

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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MINUTES May 19, 2021 6:00 p.m.

CALL TO ORDER: President Nixon called the May 19, 2021 meeting to order at 6:00 p.m. with the following members teleconferencing in from remote locations: Lou Rivera, 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, Business Administrator; and Jason Sabol, Assistant Solicitor, with all teleconferencing in from remote locations.

Members of York City Council staff in attendance included: Dianna L. Thompson-Mitchell, City Clerk, who also teleconferenced in from a remote location.

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 and the recent breach to the city's information technology department. Public Comment will only be received on agenda items. General Public Comment is suspended until further notice. Below are ways citizens may watch and participate in the Council meeting:

1. For public view only link, click this link:
<https://zoom.us/j/91462846649?pwd=bWR4R0lVM2Fpd3NoQVhUc3ZvSTRxZz09>
Passcode: 54321
2. For public call-in number: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968
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To request to comment during the meeting, you must press *9 to "Raise your hand." When recognized, press *6 to unmute/mute your microphone. Zoom will also remind you to press *6 after you are recognized to speak. Also, those watching in Zoom may use the "Raise Hand" feature to indicate you request to comment.
3. Watch the meetings on Comcast Cable Channel 18.
4. Watch the meetings live on Facebook (Search for "City of York").
5. Watch the meetings online at www.wrct.tv
6. Email comments on agenda items to the City Clerk at dthompo@yorkcity.org no later than 3PM on the day of the scheduled meeting.
7. Mail comments on agenda items to: Office of City Clerk, Attn: Public Comment, 101 S. George St., York, PA 17401. Comments must be received the day prior to the scheduled meeting date by 4PM.
8. Persons with hearing impairments may call the Deaf Center at TDD (717) 848-6765 for assistance.

I. Called Legislative Meeting to Order 6:00 p.m.

II. Roll Call

III. Action on previous meeting Minutes of [April 20, 2021](#). Council dispensed with the reading of the minutes unanimously approved them as written.

IV. Presentations, Proclamations, Awards and Announcements

V. Meeting(s) Scheduled:

- **Next Council Legislative Meeting:** Scheduled for **Tuesday, June 1, 2021 at 6:00 p.m.**
Agenda items are due by 12 noon on May 26, 2021. After the June 1st meeting, Council will observe its summer recess. (After the 6/1/21 meeting, the next meeting will be July 20, 2021 at 6:00 p.m.)

VI. Legislative Agenda: (Order of Business –Final Passage of Bills/Resolutions; Introduction of Bills; New Business.)

Final Passage of Bills / Resolutions: NONE

Introduction of Bills

1. **Introduction of Bill No. 13** _____ - A Bill
Making an appropriation for money not otherwise appropriated. (\$600,000 for replacement of the Pennsylvania Ave. bridge) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Introduction of Bill No. 13, Session 2021, A Bill Making an appropriation for money not otherwise appropriated in the amount of \$600,000 for replacement of the Pennsylvania Ave. bridge, was introduced by Walker, read by short title, and deferred to the June 1st meeting of Council.

2. **Introduction of Bill No. 14** _____ - A Bill
Amending the 2021 budget. (\$40,222 for a JAG award) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Introduction of Bill No. 14, Session 2021, A Bill Amending the 2021 budget in the amount of \$40,222 for a Bureau of Justice Assistance Grant award, was introduced by Washington, read by short title, and deferred to the June 1st meeting of Council.

3. **Introduction of Bill No. 15** _____ - A Bill
Amending Article 933 “Sewer Rentals”. (Alternative sewer fees for wholesale customers without sewer service agreement) ([View](#))
Introduced by: Lou Rivera
Originator: Solicitor’s Office

Introduction of Bill No. 15, Session 2021, A Bill Amending Article 933 “Sewer Rentals” to include alternative sewer fees for wholesale customers without a sewer service agreement, was introduced by Rivera, read by short title, and deferred to the June 1st meeting of Council.

4. **Introduction of Bill No. 16** _____ – A Bill
Amending the 2021 budget. (For conveyance of the parking system from the General Authority to the City of York) ([View](#))
Introduced by: Sandie Walker
Originator: Business Administration | Parking | General Authority

Introduction of Bill No. 16, Session 2021, A Bill Amending the 2021 budget to amend several line items for conveyance of the parking system from the General Authority to the City of York, was introduced by Walker, read by short title, and deferred to the June 1st meeting of Council.

New Business – Items for Consideration of Consent Agenda

Motion to consider consent agenda: A motion was made by Ritter-Dickson, seconded by Washington, to consider agenda items 5-13 as a consent agenda. The motion to approve passed by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

President Nixon asked if there was any public comment on consent agenda items. There was no comment.

Motion to approve items on the consent agenda: A motion was made by Washington, seconded by Ritter-Dickson, to approve agenda items 5-13. The motion to approve passed by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

5. Resolution No. **49** - A Resolution
Accepting the recommendations of HARB. ([View](#))
Introduced by: Edquina Washington
Originator: HARB

Resolution No. 49, Session 2021, A Resolution accepting the recommendations of HARB in issuing certificates of appropriateness for work to be covered in the following: Application filed by CR Property Group for work to be done at 127 S. Penn St.; Application filed by Theresa Jonescu for work to be done at 31 S. Queen St.; Application filed by Franklin Almanzar for work to be done at 34 N. George St.; Application filed by the YWCA York c/o Rexann Richards for work to be done at 625 S. George St.; Application filed by Genevieve Williams for work to be done at 353 E. King St.; Application filed by Vince & Beth Bulik for work to be done at 249 E. Market St.; Application filed by James Baumbardener for work to be done at 90 N. Newberry St.; Application filed by Logos Academy for work to be done at 250 W. King St.; and Application filed by Daniel Redding for work to be done at 55 S. Queen St. The Resolution was approved unanimously by consent agenda with no public, Council or Administration comment.

6. Resolution No. **50** - A Resolution
Approving the preliminary/final subdivision plan submitted by First Capital Engineering. (On behalf of Creating Opportunities in Neighborhood Environments for the Homes at Thackston Park Phase II project.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development | PP&Z

Resolution No. 50, Session 2021, A Resolution approving the preliminary/final subdivision plan submitted by First Capital Engineering, on behalf of Creating Opportunities in Neighborhood Environments, for the Homes at Thackston Park Phase II project, was approved unanimously by consent agenda with no public, Council or Administration comment.

7. Resolution No. **51** - A Resolution
Approving the preliminary/final land development plan submitted by First Capital Engineering. (On behalf of Creating Opportunities in Neighborhood Environments for the Homes at Thackston Park Phase II project.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development | PP&Z

Resolution No. 51, Session 2021, A Resolution approving the preliminary/final land development plan submitted by First Capital Engineering, on behalf of Creating Opportunities in Neighborhood Environments, for the Homes at Thackston Park Phase II project, was approved unanimously by consent agenda with no public, Council or Administration comment.

8. Resolution No. 52 - A Resolution Appointing members to various boards. (G. Fitch to Board of Health | A. Nugent to Zoning) ([View](#))
Introduced by: Edquina Washington
Originator: Council

Resolution No. 52, Session 2021, A Resolution appointing George Fitch as a member of the Board of Health which term shall expire the first Monday of April 2026; and Adam Nugent as a regular member of the Zoning Hearing Board to fill the unexpired term of Michael Miller which term shall expire January 1, 2022, was approved unanimously by consent agenda with no public, Council or Administration comment.

9. Resolution No. 53 - A Resolution Authorizing an agreement with the PA Department of Health. (\$443,642 for immunization services)
Introduced by: Judy A. Ritter-Dickson ([View](#))
Originator: Economic & Community Development | Health

Resolution No. 53, Session 2021, A Resolution Authorizing an agreement with the PA Department of Health in the amount of \$443,642 for immunization services, was approved unanimously by consent agenda with no public, Council or Administration comment.

10. Resolution No. 54 - A Resolution Authorizing the purchase of vehicles. (Wheel Loader, Leeboy, Bomag, & Cross-Country Trailer) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works | Highway

Resolution No. 54, Session 2021, A Resolution Authorizing the purchase of vehicles (Wheel Loader, Leeboy, Bomag, & Cross-Country Trailer), was approved unanimously by consent agenda with no public, Council or Administration comment.

11. Resolution No. 55 - A Resolution Authorizing the transfer of Parcel Lot 1A. (From the City to The Housing Authority – Codorus Homes/The Park at Thackston Homes) ([View](#))
Introduced by: Sandie Walker
Originator: Solicitor's Office

Resolution No. 55, Session 2021, A Resolution Authorizing the transfer of Parcel Lot 1A from the City of York to The York City Housing Authority for Codorus Homes/The Park at Thackston Homes, was approved unanimously by consent agenda with no public, Council or Administration comment.

12. Resolution No. 56 - A Resolution Authorizing the filing of a proposal for COPS funds. (\$701,491.84 – Community Oriented Policing Services for hiring of 5 police officers) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Resolution No. 56, Session 2021, A Resolution Authorizing the filing of a proposal for COPS funds in the amount of \$701,491.84 for Community Oriented Policing Services for hiring of 5 police officers, was approved unanimously by consent agenda with no public, Council or Administration comment.

13. Resolution No. 57 - A Resolution Extending the declaration of disaster emergency to June 30, 2021. ([View](#))
Introduced by: Sandie Walker
Originator: Mayor

Resolution No. 57, Session 2021, A Resolution Extending the declaration of disaster emergency to June 30, 2021, was approved unanimously by consent agenda with no public, Council or Administration comment.

Special Agenda – HARB Appeal

14. Resolution No. 58 – A Resolution
Accepting the recommendations of HARB. (46 S. Pershing Ave.) ([View](#))
Introduced by: Edquina Washington
Originator: HARB

Resolution No. 58, Session 2021, A Resolution accepting the recommendations of HARB in authorizing a certificate of appropriateness for work to be covered in the application filed by Sandie Walker for work to be done at 46 S. Pershing Ave., was introduced by Washington, read at length, and on motion of Washington, seconded by Rivera, Resolution No. 58 came up for discussion.

Sandie Walker, applicant, explained that the project is to replace the windows at the Veteran's Thrift Shop located at 46 S. Pershing Ave. with new vinyl windows. She stated that HARB denied the request to install vinyl windows in the front of the building but did allow vinyl windows to be installed at the rear of the building. She said visually you cannot tell the difference between HARB's recommendation to install fiberglass windows and her proposal to install vinyl; however, the big difference is the cost. She said HARB's recommendation would cost them an additional \$5,000. She said this savings would allow them to do other projects that would benefit our veterans.

Craig Zumbrun, HARB Chair, said HARB amended the application because they have had numerous cases over the years to replace storefront windows with vinyl. He said HARB has never recommended or approved vinyl replacement windows in storefronts. The dimensions offered in vinyl could never come close to meeting the dimensions of a historic nature, he added. Mr. Zumbrun stated that HARB has permitted and recommended approval of vinyl windows where it is not visible from the public right-of-way. In this case, he said, the building has a western view that looks toward the Codorus Creek, so we recommended vinyl there. The other reason is that our board architect and historian stated that vinyl products do poorly long term and are not weather resistant to extreme weather conditions with a life expectancy of two years. Although the cost is effective, he said it is not a long-term solution. We suggest wood, special materials, or steel but we have never recommended the use of vinyl. He said to recommend vinyl sets a bad precedence and for these reasons, HARB is not able to recommend vinyl.

President Nixon asked Ms. Walker why she chose to appeal HARB's recommendation.

Ms. Walker said because of the cost. She said this will be an additional \$5,000 expense that we would like to use elsewhere.

President Nixon said HARB stated vinyl will not last longer than two years.

Ms. Walker said she understands, and she has support if the vinyl needs to be replaced in the future.

President Nixon said he is familiar with this building and although he normally accepts the recommendations of HARB, he hesitates to agree with the recommendation for this particular instance because the building is not of architectural or historic significances. He said this is entirely different than an 18th or 19th century row house, so he said he is inclined to not agree with HARB's recommendations.

Motion to abstain: Vice President Walker said she requests approval to abstain from voting as she is the President of Veterans Helping Hands and owner of said property. The motion to authorize abstention was made by Rivera, seconded by Washington, and passed by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0.

There being no further discussion, Council denied the recommendations of HARB by the following vote: Yeas – 0; Nays: Rivera, Washington, Ritter-Dickson, Nixon – 4; Abstain: Walker – 1. Therefore, the

application was approved as originally submitted to HARB thereby allowing the applicant to install vinyl windows on all windows and a certificate of appropriateness is authorized for said work to be done.

VII. Requests for Future Meetings: None

VIII. Council Comment

President Nixon congratulated candidates who won the primary election. He said serving a public office is not easy and he appreciates those who have stepped up to serve. He said he has grave concerns about voter interference, and he hopes the County Commissioners act swiftly to correct any and all discrepancies.


IX. Administration Comment

Mayor Helfrich also congratulated those who were victorious in the primary. He also thanked those who ran and did not win. He then said the Bureau of Health is working with Family First Health and WellSpan Health to administer COVID vaccines. Visit www.mywellspan.org to schedule an appointment. Additionally, on Tuesday, May 25th, the Bureau of Health is offering free Narcan to treat those who overdose. The giveaway will be at 435 W. Philadelphia St. from 10 a.m. – 2 p.m. Lastly, job training applications are being accepted at 620 S. George St., which is the new job training and employment center. For more information call (717) 848-1808.

X. Adjournment: The next legislative meeting of Council is scheduled for June 1, 2021 at 6:00 p.m. There being no further business, the May 19, 2021 meeting of Council adjourned at 6:23 p.m.



Dianna L. Thompson-Mitchell, City Clerk



Henry Hay Nixon, President of Council