

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 October 19, 2021 6:00 p.m.

CALL TO ORDER: President Nixon called the October 19, 2021 meeting to order at 6:00 PM in City Council Chambers 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.

Members of the Administration in attendance included: Michael Helfrich, Mayor; Kim Robertson, Acting Business Administrator; Chaz Green, Director of Public Works, Mike Pritchard, City Planner; Monica Kruger, Acting Director of Health; and Jason Sabol, Assistant Solicitor.

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

- I. Public Comment: None
- II. Called Legislative Meeting to Order: 6:00 PM
- III. Roll Call
- IV. Pledge of Allegiance recited.
- V. Moment of Silence observed.
- VI. Action on previous meeting Minutes of [September 21, 2021](#), [September 29, 2021](#) & [October 5, 2021](#). Council dispensed with the reading of the Minutes and unanimously approved them as written.
- VII. Proclamations, Awards and Announcements: None
- VIII. Meeting(s) Scheduled:
 - **Legislative Meeting:** The next legislative meeting of Council will be held on Tuesday, November 16, 2021 at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on November 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. 103 - A Resolution Approving a subdivision plan submitted by Site Design Concepts. (On behalf of S. Wade Lady & Sharon D. Smith for 121 S. Beaver St.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Planning)

Resolution No. 103, Session 2021, A Resolution approving the subdivision plan submitted by Site Design Concepts, on behalf of S. Wade Lady and Sharon D. Smith, for 121 S. Beaver St. to divide the property into two parcels, was introduced by Ritter-Dickson, read at length, and on motion Ritter-Dickson, seconded Washington, Resolution No. 103 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

2. Resolution No. 104 - A Resolution Approving a subdivision plan submitted by Site Design Concepts. (On behalf of Cynthia Stawarz for 900 S. George St.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Planning)

Resolution No. 104, Session 2021, A Resolution approving the subdivision plan submitted by Site Design Concepts, on behalf of Edward and Cynthia Stawarz, for 900 South George Street to combine two properties into one, was introduced by Ritter-Dickson, read at length, and on motion Ritter-Dickson, seconded Washington, Resolution No. 104 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

3. Resolution No. 105 - A Resolution Approving a preliminary/final land development plan submitted by Peel and Company. (For 475 W. Philadelphia St. and 145 N. Hartley St.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Planning)

Resolution No. 105, Session 2021, A Resolution approving the preliminary and final subdivision plan and a preliminary and final land development plan submitted by Peel and Company for multi-family residential units at 475 West Philadelphia Street and 145 North Hartley Street, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Walker, Resolution No. 105 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

4. Resolution No. 106 - A Resolution Denying a certificate of appropriateness. (For 244-256 N. George St.) ([View](#))([HARB Minutes](#))
Introduced by: Lou Rivera
Originator: HARB

Resolution No. 106, Session 2021, A Resolution denying a certificate of appropriateness submitted by Warehaus, on behalf of RSDC, for work to be done at 244-256 N. George St., was introduced by Rivera, read at length, and on motion of Rivera, seconded Walker, Resolution No. 106 came up for discussion.

Dylan Bauer of RSDC submitted colored pictures of the project buildings. He gave a brief history of the buildings which were the former Cupid's and Gloria's buildings. Mr. Bauer said the idea is when you approach the city's northern gateway, you will see these buildings fully restored. He said although he understands HARB's stance on not approving demolition, he said it would be economically unfeasible to try to restore these building especially with the economic hardships we're facing from the COVID pandemic. He said there are six different floor levels in these buildings so trying to normalize those floors is a huge feat in and of itself.

President Nixon stated that understandably this is a time of economic struggle and if Council does not reverse HARB's recommendations, this project will not move forward.

Councilman Rivera asked if we will be setting a precedence by approving demolition of this historic structure.

President Nixon replied that Council has reversed HARB's recommendations in the past.

Vice President Walker asked Mr. Bauer if he could give his interpretation of why HARB approved the historic Philly Cafe's demolition but denied this demolition.

Mr. Bauer said the Philly Cafe was a safety risk for anyone walking by and was beyond the point of restoration to a level of reuse.

Mark Skehan, HARB member, said HARB's position focuses on the maintenance and preservation of historical buildings. The buildings they are proposing to demolish have historical significance to the contributions of York City's rich history. As a resident, he said this is an intriguing idea, but as a HARB member, we have to look at preservation. He said Mr. Bauer was correct that the Philly Cafe was a danger to the public, so demolition was approved. This project is not the same. This building can be saved.

Mayor Helfrich asked structural questions about the buildings, which were answered by Mr. Bauer.

Councilman Rivera asked what their immediate plans with this building are.

Mr. Bauer said their construction start date will be spring of 2022 with a projected opening in spring of 2023.

Councilman Rivera then asked how minority contractors are being used for this project.

Mr. Bauer said they will do RFP's for their projects and minority contractors are encouraged to submit bids.

Stephanie Seaton, resident, and Chair of the York City Human Relations Commission, asked Council to consider overturning HARB's recommendations for the future our residents who don't have millions of dollars like Mr. Bauer to make renovations in the HARB district. She also said please be sure the building meets ADA requirements.

There being no further discussion, Resolution No. 106 FAILED by the following vote: Yeas – None; Nays – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5. With the unanimous vote of Council, HARB's recommendations were overturned, and the applicant's certificate of appropriateness is approved for work to be covered in said application.

5. Resolution No. 107 - A Resolution
Accepting the recommendations of HARB. ([View](#))([HARB Minutes](#))
Introduced by: Lou Rivera
Originator: HARB

Resolution No. 107, Session 2021, A Resolution accepting the recommendations of HARB in issuing certificates appropriateness for work to be covered in the following applications:

1. Application filed by Teresa Johnescu for work to be done at 31 S. Queen St.
2. Application filed by M&T Bank for work to be done at 21 E. Market St.
3. Application filed by Carlos Fuentes for work to be done at 119 Fickes Way.

Resolution No. 107 was introduced by Rivera, read at length and on motion of Rivera, seconded by Walker, Resolution No. 107 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

Final Passage of Bills / Resolutions

6. Final Passage of Bill No. 52, Ordinance 53 - A Bill
Amending the 2021 Budget. (\$25,000 for Education Opportunities to Protect Children from Exposure to Lead.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Final Passage of Bill No. 52, Ordinance No. 53, Session 2021, A Bill amending the York City Budget for the year 2021 by appropriating revenue and expenditures for the Bureau of Health in the amount of \$25,000.00 for Education Opportunities to Protect Children from Exposure to Lead Hazards, which was introduced by Ritter-Dickson at the September 21st meeting of Council and read by short title, came up for final passage. On motion of Ritter-Dickson, seconded by Walker, Bill No. 52, Ordinance No. 53 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

7. Final Passage of Bill No. 53, Ordinance No. 54 - A Bill
Amending the 2021 Budget. (\$6,067.06 – HIV Prevention) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Health)

Final Passage of Bill No. 53, Ordinance No. 54, Session 2021, A Bill amending the 2021 York City Budget to reflect the rollover of funds, revenue, and expenditures, for Health Bureau – HIV Prevention Program grant (SAP#4100079928 R1), in the amount of \$6,067.06, which was introduced by Ritter-Dickson at the September 21st meeting of Council and read by short title, came up for final passage. On motion of Ritter-Dickson, seconded by Washington, Bill No. 53, Ordinance No. 54 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

8. Final Passage of Bill No. 54 - A Bill
Amending Article 730 “Neighborhood Improvement Ordinance”. ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Permits)

Final Passage of Bill No. 54, Ordinance No. 55, Session 2021, A Bill amending Article 730 “Neighborhood Improvement Ordinance” of the York City Codified Ordinances to include enforcement powers for Bureau of Permits Inspectors; increase days to file an appeal from 10 to 14 days; and establish penalties, which was introduced by Ritter-Dickson at the September 21st meeting of Council and read by short title, came up for final passage. On motion of Ritter-Dickson, seconded by Washington, Bill No. 53, Ordinance No. 54 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

New Business

9. Introduction of Bill No. 56 - A Bill
Making an appropriation for money not otherwise appropriated. (\$22,000.00 to fund utility costs paid out of the Recreation Fund; \$100,500 to fund utility costs paid out of the Intermunicipal Sewer Fund; and \$199,874 to fund utility costs paid out of the General Fund) ([View](#))
Introduced by: Sandie Walker
Originator: Business Administration

Introduction of Bill No. 56, Session 2021, A Bill making an appropriation for money not otherwise appropriated in the amount of \$22,000.00 to fund utility costs paid out of the Recreation Fund; \$100,500 to fund utility costs paid out of the Intermunicipal Sewer Fund; and \$199,874 to fund utility costs paid out of the General Fund, was introduced by Walker, read by short title, and deferred to the November 16th meeting of Council.

10. Introduction of Bill No. 57 - A Bill
Amending the 2021 Budget. (\$60,000 for emergency response equipment) ([View](#))
Introduced by: Edquina Washington
Originator: Fire/Rescue

Introduction of Bill No. 57, Session 2021, A Bill amending the 2021 Budget in the amount of \$60,000 for emergency response equipment for the Department of Fire/Rescue Services, was introduced by Washington, read by short title, and deferred to the November 16th meeting of Council.

11. Introduction of Bill No. 58 - A Bill
Amending the 2021 Budget. (Justice Assistance Grant modification) ([View](#))
Introduced by: Edquina Washington
Originator: Police

Introduction of Bill No. 58, Session 2021, A Bill amending the York City Budget for the year 2021 by appropriating revenue and expense for the York City Police Department for a Bureau of Justice Grant (JAG) according to the approved modification for the enhancement of law enforcement operations, was introduced by Washington, read by short title, and deferred to the November 16th meeting of Council.

Motion for consent agenda. A motion was made by Ritter-Dickson to consider agenda items 12-19 as a consent agenda. Vice President Walker asked that items 14, 15 & 17 be pulled from the consent agenda. The motion to consider agenda items 12, 13, 16, 18 and 19 as a consent agenda was made by Ritter-Dickson, seconded by Walker, and passed by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

Motion to approve consent agenda. A motion was made by Washington, seconded by Ritter-Dickson, to approve agenda items 12, 13, 16, 18 and 19. The motion PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

12. Resolution No. 108 - A Resolution
Appointing members to the York City Human Relations Commission. (S. Kelly, K. Crosby, C. Christopher Wilson) ([View](#))
Introduced by: Edquina Washington
Originator: Mayor

Resolution No. 108, Session 2021, A Resolution consenting to the following appointments made by the Mayor as members of the York City Human Relations Commission: Sylvia J. Kelly to fill the unexpired term of Harold Myers, which term shall expire July 16, 2022; Karen A. Crosby to fill the unexpired term of Jeanne Buckingham which term shall expire July 16, 2023; and Carla S. Christopher Wilson to fill the unexpired term of Cheril Chronister, which term shall expire July 16, 2024, was introduced by Washington and approved unanimously by consent agenda by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

City Clerk Dianna Thompson then administered the oath of office to Sylvia Kelly, Karen Crosby, and Carla Christopher Wilson.

13. Resolution No. 109 - A Resolution
Authorizing a budget transfer. (\$74,000 for Public Works) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 109, Session 2021, A Resolution authorizing a transfer of funds from the Highway Bureau within the 2021 Budget in the amount of \$74,000.00, was introduced by Walker, and approved unanimously by consent agenda by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

14. Resolution No. 110 - A Resolution Authorizing an agreement with the York City School District. (For school crossing guards 2021-2022)
Introduced by: Lou Rivera ([View](#))
Originator: Business Administration

Resolution No. 110, Session 2021, A Resolution authorizing an agreement with the York City School District for school crossing guards for the year 2021-2022, was introduced by Rivera, read at length, and on motion of Rivera, seconded by Washington, Resolution No. 110 came up for discussion.

Request for abstention: Vice President Walker requested abstention as she is an employee of the York City School District. On motion of Ritter-Dickson, seconded by Rivera, said abstention was approved by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0;

There being no further discussion, Resolution No. 110 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0; Abstain – Walker – 1.

15. Resolution No. 111 - A Resolution Authorizing an agreement with All City Management Services. (For school crossing guards 2021- 2022)
Introduced by: Lou Rivera ([View](#))
Originator: Business Administration

Resolution No. 111, Session 2021, A Resolution authorizing an agreement with All City Management Services for school crossing guards services for the year 2021-2022, was introduced by Rivera, read at length, and on motion of Rivera, seconded by Washington, Resolution No. 111 came up for discussion.

Request for abstention: Vice President Walker requested abstention as she is an employee of the York City School District. On motion of Ritter-Dickson, seconded by Rivera, said abstention was approved by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0;

There being no further discussion, Resolution No. 111 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0; Abstain – Walker – 1.

16. Resolution No. 112 - A Resolution Authorizing an agreement with Stick N Move Boxing, Inc. (Lease of portion of Grimes Gym) ([View](#))
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 112, Session 2021, A Resolution authorizing an agreement with Stick N Move Boxing, Inc. to lease a portion of Voni Grimes Gym located at 125 E. College Ave., for a period of five (5) years to be extended automatically thereafter for three (3), five (5) year renewals, was introduced by Walker, and approved unanimously by consent agenda by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

17. Resolution No. 113 – A Resolution Authorizing a Memorandum of Understanding with WellSpan Health. (For 3 Hospital Resource Officers)
Introduced by: Edquina Washington ([View](#))
Originator: Police

Resolution No. 113, Session 2021, A Resolution authorizing an agreement with WellSpan Health for three (3) hospital resource officers, was introduced by Washington, read at length, and on motion of Washington, seconded by Ritter-Dickson, Resolution No. 113 came up for discussion.

Lt. Lentz, York City Police Dept., said three officers will leave foot patrol but we are sending three additional officers to the academy so they will be designated for these positions. He said we will still retain the 97 officers we currently have.

Request for abstention. Vice President Walker requested abstention as she serves as a member of the

WellSpan Health Board of Directors. On motion of Ritter-Dickson, seconded by Rivera, said abstention was approved by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0.

There being no further discussion, Resolution No. 113 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Nixon – 4; Nays – 0; Abstain – Walker – 1.

18. Resolution No. 114 – A Resolution
Proclaiming November 1, 2021 as Extra Mile Day. ([View](#))
Introduced by: Edquina Washington
Originator: Council

Resolution No. 114, Session 2021, A Resolution proclaiming November 1, 2021 as Extra Mile Day in the City of York, was introduced by Washington, and approved unanimously by consent agenda by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

19. Resolution No. 115 – A Resolution
Extending the Declaration of Disaster Emergency through November 30, 2021. ([View](#))
Introduced by: Lou Rivera
Originator: Mayor

Resolution No. 115, Session 2021, A Resolution extending the Declaration of Disaster Emergency through November 30, 2021, was introduced by Rivera, and approved unanimously by consent agenda by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

XI. Requests for Future Meetings: None

XII. Council Comment: None

XIII. Administration Comment:

Mayor Helfrich gave an update on the status of the American Rescue Plan Act (ARPA) funding.

Vice President Walker asked Mayor Helfrich to provide Council with a report on how other cities are handling ARPA funding. Mayor Helfrich responded duly noted.

Mayor Helfrich then announced that the Halloween Parade will take place on Sunday, October 24th and will begin at The York Fairgrounds at 2:00 p.m. and travel east on Market Street from Richland Avenue to Broad Street in downtown York. The route will feature several vendors from 1:00 to 3:00 p.m.

XIV. Adjournment: Meeting continued to allow resumption of additional public comment.

XV. Resumption of Public Comment Period (at the discretion of the presiding officer)

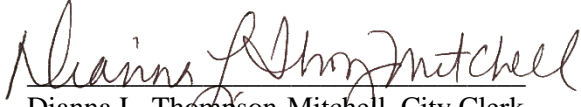
Stephanie Seaton, Chairwoman of the York City Human Relations Commission, thanked the Mayor and Council for approving the new Human Relations Commission members. She said they now have a full board and look forward to serving the residents of the City of York. Ms. Seaton then announced that the HRC is having a critical race theory presentation tomorrow and those interested in attending should contact the York City Human Relations Commission for more information at (717) 846-2926.

Victor Bruno, resident, complained about Rabbit Transit. He said he was injured on the bus and there is video, but Rabbit Transit won't release the video. He said he was injured over three years ago and he still has complications from his injury. He said he keeps getting the runaround from them.

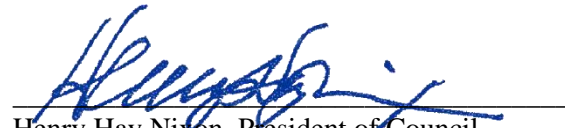
President Nixon suggested Mr. Bruno retain an attorney. He said we have no power over Rabbit Transit, and they are a separate entity. He apologized but said our hands are tied because we have no authority over them.

Vice President Walker suggested Mr. Bruno contact Mid Penn Legal Services.

XVI. Adjournment: The next legislative meeting of City Council is scheduled for November 16, 2021 at 6 PM in City Council Chamber. There being no further business, the October 19th meeting of Council adjourned at 7:11 PM.



Dianna L. Thompson-Mitchell, City Clerk



Henry Hay Nixon, President of Council