

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

Dianna L. Thompson-Mitchell, City Clerk
Email: dthompso@yorkcity.org



Office of York City Council
101 S. George St.
York, Pennsylvania 17401

Telephone: (717) 849-2246
Fax: (717) 812-0557

Website: www.yorkcity.org

Minutes June 3, 2020 6:00 p.m.

NOTICE:

Council's meeting format has been altered due to the Declaration of Disaster Emergency issued by Governor Wolf amid the COVID-19 (coronavirus) pandemic. Public Comment will only be received on agenda items. General Public Comment is suspended until further notice. Click [here](#) to read full notice and ways to watch and/or submit comments.

CALL TO ORDER: President Nixon called the June 3, 2020 meeting to order at 6:00 p.m. with the following members present: Lou Rivera, Edquina Washington, Judy A. Ritter-Dickson, Sandie Walker, Vice President, and Henry Hay Nixon, President, with President Nixon presiding. Councilman Lou Rivera was present in Council Chambers, 101 S. George St., York, PA, with the remaining members of Council teleconferencing in from remote locations.

Members of the Administration in attendance included: Michael R. Helfrich, Mayor; Philip Given, Acting Director of Economic & Community Development; Tom Ray, Business Administrator; Nancy Griffin, Zoning Officer; and Jason Sabol, Assistant Solicitor. All were present in Council Chambers.

Members of York City Council staff in attendance included: Dianna L. Thompson-Mitchell, City Clerk who was also present in Council Chambers.

I. Called Public Hearing to Order at 6:00 p.m.

President Nixon stated that, "Council has called this public hearing to receive testimony regarding applications filed with the PA Liquor Control Board for economic development liquor licenses filed by Hamir's Indian Fusion Restaurant, 24 S. George St., and Freedom BBQ and Catering Limited Liability Co., 251 N. George St., both for the purpose of serving alcoholic beverages at said locations. The hearing is being recorded by York Stenographic Services and testimony will become part of the record, which will be retained at York Steno for a period of five years. Council will first hear a brief description of said requests from each applicant. Then Council will open the meeting to receive comments from Council, the Administration, and then the public. Information on how to submit public comment was advertised in the York Daily Record and the York Dispatch, and a link was provided on tonight's agenda located on the city's website under the Council Agenda page."

President Nixon opened discussion to presenters Attorney Larry Heim, and applicant Hamir Patel, both representing Hamir's Indian Fusion Restaurant and were teleconferencing in.

Attorney Larry Heim & Hamir Patel presented for Hamir's Indian Fusion Restaurant. Attorney Heim said the applicant is required by law to request a public hearing and as such he submitted Mr. Patel's request to Council. Attorney Heim then discussed the number of liquor licenses located in the City of York. He said Mr. Hamir has been in his location for 2.5 years and he would like to get a liquor license to become competitive with surrounding businesses.

Hamir Patel said many events seem to be geared around alcohol and they are missing out on this business income. He said he would like to secure a foundation for our community and wants to give visitors a full experience. He said receiving an economic development liquor license will help this community thrive.

There being no further discussion, President Nixon opened discussion to presenters Attorney Rebecca Shanaman and applicant Michael Shoreman both representing Freedom BBQ and Catering.

Attorney Shanaman said the cost for liquor licenses is huge and an economic development liquor license is more affordable.

Michael Shoreman, owner of Freedom BBQ, said he would like this license to help sustain his business. He said the restaurant will offer food and drinks. He stated that his business, which is located across from the baseball stadium, will enhance the stability of the downtown businesses. He said he is a former police officer and he recognizes the safeguards needed to ensure responsible alcohol consumption.

There being no further discussion from the presenters, President Nixon asked if there was any Council comment. There was none. He then asked if there was any comment from the Administration. There was none.

He then asked if there was any public comment received by the City Clerk or Assistant Solicitor Sabol.

The City Clerk said she received a letter of support for Hamir's Indian Fusion Restaurant and Freedom BBQ from Downtown Inc., which were previously forwarded to Council for review.

Assistant Solicitor Sabol said he has Robert Godfrey on the telephone for public comment. Mr. Godfrey made the following comment: Robert Godfrey, Handsome Cab, said he is supportive of both applications. He said he thinks it is important that when dining consumers have the option of alcohol service.

President Nixon stated that the city is not desirous of any additional licenses coming from the county into the city.

There being no further discussion, President Nixon adjourned the hearing at 6:16 p.m. and called the legislative session to order.

- II. Called Legislative Meeting to Order: 6:16 p.m.
- III. Roll Call
- IV. Action on previous meeting Minutes of [May 19, 2020](#). Council unanimously approved the minutes as written.
- V. Meeting(s) Scheduled:
 - **Council's Summer Recess:** Council will observe its summer recess following tonight's meeting. Therefore, Council's next legislative meeting is scheduled for July 21, 2020 at 6:00 p.m.
 - **Public Hearings:** Scheduled for Wednesday, June 3, 2020 at 6:00 p.m. to receive public comment 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.
- VI. Status of Prior Committee Referrals: No reports.
- VII. Legislative Agenda:

Consent Agenda

MOTION FOR CONSENT AGENDA. A motion was made by Walker, seconded by Washington, to accept agenda items 1-4 as a consent agenda. The motion PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

MOTION TO APPROVE ITEMS ON CONSENT AGENDA. A motion was made by Rivera, seconded by Washington, to approve items 1-4 on the consent agenda. The motion PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

1. Final Passage of **Bill No. 10, Ordinance 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)

Final Passage of Bill No. 10, Ordinance 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, which was introduced by Ritter-Dickson at the May 19th meeting of Council and read by short title, came up for final passage. There was no discussion as this item was approved and PASSED unanimously by consent agenda.

2. Resolution No. **56** - A Resolution Accepting the recommendations of HARB. ([View](#))
Introduced by: Lou Rivera
Originator: HARB

Resolution No. 56, Session 2020, A Resolution accepting the recommendations of HARB in issuing certificates of appropriateness to St. Mary's Immaculate Conception Church for work to be done at 323 S. George St., SCPII LLC for work to be done at 101 S. Pershing Ave., and Kevin Feil (Director of Facilities at YCP) for work to be done at 122 W. Springettsbury Ave. There was no discussion as this item was approved and PASSED unanimously by consent agenda.

3. Resolution No. **57** - A Resolution Approving an economic development liquor license for Hamir's Indian Fusion Restaurant. (24 S. George St., York, PA) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development

Resolution No. 57, Session 2020, A Resolution approving an economic development liquor license for Hamir's Indian Fusion Restaurant for the service/sale of alcoholic beverages as 24 S. George St., York, PA, was approved and PASSED unanimously by consent agenda with no further discussion. (Note: A public hearing was held this evening at 6:00 p.m. on this application. See notes above.)

4. Resolution No. **58** - A Resolution Approving an economic development liquor license for Freedom BBQ and Catering Limited Liability Co. (251 N. George St., York, PA) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development

Resolution No. 58, Session 2020, A Resolution approving an economic development liquor license for Freedom BBQ & Catering Limited Liability Co. for the service/sale of alcoholic beverages at 251 N. George St., York, PA, was approved and PASSED unanimously by consent agenda with no further discussion. (Note: A public hearing was held this evening at 6:00 p.m. on this application. See notes above.)

Supplemental Agenda

MOTION TO WAIVE RULE 215. A motion was made by Washington, seconded by Walker, to waive the provisions of Resolution No. 215 of Session 1969 to permit consideration of a supplemental agenda containing on Resolution. The motion was approved by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

5. Resolution No. **59** - A Resolution Authorizing the Mayor to designate open containers in designated areas. ([View](#))
Introduced by: Henry Hay Nixon

Originator: Mayor

Resolution No. 59, Session 2020, A Resolution granting the Mayor the authority to allow open containers in areas designated by him for the purpose of accelerating the City's economic recovery through September 7, 2020, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Walker, Resolution No. 59 came up for discussion.

Councilman Rivera asked for the definition of open container as it pertains to this resolution.

Mayor Helfrich said this will allow businesses to serve alcohol in outdoor seated areas that are adjacent to their facility whether public or private.

Councilman Rivera asked if this is exclusive to the closing of George St. He said he saw plans to close the portion of George St. between Philadelphia St. and Gas Ave.

Acting Economic Development Director Philip Givens responded Councilman Rivera is talking about one proposal that was received but that we have spoken to every licensed business in York.

Councilman Rivera said this Resolution is giving the Mayor sole discretion to designate where open containers are allowed.

Mayor Helfrich said this will be done on an application-based system.

Director Givens said it just didn't make sense to present each application to Council for approval given the timing of Council's summer recess.

Councilman Rivera stated that if we close George St. then he will not support this resolution. He said he thought Beaver St. was being closed.

Mayor Helfrich said closing of streets is under the administration's authority. The closing of Beaver St. or George St. is mutually exclusive. He said it is not up to Council to decide what streets can be closed. We will have to choose which closure will make more sense. He discussed the various businesses located on George St. vs. Beaver St. He said our restaurants have seen massive losses with the Governor closing businesses in response to the COVID-19 pandemic.

Councilman Rivera said now you are going to close George St. and inconvenience travelers who were already inconvenienced because of construction. What about our homeless residents and those riding bicycles? He said he supports open containers, but does not support the closure of George St. He asked why we cannot come up with more creative ideas.

Mayor Helfrich said we have met with business owners to come up with ideas.

Vice President Walker said the concern is that the focus seemed to be just on downtown, but she is glad to know that other businesses have been included. She asked that the Police to be diligent in safeguarding our residents.

Alexandria Hammond, business owner, who was present in Council Chambers, said it is important that we allow this for our restaurants. Our customers said they are concerned for our restaurant owners and how we all support them, and this is a way to support them.

City Clerk Thompson said she received letters from the following, which were previously submitted to Council for review:

- Letter of support received from Downtown Inc.
- Letter from Ryan Supler - Does not think the resolution is necessary as current ordinances are effective prohibiting public consumption on public property.
- Letter from Robert Godfrey of the Handsome Cab providing links to what other cities are doing.

- Letter of support from Dr. Bryan Siegelman & Mrs. Allison Siegelman as well a link an article about some NJ towns closing streets to make outdoor dining easier.
- Letter of support from Eric Menzer, President, York Professional Baseball
- Letter of support endorsed by the following Market District merchants:
 - Jessica Weikert, Revolt Style Studio
 - Alexandra Keener Hammond, My Girlfriends Wardrobe
 - Molly Fisher, Molly’s Courtyard Cafe
 - Zarah Brooks, Indigo Bleu
 - Joan Carpenter, Ewe and Me
 - Hamir Patel, Hamir’s Indian Fusion
 - Chris Clarke, Sunrise Soap Company
 - Lindsey McBride, House of York

There being no further discussion, Resolution No. 59 PASSED by the following vote: Yeas – Washington, Ritter-Dickson, Walker, Nixon – 4; Nays – Rivera – 1.

VIII. Requests for Future Meetings: None

IX. Council Comment

Councilwoman Washington thanked the Administration for allowing businesses to apply for the small business grant program. She then said the Downtown Bloom grant program will be accepting applications until June 15. More information on the grant program can be found on Downtown Inc’s website. Lastly, she urged residents to wear orange on June 5 to show your support against gun violence.

Councilwoman Ritter-Dickson thanked our youth for a successful and respectful peace rally held on the square yesterday to support the Black Lives Matter movement. She then shared concerns raised by some residents that they did not know where to go to vote since their voting location was moved because of the pandemic. She thanked those who voted and encouraged residents to register to vote if they are not already registered.

Vice President Walker said we have a lot of work to do to eradicate racism and that this is a call to action, and we must continue to work toward change.

X. Administration Comment

Mayor Helfrich applauded the two 17-year-old young women, best friends Arlette Morales and Tzipporah Goins, for organizing an amazing Black Lives Matter rally in the downtown square. He said they brought so many young and compassionate individuals to join in the rally. He said he is proud of the residents and visitors of York City. He said he received a call from the Lt. Governor saying how proud he is of us.

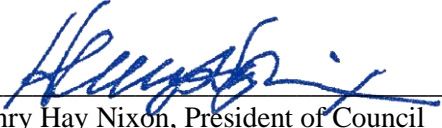
Mayor Helfrich then said he may look like a hypocrite attending these rallies, yet he supports the Governor’s stay at home order. He said he has talked to them about getting us into the green phase as soon as possible. We have analyzed our statistics and even though we can’t force the Governor to move us to green, as of Friday, the Mayor said he will rescind all of his executive orders effective June 5th so park equipment, playgrounds, basketball courts, etc. will be open again. He said social distancing will remain in effect and wearing a mask is encouraged when out in public.

President Nixon asked for a moment of silence in honor of the horrible death of George Floyd, a black man, who died at the hands of white police officers who knelt on his neck for 8 minutes and 46 seconds resulting in the suffocation death of Mr. Floyd.

XI. Adjournment: The next meeting of Council is scheduled for July 21, 2020 at 6:00 p.m. There being no further business, the June 3, 2020 meeting of Council adjourned at 6:55 p.m.



 Dianna L. Thompson-Mitchell, City Clerk



 Henry Hay Nixon, President of Council