

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
Lou Rivera, Member of Council

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Notice: Council's meeting format has been altered due to the stay-at-home order issued by Governor Wolf amid the COVID-19 (coronavirus) pandemic. Click [here](#) to read Press Release.

MINUTES May 19, 2020 6:00 p.m.

[Resolutions/Bills Approved](#)

CALL TO ORDER: President Nixon called the May 19, 2020 meeting to order at 6:00 p.m. with the following members teleconferencing in: Lou Rivera, Edquina Washington, Judy A. Ritter-Dickson, Sandie Walker, Vice President, and Henry Hay Nixon, President, with President Nixon presiding. (Note: Councilman Rivera was present in Council Chambers. All other members of Council teleconferenced in from remote locations.)

Members of the Administration in attendance included: Michael Helfrich, Mayor; Tom Ray, Business Administrator; Philip Given, Acting Director of Economic & Community Development; Blanda Nace, Director of Economic Development; Barbara Kovacs, Director of Health; James Crosby, Director of the Bureau of Housing Services; and Jason Sabol, Assistant Solicitor.

Assistant Solicitor Sabol was assigned to receive public comment via telephone. Councilman Rivera was assigned to receive public comment via social media. (Click [here](#) to read press release on ways to view the meeting and submit public comment.)

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

- I. Called Legislative Meeting to Order at 6:00 p.m.
- II. Roll Call
- III. Action on previous meeting Minutes of [April 21, 2020](#). Council dispensed with the reading of the minutes and unanimously approved them as written.
- IV. Meeting(s) Scheduled:
 - **Council Legislative Meeting:** Scheduled for **Wednesday, June 3, 2020 at 6:00 p.m.** Agenda items are due by 12 noon on May 27th. (Note: Council will observe its summer recess following the June 3rd meeting. Therefore, after Council's June 3rd meeting, the next legislative meeting will be held on July 21, 2020 at 6:00 p.m.) (Note: The June meeting of Council was moved from June 2nd to June 3rd in observance of the June 2nd general election, which was moved from May to June due to the COVID-19 pandemic.)
 - **Public Hearings:** Scheduled for June 3, 2020 at 6:00 p.m. to receive public testimony on the applications for economic development liquor licenses filed with the PA Liquor Control Board by Hamir's Indian Fusion Restaurant and Freedom BBQ and Catering Limited Liability Co. for the purpose of selling/serving alcoholic beverages. Click [here](#) to read full notice and ways to watch and/or submit comments.
- V. Status of Prior Committee Referrals: No reports.

VI. Legislative Agenda:

Introductions of Bills

1. Introduction of **Bill No. 10** - A Bill
Amending the 2020 CDBG and HOME Program budgets. (To reflect changes resulting from actual funding levels rolled over from 2019 and actual funding amounts for 2019 allocations) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (BHS)

Introduction of Bill No. 10, Session 2020, A Bill amending the 2020 CDBG and HOME Program budgets to reflect changes resulting from actual funding levels rolled over from 2019 and actual funding amounts for 2019 allocations, was introduced by Ritter-Dickson, read by short title, and deferred to the June 3rd meeting of Council.

Consent Agenda

MOTION TO ACCEPT CONSENT AGENDA: A motion was made by Washington, seconded by Walker, to accept a consent agenda for item numbers 2, 3, 4, 6, and 8. The motion to approve PASSED by the following vote: Yea – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

MOTION TO APPROVE CONSENT AGENDA ITEMS: A motion was made by Washington, seconded by Ritter-Dickson, to approve agenda items 2, 3, 4, 6 and 8. The motion to approve PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

2. Final Passage of **Bill No. 8, Ordinance No. 8** – A Bill
Authorizing a Guaranteed Sewer Revenue Bond, Series of 2020. (\$6,807,942.00) ([View](#))
Introduced by: Sandie Walker
Originator: Sewer Authority

Final Passage of Bill No. 8, Ordinance No. 8, Session 2020, A Bill authorizing a Guaranteed Sewer Revenue Bond, Series of 2020, Tenth Supplemental Lease in the amount of \$6,807,942.00, which was introduced by Walker at the April 21st meeting of Council and read by short title, came up for final passage and was APPROVED unanimously by consent agenda with no discussion.

3. Final Passage of **Bill No. 9, Ordinance No. 9** – A Bill
Amending the 2020 Budget. (\$38,960.00 for a Justice Assistance Grant) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Final Passage of Bill No. 9, Ordinance No. 9, Session 2020, A Bill amending the 2020 budget in the amount of \$38,960.00 for a Justice Assistance Grant, which was introduced by Washington at the April 21st meeting of Council and read by short title, came up for final passage and was APPROVED unanimously by consent agenda with no discussion.

4. Resolution No. **50** - A Resolution
Accepting the recommendations of HARB. ([View](#))
Introduced by: Lou Rivera
Originator: HARB

Resolution No. 50, Session 2020, A Resolution approving the recommendations of HARB in issuing a certificate of appropriateness to WAREHAUS for work to be done at 244-256 N. George St., and SCPII, LLC, for work to be done at 153 S. Beaver St., was APPROVED unanimously by consent agenda with no discussion.

5. Resolution No. 51 - A Resolution Approving an extension to the Declaration of Disaster Emergency. (COVID-19) (To extend to June 30, 2020) ([View](#))
Introduced by: Henry Hay Nixon
Originator: Solicitor's Office

Resolution No. 51, Session 2020, A Resolution approving an extension of the Declaration of Disaster Emergency (COVID-19) to extend the governor's stay-at-home order until June 30, 2020, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Washington, Resolution No. 51 came up for discussion.

Councilman Rivera read a statement regarding the effect the stay-at-home order has had on local businesses. (Click [here](#) to read statement).

Vice President Walker said Governor Wolf will move York County into the yellow phase on 5/22/20 and asked what this means for the City of York.

Mayor Helfrich said the yellow phase means businesses can open but high contact businesses like barber shops, hair salons, nails shops, gyms, etc. will remain closed. He said we have over 100 applications for grants to help businesses during this emergency. The parks are open; however, we will continue to keep the skate park and basketball courts closed. We are looking at a plan to help support local restaurants by having small groups of people being allowed to sit down and dine. The parking facilities will be going back to normal and street sweeping will resume. He said we will continue to move staff around during this emergency declaration and will look for reimbursement for some expenses incurred directly related to the pandemic.

Councilwoman Ritter-Dickson said a lot of people may be on the parks on Memorial Day so how will this be handled.

Mayor Helfrich said we need the help of families to be sure they and their children practice social distancing and sanitary behavior. If we see things getting too crowded, we may send police or employees out to ask the crowd to disburse. We are not trying to hurt the public; we are trying to help protect the public, he said.

Councilwoman Washington asked how the pavilions will operate.

Mayor Helfrich said the pavilions are also closed. He said we are in a period of where fewer than 25 people congregating is the rule but fewer than 10 people is the safest.

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

6. Resolution No. 52 - A Resolution Authorizing an agreement with the PA Dept. of Health. (\$104,470.00 for the Lead Hazard Control & Healthy Homes Grant Program) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Resolution No. 52, Session 2020, A Resolution authorizing an agreement with the PA Dept. of Health in the amount of \$104,470.00 for the Lead Hazard Control & Healthy Homes Grant Program, was APPROVED unanimously by consent agenda with no discussion.

7. Resolution No. 53 - A Resolution

Authorizing the filing of a proposal for grant funding with the U.S. Dept. of Agriculture. (For in-kind donation of the use of Penn Market via the RDA as the 25% match for the Farmer's Market Promotion Program grant of \$250,000) ([View](#))

Introduced by: Judy A. Ritter-Dickson

Originator: Economic & Community Development | RDA

Resolution No. 53, Session 2020, A Resolution authorizing the filing of a proposal for grant funding with the U.S. Dept. of Agriculture for in-kind donation of the use of Penn Market via the RDA as the 25% match for the Farmer's Market Promotion Program grant of \$250,000, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 53 came up for discussion.

(NOTE: The following discussion is for agenda items #7 {Res. 53} & #8 {Res. 54})

Councilwoman Ritter-Dickson stated that Council will continue to keep abreast of the concerns expressed from market vendors on the operation and management of the market.

Vice President Walker asked for an explanation of this grant, which was explained by Director Nace.

In an email dated May 13, 2020 from Philip Given, Acting Director of Economic & Community Development, he explained that basically these are additional potential funds identified by our grant coordinator over the last week. Like the last grant, but "farmer's market" focused. The intent of use for these funds would be very similar, and allowable expenses are similar. The focus here is not only on improvements to their space for consumers, but marketing and technology. The grant narrative will read as follows:

Grant narrative: The purpose of this program is to develop, coordinate, and expand direct producer-to-consumer markets to help increase access to and availability of locally and regionally produced agricultural products. For Penn Market, we intend to respond to changing technology needs in direct producer-to-consumer marketing and cover expenses related to costs incurred in obtaining improvements to food safety practices and equipment. We will also recruit and retain vendors within the Opportunity Zone of York to address food insecurities.

Director Nace said we will write these grants with broad strokes and will do improvements and will work backwards.

Vice President Walker asked if the Penn Market going to become a grocery store.

Director Nace said, no. He said that was originally in the plan, but the vendors did not like it, so we are not moving forward with that at this time.

Mayor Helfrich said the decision is not up to the administration. A plan must be put into place to sustain the market. The RDA is spending over \$35,000 to support Penn St. Market when it should be used to build our economy. He said the plan was to have the Market for 3 years and then hand it over to someone who had a plan for the Market but this has become a burden for the RDA and being landlords of the Penn St. Market is not what they had intended for this project.

Director Nace said the RDA supports Penn Market once it becomes Farmer's Market but government should not be in the business of running a market house so the RDA is looking for ideas moving forward but we need the vendor's input.

Assistant Solicitor Sabol said the RDA's involvement was to be a short-term deal to save it from tax sale, but the city should not be running it.

Vice President Walker said we all agree something must be done to move Penn Market forward. She said she grew up on the west end and talking to vendors and hearing a disconnect in communications that has gone on for years has a lot of vendors upset. Council followed up with the Administration and we asked that someone reach out to the vendors, which Director Nace did. So, a lot of these issues can be addressed if we just keep the communications open. The vendors must also make sure they are unified and communicate with the RDA their ideas and concerns. She thanked the Mayor and Administration for visiting Penn Market and talking with vendors and asking questions.

Councilwoman Washington asked that we also keep communication open with the community who are patrons of the market. The community's input needs to be incorporated into future plans for the market. She also thanked the Administration for reaching out to the vendors.

There being no further discussion, Resolution No. 53 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

8. Resolution No. 54 - A Resolution Authorizing the filing of a proposal for grant funding with the U.S. Dept. of Agriculture. (For in-kind donation of use of Penn Market via the RDA as the 25% match for the Local Food Promotion Program grant of \$100,000) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development | RDA

Resolution No. 54, Session 2020, A Resolution authorizing the filing of a proposal for grant funding with the U.S. Dept. of Agriculture for in-kind donation of use of Penn Market via the RDA as the 25% match for the Local Food Promotion Program grant of \$100,000, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 54 came up for discussion.

In an email dated May 13, 2020 from Philip Given, Acting Director of Economic & Community Development, he explained that this is the grant previously brought before Council. Essentially, this \$100,000 will be used to assist potential, new, and existing market vendors with expenses they need to grow. This could include training, equipment, and space build out. We could also use these funds to subsidize rent provided they are growing their business in other ways. The “incubator” will not be a physical process but would be the mechanism to distribute the funds. The grant narrative will read as follows:

Grant narrative: Located in the Opportunity Zone of the City of York, PA we intend to launch a food business incubator in Penn Market which allows current and emerging business entrepreneurs to introduce, grow, market and scale food and beverage related businesses by providing the infrastructure, technical assistance and training for businesses to thrive. This program will also be used to reduce barriers to entry for business start-ups including but not limited to vendor space build-out and introductory rent subsidies.

See discussion on agenda item #7 {Res. 53} for further dialogue on this item.

There being no further discussion, Resolution No. 54 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

9. Resolution No. 55 - A Resolution Approving a substantial amendment to the 2019 Annual Action Plan and Citizen's Participation Plan. (For the CDBG Program) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (BHS)

Resolution No. 55, Session 2020, A Resolution approving a substantial amendment to the 2019 Annual Action Plan and Citizen's Participation Plan for the CDBG program, was introduced by Ritter-Dickson,

read at length, and on motion of Ritter-Dickson, seconded by Rivera, Resolution No. 55 came up for discussion.

Councilwoman Washington requested to abstain her vote because her place of employment is applying for said funding. The abstention requested was approved unanimously.

There being no further discussion, Resolution No. 55 PASSED by the following vote: Yeas – Rivera, Ritter-Dickson, Walker, Nixon – 4; Nays – 0; Abstain – Washington – 1.

VII. Requests for Future Meetings: None

VIII. Council Comment

Vice President Walker said she has noticed the noise has increased with residents playing loud music late at night. She said she will follow-up with the Administration about this issue because she is getting complaints from residents.

Mayor Helfrich said residents should call the police department with noise complaints. He said he would like to look into revamping the noise ordinance and hopefully we can discuss this once things begin to slow down.

Councilwoman Ritter-Dickson said since the stay-at-home order, she has seen more trash than she has seen in a long time. She said she would like that addressed as well.

IX. Administration Comment

Business Administrator Tom Ray said based on revenue projections, we see it necessary to furlough 103 employees. These are employees who have been staying at home and not performing any work during the emergency. The remaining 75 employees will be working reduced hours. He said we hate to do this, but this will be a savings based on our projected revenue loss.

Councilwoman Ritter-Dickson asked how long employees will be furloughed.

Director Ray responded possibly through the end of the year.

Mayor Helfrich said those being furloughed will be making more money than not being furloughed because the government is adding \$600 additional dollars to unemployment claims because of the pandemic. He said if you are making less than \$60,000 per year, then you will be making more money than you would on your regular job. We don't want to see families with no income while waiting for unemployment so now we've gotten through that period and now we are in a position to furlough employees who will now get more money than they would be getting paid by the taxpayers. He did say furloughed employees will retain their health insurance.

Councilwoman Washington asked when furloughs will begin.

Director Ray responded no later than June 1st.

Mayor Helfrich stated that election day has been rescheduled to June 2nd. He encouraged residents to consider mail-in ballots and to please vote. He said the pandemic should not be a reason to not exercise your right to vote.

X. Adjournment

The next legislative meeting of Council is scheduled for June 3, 2020 at 6:00 p.m. There being no further discussion, the May 19, 2020 meeting of Council adjourned at 7:01 p.m.


Dianna L. Thompson-Mitchell, City Clerk


Henry Hay Nixon, President of Council