michael Helfrich, Mayor; Tom Ray, Acting Director of Business Administration; Troy Bankert, Police Chief; William Sleeper, Deputy Fire Chief; Joe Jefcoat, Treasurer; Barb Kovacs, Director of Health; Philip Given, Acting Director of Economic & Community Development; 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.

Jane Heller, Springettsbury Twp., spoke about overgrown trees on E. Locust St. and that they need trimming.

Franklin Williams, resident, spoke about a scam phone call he received, and he was glad he recognized it was a scam. He alerted residents to scam calls and said never call them back and never ever give them your personal information.

II. Called Legislative Meeting to Order: 6:15 p.m.

III. Roll Call

IV. Pledge of Allegiance recited.

V. Moment of Silence observed.

VI. Action on previous meeting Minutes of July 16, 2019: Council dispensed with the reading of the minutes and unanimously approved them as written.

VII. Presentations, Proclamations, Awards and Announcements: None

VIII. Meeting(s) Scheduled:

- Next Council Meeting: Scheduled for **Tuesday, September 3, 2019 at 6:00 p.m.** in Council Chambers. Agenda items are due by 12 noon on Wednesday, August 28th.

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. 63 _____ - A Resolution
Accepting the recommendations of HARB. ([View](#))
Introduced by: Sandie Walker
Originator: HARB

Resolution No. 63, Session 2019, A Resolution accepting the recommendations of HARB in issuing a certificate of appropriateness for work to be done at 36-42 N. Duke St. and 28-30 N. Beaver St., was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 63 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

2. Resolution No. 64 _____ - A Resolution
Denying a certificate of appropriateness (426 W. Philadelphia St.) ([View](#))
Introduced by: Sandie Walker
Originator: HARB

Resolution No. 64, Session 2019, A Resolution accepting the recommendation of HARB in denying a certificate of appropriate for work to be done at 426 W. Philadelphia St., was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 64 came up for discussion.

President Nixon said work began on this property prior to HARB approval. He asked residents to make sure if they work on property in the HARB district, for the safety and well-being of all, please comply with all codes and follow the necessary processes.

There being no further discussion, Resolution No. 64 denying said certificate of appropriateness PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

3. Resolution No. 65 _____ - A Resolution
Approving the final land development plan submitted by FD Stonewater, LLC (Redevelopment of 1605 Clugston Rd. as a government office bldg.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (PP&Z)

Resolution No. 65, Session 2019, A Resolution approving the final land development plan submitted by FD Stonewater, LLC, to redevelop 1605 Clugston Rd. into a government office building, was introduced by Ritter-Dickson, read at length, and motion of Ritter-Dickson, seconded by Washington, Resolution No. 65 came up for discussion.

Scott Devel, Site Design Concepts, briefly outlined the project, which is located in the city’s industrial park.

There being no further discussion, Resolution No. 65 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

Final Passage of Bills / Resolutions

4. Final Passage of Bill No. 15, Ordinance No. 14 _____ – A Bill
Amending Article 737 “Minors Curfew” of the Codified Ordinances. (To define “guardian”) ([View](#))
Introduced by: H. Michael Buckingham
Originator: Mayor

Final Passage of Bill No. 15, Ordinance No. 14, A Bill amending Article 737 “Minors Curfew” of the Codified Ordinances to include and define “Guardian,” which was introduced by Buckingham at the July 16, 2019 meeting of Council and read by short title, came up for final passage. On motion of Buckingham, seconded by Walker, Bill No. 15 came up for discussion.

Vice President Walker asked if there is a report on how many minors have been fined or questioned under this ordinance.

Chief Bankert said the operational numbers of 2017 did not provide enough data. However, this year he said our operational numbers have increased and showed that 50+ shootings have involved juveniles. He explained how the Gang Violence Initiative (GVI) strategy plays a role in almost every aspect of police operation. He said we don’t just put a blanket set of details out on the street and we surely couldn’t ignore that more than 50% of our shootings involved juveniles. He further explained that we didn’t just decide to suddenly go out looking for juveniles roaming past curfew. He said we have been enforcing the curfew law since its existence. He said we see households where kids are neglected, unsupervised, or out-of-control and the GVI data shows us where we need to focus our attention and that the curfew ordinance is enforceable even if it’s not a GVI detail.

Councilwoman Ritter-Dickson asked what happens when kids are playing outside of their home after curfew.

Chief Bankert said technically they are not to be outside past curfew, but we are flexible in situations such as that.

Councilwoman Washington asked for clarification of “guardian” and the written statement part of it. She said she sometimes leaves her kids in the care of a trusted individual and wouldn’t think to write a note. She said she is concerned her child could be arrested.

Chief Bankert said kids won’t go to the Youth Detention Center if they are with someone like their grandmother or if we can confirm where the child lives, and can verify there are no dangers existing.

Mayor Helfrich responded to Councilwoman Washington’s question about a written statement. He said this legislation will broaden the definition of guardian to take into consideration today’s family structure. Written statements must include the name of the parent or legal guardian, name of the minor, name of the assigned guardian, and a phone number of the parent or legal guardian. He said curfew has been on the books for a long time and this is to accommodate our residents and our modern family lifestyles.

Councilwoman Ritter-Dickson said we have some parents who are unable to read or write and they might leave their adult child to oversee the minor children in the parent’s absence.

Mayor Helfrich said it’s not a problem if the child is in the house, and that the parent or guardian could have someone else write a note on their behalf.

Vice President Walker said her suggestion is that the administration make sure the public is aware of their responsibility, make this bilingual, and provide a written form that parents/guardians may use instead of writing a note.

Mayor Helfrich said he wanted to get away from a “form” and that we also must consider those who don’t have a printer at home. He said a note could be written by someone using a napkin and a pen. He said it’s just four little pieces of information, but we could compromise and have the forms printed and made available to the public. He added that we could work with community centers like Crispus Attucks to have resources available for the public.

Councilwoman Ritter-Dickson said she doesn’t want certain areas of the city targeted for enforcement.

There being no further discussion, Bill No. 15, Ordinance No. 14, Session 2019, PASSED by the following vote: Yeas – Buckingham, Walker, Nixon – 3; Nays – Washington, Ritter-Dickson – 2.

5. Final Passage of **Bill No. 16, Ordinance No. 15** – A Bill Amending the 2019 Budget. (\$175,000 for purchase of a records management system) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Bill No. 16, Ordinance No. 15, Session 2019, A Bill amending the 2019 Budget for the Police Department in the amount of \$175,000 for purchase of a records management system, which was introduced by Washington at the July 16, 2019 meeting of Council and read by short title, came up for final passage. On motion of Washington, seconded by Ritter-Dickson, Bill No. 16, Ordinance No. 15 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

New Business

6. Introduction of **Bill No. 17** - A Bill Amending the 2019 Budget. (\$14,811.36 for equip., overtime, & flashover simulator training) ([View](#))
Introduced by: Edquina Washington
Originator: Fire/Rescue

Introduction of Bill No. 17, Session 2019, A Bill amending the 2019 Budget for the Department of Fire/Rescue Services for an Office of State Fire Commission grant award in the amount of \$14,811.36 for purchase of equipment, overtime and flashover simulator training, was introduced by Washington, read by short title, and deferred to the September 3, 2019 meeting of Council.

7. Introduction of **Bill No. 18** - A Bill Amending the 2019 Budget. (\$29,000 for Safe & Healthy Communities Program) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Introduction of Bill No. 18, Session 2019, A Bill amending the 2019 Budget for the Bureau of Health for additional funding received from the Preventive Health and Health Services Block Grant in the amount of \$29,000 for implementation of the Safe & Healthy Communities Program, was introduced by Ritter-Dickson, read by short title, and deferred to the September 3, 2019 meeting of Council.

8. Introduction of Bill No. **PULLED** - A Bill Amending the 2019 Budget. (\$175,000 for purchase of records management system) ([View](#))
Introduced by: Edquina Washington
Originator: Police

PULLED. Agenda item #8 was pulled as it was a duplication of agenda item #5.

9. Introduction of **Bill No. 19** - A Bill Article 121 “Administration Generally” of the Codified Ordinances. (To limit time an acting director may serve in said capacity) ([View](#))
Introduced by: Sandie Walker
Originator: Council (Walker)

Introduction of Bill No. 19, Session 2019, A Bill amending Article 121 “Administration Generally” of the Codified Ordinances to limit the time an acting director may serve in said capacity, was introduced by Walker, read by short title, and deferred to the September 3, 2019 meeting of Council.

10. Introduction of **Bill No. 20** - A Bill Amending Article 718 “Marijuana Possession” of the Codified Ordinances. (To define marijuana paraphernalia & personal possession) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Council (Ritter-Dickson)

Introduction of Bill No. 20, Session 2019, A Bill amending Article 718 “Marijuana Possession” of the Codified Ordinances to define marijuana paraphernalia and personal possession, was introduced by Ritter-Dickson, read by short title, and deferred to the September 3, 2019 meeting of Council.

11. Introduction of Bill No. 21 - A Bill
Amending Articles 933 “Sewer Rentals” and 951 “Municipal Solid Waste Management Act.” (To establish language for collection of past due fees) ([View](#))
Introduced by: H. Michael Buckingham
Originator: Business Administration (Finance)

Introduction of Bill No. 21, Session 2019, A Bill amending articles 933 “Sewer Rentals” and 951 “Municipal Solid Waste Management Act” of the Codified Ordinances to establish language for collection of past due fees, was introduced by Buckingham, read by short title, and deferred to the September 3, 2019 meeting of Council.

12. Introduction of Bill No. 22 - A Bill
Amending Article 1304 of the Zoning Code. (To include regulations for personal solar panel systems)
Introduced by: Judy A. Ritter-Dickson ([View](#))
Originator: Economic & Community Development (PP&Z)

Introduction of Bill No. 22, Session 2019, A Bill amending Article 1304 of the Zoning Code to include regulations for personal solar panel systems, was introduced by Ritter-Dickson, read by short title, and deferred to the September 17, 2019 meeting of Council. (**Note:** Due to special advertising requirements regulated by the Municipal Planning Code, said amendment was deferred to the 9/17/19 legislative agenda for consideration of passage. A public hearing is also required and will be held on September 17th at 6:00 p.m. in Council Chambers.)

13. Resolution No. 66 - A Resolution
Authorizing a budget transfer. (\$35,000 for Poorhouse Run engineering services) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 66, Session 2019, A Resolution authorizing a budget transfer for the Public Works Department in the amount of \$35,000 to cover the costs for engineering services for Poorhouse Run, was introduced by Walker, read at length, and on motion of Walker, seconded by Buckingham, Resolution No. 66 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

14. Resolution No. 67 - A Resolution
Urging the US Congress to enact the Energy Innovation and Carbon Dividend Act of 2019. ([View](#))
Introduced by: Henry Hay Nixon
Originator: Council

A motion was made by Nixon, seconded by Walker, to read Resolution No. 67 by short title. The motion passed unanimously.

Resolution No. 67, Session 2019, A Resolution urging the US Congress to enact the Energy Innovation and Carbon Dividend Act of 2019, was introduced by Nixon, read by short title, and on motion of Nixon, seconded by Buckingham, Resolution No. 67 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

President Nixon thanked Mike Carew for his presentation at Council’s last meeting on this important piece of legislation.

15. Resolution No. 68 - A Resolution Authorizing the release of security funds to Penn State University. (\$88,152.90 related to development of the Ruhl Student Center addition at 1031 Edgecomb Ave.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (PP&Z)

Resolution No. 68, Session 2019, A Resolution authorizing the release of security funds to Penn State University in the amount of \$88,152.90 related to development of the Ruhl Student Center addition at 1031 Edgecomb Ave., was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Walker, Resolution No. 68 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

16. Resolution No. 69 - A Resolution Supporting the scope of work in updating the York City Comprehensive Plan. ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (PP&Z)

Resolution No. 69, Session 2019, A Resolution supporting the scope of work outlined by the Department of Economic & Community Development (Planning) in updating the York City Comprehensive Plan, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Walker, Resolution No. 69 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

Councilman Buckingham said this is a great piece of work and a thankless task and he applauded the efforts of those involved.

17. Resolution No. 70 - A Resolution Authorizing an agreement with the PA Dept. of Health. (\$114,342.00 for immunization initiatives)
Introduced by: Judy A. Ritter-Dickson ([View](#))
Originator: Economic & Community Development (Health)

Resolution No. 70, Session 2019, A Resolution authorizing an agreement in the amount of \$114,342 with the Pennsylvania Department of Health to advance immunization initiatives for city residents for the period July 1, 2019 through June 30, 2020, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 70 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

18. Resolution No. 71 - A Resolution Authorizing submission of a proposal for Justice Assistance Grant (JAG) funding. (\$38,960.00 for equip., technology maintenance, and programs) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Resolution No. 71, Session 2019, A Resolution authorizing a submission of a proposal for Justice Assistance Grant (JAG) funding in the amount of \$38,960 for the purchase of equipment, technology maintenance and programs, was introduced by Washington, read at length, and on motion of Washington, seconded by Walker, Resolution No. 71 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

19. Resolution No. 72 - A Resolution Approving the appointment of a probationary firefighter. (J. Fram) ([View](#))
Introduced by: Edquina Washington
Originator: Fire/Rescue

Resolution No. 72, Session 2019, A Resolution appointing John Fram as a probationary firefighter, was introduced by Washington, read at length, and on motion of Washington, seconded by Ritter-Dickson,

Resolution No. 72 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Buckingham, Walker, Nixon – 5; Nays – 0.

20. Resolution No. 73 - A Resolution Authorizing an agreement with CODY Computer Company. (For records management system) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Resolution No. 73, Session 2019, A Resolution authorizing an agreement with CODY Computer Company for records management system services, was introduced by Washington, read at length, and on motion of Washington, seconded by Walker, Resolution No. 73 came up for discussion.

Chief Bankert said our current system is over 10 years old and will no longer be supported. He said the system has failed them numerous times so it's time to replace it. He also announced the launching of the police department's new website (www.yorkcitypolice.com) and said be on the lookout for that.

21. Resolution No. 74 (TABLED) - A Resolution Authorizing an agreement with the York Water Company. (For sewer/refuse fee collection services)
Introduced by: H. Michael Buckingham ([View](#))
Originator: Business Administration

Resolution No. 74, Session 2019, A Resolution authorizing an agreement with the York Water Company for sewer/refuse fee collection services was introduced by Buckingham and read at length. On motion of Buckingham, seconded by Walker, Resolution No. 74 came up for discussion.

Councilwoman Washington asked what the anticipated projections are on how this will increase our revenue.

Mayor Helfrich said the city is owed \$11 million in delinquencies. He said with York Water Company, people will no longer be able to not pay their bills, so we'll receive roughly \$230,000 yearly in untapped revenue. He said Finance employees who currently work with the sewer/refuse billing will be moved to the Treasurer's office.

Councilwoman Washington said she would like to receive information on those projections.

Mayor Helfrich said sure.

Vice President Walker asked what happened with the Dynamics accounting system glitches.

Philip Given, Acting Director of Economic & Community Development, said the Dynamics consultants said we were too far along to correct any problems and that they would work over the next several months to try to integrate the system.

Councilman Buckingham asked about the collection of delinquent accounts and read the "exclusion of debt collection services" clause in the contract. He said he thought debt collection would be part of the process.

J.T. Hand, York Water Company, explained that we are not acting on the city's behalf to collect debt. He said we are collecting on invoiced services, not on debt. He said there are local companies who will go after residents to collect on debt but that's not what we'll be doing. He said we have no authority to provide debt collection services.

Councilman Buckingham asked if water shut-off notices will still be in place.

Mr. Hand said yes, and that water shut-off service has been in existence since 2010.

Vice President Walker asked if there are any significant differences between the contract presented in October 2018 and this contract.

Mr. Hand said there is no difference between the two contracts. He said the York Water Company will provide better access to residents' sewer and refuse bills. He then outlined the customer experience our residents will receive from the York Water Company.

Assistant Solicitor Sabol said there was one change to that contract and that was to amend the term to five (5) years with year-to-year renewal options.

Acting Economic & Community Development Director Given said this will not obligate us after the 5-year contract is up if we are not satisfied with the York Water Company's service.

Councilwoman Ritter-Dickson asked if our residents will still be able to drop off their payments at City Hall.

Mr. Hand said bills will have to be paid at the York Water Company and this can be done by walking in, online, or by telephone, and we have free parking and handicap accessibility on site. Additionally, he stated that we have walk-up counters with no glass partition where residents can be served.

President Nixon said we have a few weeks to review this contract, so he encouraged Council to study it, and formulate questions.

Fred Wafrel, resident, said he likes this idea because the way billing is done now, it's so vague. Sometimes you put money on your account, but it doesn't show up on your bill. He hopes services will improve with the York Water Company taking over billing and collection.

Deborah James, resident, said she visited the city's sewer and refuse office and said her payment is not showing up on her statements. She asked where did her money go? She said she tried to understand the information the teller was telling her, but she couldn't make much sense of it.

Vice President Walker said she will ask to abstain from voting on this agreement because she is on a payment plan, but she does agree that it's hard to understand the billing. She said she's heard repeatedly that Dynamics is a mess and she requested a report from the Dynamics consultants to keep Council abreast of what's going on. She said the Dynamics consultants have not reached out to Council with any information. For as much money as we are paying them, she said they should be able to explain something to us.

Franklin Williams, resident, asked if he'll still receive a combined sewer/refuse bill.

President Nixon said there will be two separate billings. One for sewer and one for refuse.

Mr. Williams then pointed out a typographical error on page 14 of the proposed contract, under notifications, the Business Manager address is listed as 58 W. King St. and City Hall is now located at 101 S. George St.

Motion to table. A motion was made by Buckingham to table Resolution No. 74. The motion was seconded by Walker and passed unanimously. This Resolution is projected to be placed on Council's September 3, 2019 legislative agenda for consideration of passage.

XI. Requests for Future Meetings: None

XII. Council Comment: None

XIII. Administration Comment

Mayor Helfrich spoke about the killing of a 5-year old child today. He said it's being investigated so he doesn't want residents to jump to conclusions. He said this is a complicated incident and it will become clearer as information comes out but since it's an investigation, we must remain silent at this point. He asked the public to give us a chance to communicate the truth.

He then invited the community to enjoy the many events happening in the City of York this week. For more information on city events, visit us at www.yorkcity.org.

XIV. Adjournment: The next legislative meeting of Council is scheduled for Tuesday, September 3, 2019 at 6:00 p.m. in City Council Chambers. There being no further discussion, the August 20, 2019 meeting of City Council adjourned at 7:42 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