

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
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MINUTES November 16, 2021 6:00 p.m.

CALL TO ORDER: President Nixon called the November 16, 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; Melanie Baldwin, Grants Administration and Special Projects Analyst; James Crosby, Director of the Bureau of Housing Services; and Jason Sabol, Assistant Solicitor.

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

- I. Public Comment: No public comment.
- II. Called Legislative Meeting to Order at 6:01 p.m.
- III. Roll Call
- IV. Pledge of Allegiance was recited.
- V. Moment of Silence was observed.
- VI. Action on previous meeting Minutes of [October 19, 2021](#). Council dispensed with the reading of the Minutes and unanimously approved them as written.
- VII. Presentation: Mayor Michael Helfrich – Gave a committee report on round one of American Rescue Plan (ARPA) funding.

Vice President Walker opened by saying she specifically requested Melanie Baldwin, Grants Administration and Special Projects Analyst, to present this evening because of growing concerns about transparency, autonomy, and ethics. She said she thought having Ms. Baldwin present would ease some of those concerns and that she has issues with that fact that her request was ignored by the Administration.

Mayor Helfrich responded that Ms. Baldwin is a staff member and ARPA comes under his purview, so he felt it appropriate for him to present this evening. He said the ARPA advisory group consisted of the following members: Michael Helfrich (Mayor), Harry Colon, AliceAnne Frost (City Controller), Carol Hill-Evans (State Rep), Joan Maruskin, Tonya Thompson-Morgan, Lou Rivera (Councilman), Joyce Santiago, Edquina Washington (Councilwoman), Jules Tolbert, Madeline Torres-Ocasio, and Vickie Washington, with Sandie Walker (Council Vice President) serving as an alternate.

Mayor Helfrich said they received 590 responses to the ARPA survey. The survey reflected that public safety, healthy communities and neighborhoods, economic impact, educational disparities, healthcare, and broadband infrastructure should be addressed first. He said funding amounts were recommended based on these survey results, which he will submit to City Council for approval. A copy of the Mayor's Round 1 grant amounts report is attached to these minutes. (You may also click [here](#) to view).

Mayor Helfrich explained that the committee looked at the top quartiles of the 132 applications received. They agreed they would look first at the first 25% percentile to determine whether they were eligible for funding. We found that there was one program that was potentially not eligible for funding but received a very high ranking; so, the advice was that the administration create a grant pool for this purpose which is for façade improvements in the northeast neighborhood. We then determined how do we take \$69 million worth of requests and narrow it down to \$5 million. He said he doesn't want applicants to fret because this is just the first round. Out of the top 25% percentile, the result was \$19.7 million in requests. The philanthropic community is interested in how we did our survey, and we may be able to get support from this sector. Our city departments were also competing for this funding. Mayor Helfrich then began to outline specific programs and organizations recommended for funding.

Vice President Walker asked Mayor Helfrich to not publicly disclose the names of specific organizations at this time because this funding has not been approved yet. Additionally, she said if we don't agree on the process or if the process is unethical, she doesn't want these organizations to have false hope.

Mayor Helfrich said the way the budget works is that Council must approve these allocations. So far, the advisory group has given me their advice, so I have taken their advice verbatim and added a couple more on the end, which is my prerogative as Mayor.

Vice President Walker said she doesn't understand how these determinations are the solely the mayor's prerogative.

Mayor Helfrich said because the Administration determines how ARPA money is spent with the approval of Council.

Vice President Walker said so we need to work together then. She said she doesn't want information to be shared when there hasn't been any collaboration with Council. Additionally, she said she questions the ethical nature of how this process is being handled and she has concerns about transparency and autonomy. She said she heard from a committee member that some applications received a zero ranking and she questioned how a completed application can receive a zero ranking.

Mayor Helfrich said he and Ms. Baldwin developed a rubric system of ranking.

Vice President Walker said she would like to use some of this funding to hire an independent advisor to help with this process.

Mayor Helfrich said he doesn't understand the need for an outside advisor and Council had not requested this, although it would not be Council's purview.

Vice President Walker asked why it wouldn't be within Council's purview to request an independent advisor and she questioned why Council isn't more involved with this process. She said this is exactly why she questions autonomy because there needs to be outside individuals involved that have experience with this. Other municipalities have used 3rd parties to help with this process.

Mayor Helfrich said he brought in 11 members of our community from different demographics and economic statuses to review these applications.

Vice President Walker said she talked to several committee members and they said this was an overwhelming experience and that they didn't have as much time as they would have liked to review the applications. She said she supports the efforts of the committee members but when you have experts that can deal with this, then you use

the committee as an advisory mechanism, but allow the independent experts to do the rankings to make sure there are no legal or ethics violations. She said we used outside consultants to help us with Penn Market and the sale of the Wastewater Treatment Plant, so she doesn't see the problem with having an outside consultant when dealing with this once in a lifetime financial opportunity.

Mayor Helfrich said the advisory committee did an excellent job and most of the committee members agreed that this was a good, thorough process.

Councilwoman Washington said she served as a member on the advisory committee but was not invited to several meetings because a fictitious email was used to send her meeting invitations. She said she just found out that the meeting invitations were sent to ETWashington@yorkcity.org, which is an email address she never used even when she was an employee of the city. She said she doesn't know how or why that email was created.

Vice President Walker said she served as an alternate and she too never received any invites to committee meetings. She said she received two original emails but nothing else.

Mayor Helfrich said Council can do whatever they wish with these recommendations during the budget process. He said we have gone through a thorough and legal process, and we have asked the solicitor questions during this process.

Vice President Walker asked Assistant Solicitor Sabol what are the legal ramifications and if the administration and advisory committee are following Federal regulations, proper procedures, and sunshine act requirements?

Assistant Solicitor Sabol said from what I've seen, we are in the clear, legally. There hasn't been anything that has jumped out to me as a violation of anything in particular. He said as far as he knows, they are following what needs to be followed.

Mayor Helfrich said he created the advisory group to be sure we had input and opinions from a vast group representative of our community.

Vice President Walker said opinions are great but again, this is a once in a lifetime opportunity. Why wouldn't we work with someone outside of the city who has professional experience in this area?

Mayor Helfrich said because he chose not to.

Vice President Walker said this goes back to her initial point of autonomy. She said you chose not to hire an outside professional, you chose the committee members, and you chose the arbitrary round one \$5 million amount without getting any type of consultant to help us ensure this is a legal and equitable representation.

Councilwoman Ritter-Dickson asked for confirmation that the survey was completed by 590 people.

Mayor Helfrich said there are 23,000 adults in the city. He ran that number through an algorithm which was 590 divided by 23,000 and it came out with a 95% confidence rating and a 4% margin of error on any given question.

Councilwoman Ritter-Dickson asked do we have to use this money now or can it be obligated by 2024 or by 2026?

Mayor Helfrich said as Mayor he wants to spend \$5.501 million now. He said all funding must be allocated by 2024.

Vice President Walker asked Ms. Baldwin if regulations are being properly followed when it comes to this process.

Ms. Baldwin responded that in some cases there are no guidelines we aren't following so we're following guidelines. The tricky part will be when we do expenditure categories. She said there are 66 expenditure categories. Money must be allocated by January 22, 2022. She said her next treasury report will also be at that time. She stated that she must have everything we're going to obligate completed although that can change. There are 66 expenditure categories which come under what the guidelines of ARPA have been and we just got more

compliance yesterday. She said we are in compliance; we just have to be careful moving forward to be sure we are putting the correct expenditures in the proper category.

President Nixon said he doesn't feel we're going anywhere with this presentation and that it is hoped that better information will be presented during the budget hearings so that we may study those recommendations.

VIII. Proclamations, Awards and Announcements

Budget Hearings on the Proposed 2022 York City Budget will be held in City Council Chambers, 101 S. George St., York, PA, at 6:00 p.m. on November 22-23. Please visit <https://www.yorkcity.org/events/> for more information.

IX. Meeting(s) Scheduled:

► **Special Meeting:** Council will hold a special meeting on Tuesday, November 30th at 10AM to introduce the 2022 Proposed York City Budget and budget related items, as well as other essential legislative items.

► **Legislative Meeting:** The next legislative meeting of Council will be held on Tuesday, December 21, 2021 at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on December 15th.

X. Status of Prior Committee Referrals: No reports.

XI. Legislative Agenda:

Subdivision/Land Development/HARB

1. Resolution No. 116 - A Resolution Approving a subdivision plan submitted by Site Design Concepts on behalf of RSDC. (139-141 S. Duke St., 121 E. Princess St., and 138-148 S. Howard St.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Planning)

Resolution No. 116, Session 2021, A Resolution approving a subdivision plan submitted by Site Design Concepts, on behalf of RSDC, for the properties of 139-141 South Duke Street, 121 East Princess Street, and 138-148 South Howard Street, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Walker, Resolution No. 116 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

2. Resolution No. 117 - A Resolution Approving a land development plan submitted by Site Design Concepts on behalf of RSDC. (139-141 S. Duke St., 121 E. Princess St., and 138-148 S. Howard St.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Planning)

Resolution No. 118, Session 2021, A Resolution approving a land development plan submitted by Site Design Concepts, on behalf of RSDC, for the properties of 139-141 South Duke Street, 121 East Princess Street, and 138-148 South Howard Street, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Rivera, Resolution No. 117 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

3. Resolution No. 118 - A Resolution Approving a land development plan submitted by Peel & Company. (480-486 W. Philadelphia St.) ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (Planning)

Resolution No. 118, Session 2021, A Resolution approving a land development plan submitted by Peel & Company for the properties of 480-486 West Philadelphia Street, was introduced by Ritter-Dickson, read at

length, and on motion of Ritter-Dickson, seconded by Rivera, Resolution No. 118 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

4. Resolution No. 119 - A Resolution
Accepting the recommendations of HARB. ([View](#))
Introduced by: Lou Rivera
Originator: HARB

Resolution No. 119, Session 2021, A Resolution accepting the recommendations of HARB in issuing certificates of appropriateness for work to be covered in the Application filed by Carlos Fuentes for work to be done at 230 Gas Ave.; Application filed by Ingres Morel for work to be done at 175 S. Pine St.; Application filed by Logos Academy for work to be done at 255 W. King St.; and Application filed by Goldfein and Joseph, P.C. for work to be done at 138 E. Market St., was introduced by Rivera, read at length, and on motion of Rivera, seconded by Walker, Resolution No. 119 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

Final Passage of Bills / Resolutions

5. Final Passage of Bill No. 56, Ordinance 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

Final Passage of Bill No. 56, Ordinance 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, which was introduced by Walker at the October 19th meeting of Council, and read by short title, came up for final passage. On motion of Walker, seconded by Rivera, Bill No. 56 came up for discussion.

President Nixon said this is a lot of money. Can you tell us where it is coming from and where it is going to?

Acting Business Administrator Kim Robertson said every year we do a budget by looking at historical data and anticipation of increases. There are, however, times when issues come up where we didn't anticipate the correct use or expense of utilities so that's why there is this additional expense. The revenue is from the fund balance from the previous year as we budgeted more or received more revenue than anticipated.

There being no further discussion, Bill No. 56, Ordinance No. 56, PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

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

Final Passage of Bill No. 57, Ordinance No. 57, Session 2021, A Bill Amending the York City Budget for the year 2021 by appropriating expenditures for the Department of Fire/Rescue in the amount of \$60,000.00 to be used to outfit six vehicles with necessary emergency response equipment, which was introduced by Washington at the October 19th meeting of Council, and read by short title, came up for final passage. On motion of Washington, seconded by Walker, Bill No. 57, Ordinance No. 57, PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

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

Final Passage of Bill No. 58, Ordinance 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, according to the approved modification, for the enhancement of law enforcement operations, which was introduced by Washington at the October 19th meeting of Council, and read by short title, came up for final passage. On motion of Washington, seconded by Rivera, Bill No. 58, Ordinance No. 58, PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

New Business

8. Introduction of Bill No. 59 - A Bill
Amending the 2021 Budget. ([View](#)) (Appropriating revenue and expenditures for the Parking Bureau in the amount of \$270,000.00 to be used for Capital expenditures; appropriating revenue, in the amount of \$15,000.00 and expenditures, in the amount of \$32,500.00 for the Department of Economic/Community Development to be used for expenditures received from Kiva for annual Hub fees and marketing and promotion of Kiva York Hub; appropriating revenue, in the amount of \$80,350.50 and expenditures, in the amount of \$160,701.00 for the Police Department, Crossing Guards; and appropriating revenue and expenditures for the York City Police Department in the amount of \$34,839.97 for the enhancement of law enforcement operations.)
Introduced by: Judy A. Ritter-Dickson
Originator: Business Administration/Finance/EconDev/Police

Introduction of Bill No. 59, Session 2021, A Bill amending the 2021 budget, was introduced by Ritter-Dickson, read by short title, and deferred to the November 30th special meeting of Council.

9. Resolution No. 120 - A Resolution
Declaring November 19, 2021 as “Red Shirt Day” in the City of York. ([View](#))
Introduced by: Edquina Washington
Originator: Council (Washington)

Resolution No. 120, Session 2021, A Resolution declaring November 19, 2021 as “Red Shirt Day” in the City of York, was introduced by Washington, read at length, and on motion of Washington, seconded by Walker, Resolution No. 120 came up for discussion.

Councilwoman Washington encouraged residents to keep their eyes opened for our homeless youth and keep our awareness up throughout our community.

There being no further discussion, Resolution No. 120 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

10. Resolution No. 121 - A Resolution
Appointing Lisa H. Welty as an alternate member of the York City Civil Service Board. ([View](#))
Introduced by: Edquina Washington
Originator: Council

Resolution No. 121, Session 2021, A Resolution appointing Lisa H. Welty as an alternate member of the York City Civil Service Board which term shall expire the first Monday of January 2025, was introduced by Washington, read at length, and on motion of Washington, seconded by Ritter-Dickson, Resolution No. 121 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker – 4; Nays – Nixon – 1.

11. Resolution No. 122 - A Resolution Authorizing a Railroad Reimbursement Agreement with York Railway Company. ([View](#)) (#R21088014 for the George St. Ped & Bike Safety Improvement Project, MPMS No. 108933)
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 122, Session 2021, A Resolution authorizing a Reimbursement Agreement #R21088014 with the Pennsylvania Department of Transportation for the George Street Ped & Bike Safety Improvement Project, MPMS No. 108933, was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 122 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

12. Resolution No. 123 - A Resolution Authorizing a Reimbursement Agreement with PennDot. ([View](#)) (#R21080014 for acceptance of Federal Highway Funds in the amount of \$2,039,000.00 for the George St. Ped & Bike Safety Improvement Project, MPMS No. 108933)
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 123, Session 2021, A Resolution authorizing a Reimbursement Grant Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for acceptance of Federal Highway Grant Funds in the amount of \$2,039,000.00 under the Pennsylvania Department of Transportation’s Transportation Improvement Program to cover the cost of the George Street Ped & Bike Safety Improvement Project MPMS No. 108933 and acceptance of said grant funding, was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 123 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

13. Resolution No. 124 - A Resolution Authoring a Railroad Engineering Reimbursement Agreement with York Railway Company. ([View](#)) (For the King St. Bus Station Renovation Project, Bus Pre-emption Signal, and other improvements)
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 124, Session 2021, A Resolution authorizing a Cooperative Multimodal Funding Agreement with Rabbit Transit for the King Street Bus Station Renovations, Bus Pre-emption Signal, and other Improvements, was introduced by Walker, read at length, and on motion of Walker, seconded by Rivera, Resolution No. 124 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

14. Resolution No. 125 – A Resolution Authorizing budget transfers in the 2021 Budget. ([View](#)) (Highway - \$59,000/WWTP - \$71,683/Highway - \$20,000)
Introduced by: Sandie Walker
Originator: Public Works

Resolution No. 125, Session 2021, A Resolution authorizing budget transfers for Highway in the amount of \$59,000, Wastewater Treatment Plant (WWTP) in the amount of \$71,683 and Highway in the amount of \$20,000, was introduced by Walker, read at length, and on motion of Walker, seconded by Washington, Resolution No. 125 came up for discussion.

Public Works Director Green said the WWTP transfer is to purchase more polymer and the highway transfers are to pay invoices through the end of the year.

There being no further discussion, Resolution No. 125 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0. Short title, motion Walker, seconded Washington, yeas.

15. Resolution No. 126 – A Resolution
Approving a substantial amendment to the 2019 Annual Action Plan. ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (BHS)

Resolution No. 126, Session 2021, A Resolution approving a substantial amendment to the 2019 Annual Action Plan, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Washington, Resolution No. 126 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

16. Resolution No. 127 – A Resolution
Approving the 2022 Annual Action Plan. ([View](#))
Introduced by: Judy A. Ritter-Dickson
Originator: Economic & Community Development (BH)

Resolution No. 127, Session 2021, A Resolution approving the 2022 Annual Action Plan, was introduced by Ritter-Dickson, read at length, and on motion of Ritter-Dickson, seconded by Walker, Resolution No. 127 came up for discussion.

Director James Crosby explained that this is our Annual Action Plan for submission to HUD which shows how we plan to spend our 2022 allocations. This is a preliminary submission as we won't know our actual funding until sometime later in 2022.

There being no further discussion, Resolution No. 127 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

17. Resolution No. 128 – A Resolution
Authorizing an agreement with Pareto Underwriting Partners. (For 2022 stop-loss insurance) ([View](#))
Introduced by: Sandie Walker
Originator: Business Administration

Resolution No. 128, Session 2021, A Resolution authorizing an agreement with Pareto Underwriting Partners for 2022 stop-loss insurance, was introduced by Walker, read at length, and on motion of Walker, seconded by Ritter-Dickson, Resolution No. 128 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

18. Resolution No. 129 – A Resolution
Extending the Declaration of Disaster Emergency to December 31, 2021. ([View](#))
Introduced by: Lou Rivera
Originator: Mayor

Resolution No. 129, Session 2021, A Resolution extending the Declaration of Disaster Emergency relating to the COVID-19 pandemic to December 31, 2021, was introduced by Rivera, read at length, and on motion of Rivera, seconded by Washington, Resolution No. 129 PASSED by the following vote: Yeas – Rivera, Washington, Ritter-Dickson, Walker, Nixon – 5; Nays – 0.

XII. Requests for Future Meetings

Request for liquor license transfer: 3 Rivers Beer, LLC has submitted a request for a public hearing and approval of an inter-municipal liquor license transfer. 3 Rivers Beers is a newly renovated restaurant which it intends to sell malt and brewed beverages for both on and off premises consumption, will have seating for more than 30 customers and will be located at 131-139 North Duke Street, Suite 4 in York, Pennsylvania. Council to determine date/time for said public hearing. (Click [here](#) to view request letter) - Council scheduled a public hearing for December 21, 2021 at 6PM in Council Chambers.

XIII. Council Comment

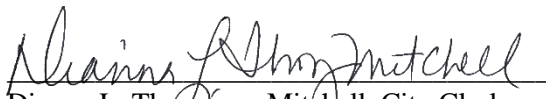
Councilman Rivera asked Mayor Helfrich about the \$1.72 trillion infrastructure package approved by the President asked if the mayor was involved discussion on local distribution of funds.

Mayor Helfrich said he was on a call today discussing this and we will have to file for grant funding although they have not yet determined how they will be distributing those funds.

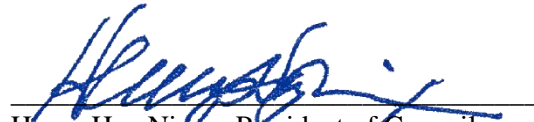
Councilwoman Washington encouraged small businesses to apply for the York County Small Business & Non-Profit Grant Program through the York County Economic Alliance. The deadline to apply is November 19, 2021, at 5PM. More information can be found on their website at <https://www.yceapa.org/>.

XIV. Administration Comment: None

XV. Adjournment: The next legislative meeting of City Council is scheduled for Tuesday, December 21, 2021, at 6PM in City Council Chambers. There being no further discussion, the November 16, 2021 meeting of Council adjourned at 7:11 p.m.



Dianna L. Thompson-Mitchell, City Clerk



Henry Hay Nixon, President of Council