



The City of York Pennsylvania

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COMMITTEE MINUTES April 27, 2022 6:00 p.m.

Fire/Police	Public Works	Econ & Comm Development	Business Admin	Rules & Admin
Washington Dennis Buckingham	Dennis Washington Rivera	Washington Walker Buckingham	Buckingham Walker Rivera	Rivera Washington Dennis

***Bold text indicates Chairperson**

Note: General Committee is chaired by Council President or designee and includes all Council members.

Council in attendance: Felicia Dennis, Betsy Buckingham, Lou Rivera, Edquina Washington, Vice President, and Sandie Walker, President.

Administration in attendance: Michael R. Helfrich, Mayor; Kim Robertson, Acting Business Administrator; Blanda Nace, Chief Opportunity Officer; Monica Kruger, Bureau of Health; Melanie Baldwin, Grants Administrator; Joe Jefcoat, Treasurer; Stephanie Seaton, Chair., Human Relations Commission; and Don Hoyt, Assistant Solicitor.

Council staff in attendance: Dianna L. Thompson-Mitchell, City Clerk.

- I. Called committee meeting to order at 6:00 p.m.
- II. Committee Issues for the May 3 & 18, 2022 legislative Agendas as follows:

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FIRE/POLICE

- 1. **An ordinance amending the 2022 budget for a Justice Assistance Grant in the amount of \$50,532.00.**

Kim Robertson, Acting Business Administrator, explained that this funding was received for the grant period of 10/1/2020-9/30/2024, in the amount of \$50,532.00, and this bill is amending the budget to incorporate the revenue and expenditures for those dollars.

MOTION: A motion was made by Washington, seconded by Dennis, to place this item on the **5/3/22** agenda. The motion passed by the following vote: Yeas - Washington, Dennis, Buckingham - 3; Nays - 0.

ECONOMIC & COMMUNITY DEVELOPMENT

- 2. **Dentsply Redevelopment Overlay.**

Blanda Nace, Chief Opportunity Officer, stated that CS Davidson is to develop a text amendment to our zoning laws to allow a developer to come in and request to use the development overlay process; then

develop a master plan, negotiate with the Planning Commission and Council on the specifics of their master plan. He asked that this discussion remain in committee until the Planning Commission has an opportunity to review and comment.

Councilwoman Buckingham said for clarification, as an overlay, if approved by Council, this would be an amendment to our zoning ordinance, then we can apply to Dentsply or to other redevelopment sites in the future, but it wouldn't be an automatic recommendation that each application would need approval by Council? Mr. Nace said that is correct.

Councilwoman Buckingham asked if changed to UN2, then it would change all UN2 citywide, and we don't want to do that, right? Mr. Nace said that is correct.

Vice President Washington asked if the City Planning Commission has seen or endorsed this language amendment. Mr. Nace said not yet but he plans to attend their next meeting to discuss.

MOTION: A motion was made by Washington, seconded by Buckingham, to keep this discussion in committee. The motion passed by the following vote: Yeas - Washington, Dennis, Buckingham - 3; Nays - 0.

3. Dentsply - ARPA Funding.

Blanda Nace, Chief Opportunity Officer, said the following, "A blighted property is a city process and happens with the city. It then goes to the Redevelopment Authority (RDA) and once certified as blighted, the next process is acquisition. The city does not acquire blight. We get \$25,000 per year to acquire blighted property. All other revenue is from selling those properties. Right now, we have 26 properties going through the blight process. There are an additional 22 that are on the Fire Depts. do not enter list. There are 13 we are currently exploring to see if they are blighted. There are 14 that the RDA has certified as blighted, but we haven't moved forward because we don't have the funding. There are 75 properties right now in the city that are blighted and ready to be acquired. In order for us to acquire 75 properties at \$19,000 each, that will cost us well over \$1 million dollars. We need to gain entrance to the property to appraise it and there are other costs involved. I think the city needs an emergency stipend fund because most of these blighted properties will probably need demolished and we also need staff."

He went on to say, "Dentsply acquisition came out of nowhere. This came up a few years ago for sale. They issued an offering memo. I have met with about 8-10 developers that wanted to walk through the property. The broker has kept me involved. The RDA applied to DCED for funding, but we must own the property. I would like to see the RDA partner with a developer for the property. This past month, Dentsply opened up offers again which are due by May 6. The issue is that it's a huge property. It is 17.3 acres, 293,000 sq. ft., and the age of the buildings range from 6 to 133 years old. There are very few buyers who have the wherewithal to purchase the entire site. Our thought is having the city or RDA as site control will allow us the ability to determine what's best for the city. This property has a lot of potential, and we want to make sure it's developed properly, such as for mixed use. There is not one local purchaser who has expressed interest in acquiring the site. If we get funding for this, if we sell off those parcels, I can use that money to pay off the blighted properties. ARPA and grant funding is all about leverage. This is an opportunity to leverage funds and rollover to take care of blight. Let's rebuild this area and give opportunities for homeownership. Developers don't care about the history of this building. They only care about the dollars."

Councilwoman Buckingham asked if City Planning has been involved? Mr. Nace said the Planning Commission has not been involved because we don't control the property.

President Walker asked what is the brokerage company looking for? Mr. Nace said they have given us a range of pricing but won't give us a definitive price. He said this has all been verbal. Nothing written.

Mr. Nace said if the city would provide funding for this, money isn't due with the offer. He said he has drafted up a letter of intent to send to them and is requesting a 90-day due diligence that staff have the keys and carrying costs to get through the winter cycle (electric bills, fire alarm maintenance, phone lines, lawn mowing, etc.).

President Walker asked who has been communicating with Dentsply? Mr. Nace said himself, the brokers and interested parties. Nothing formal.

President Walker said she was a bit thrown by the presentation given at Council's [4/19/22 meeting](#) by Andrew Cohen, Sr. VP-Development, Woda Cooper Companies, Inc., because he mentioned he was there to originally discuss HOME funding but then changed his presentation to Dentsply acquisition.

Mr. Nace said Mr. Cohen was one of the developers that did a walk through. His goal was to secure funding, and he was seeking HOME funding. He wants to apply for low-income tax credits. One of his things is site control. He said he likes Woda Cooper's and its projects and that he's trying to marry these developers together.

Councilman Rivera said during the legislative meeting, we were hit with information from Mr. Cohen that the Dentsply property was going up for sale and the immediacy of city action to consider ARPA funding to acquire the property.

Mr. Nace responded that Dentsply changed their plan and asked for offers by May 6, which was earlier than anticipated, so we were caught off guard and found out about this on 4/19/22. He said we could submit an offer but that doesn't mean we'll get it.

Councilman Rivera asked how much in ARPA funding is needed?

Mr. Nace said he doesn't have an exact figure but would like to include staff money, carrying costs, potentially \$100,000 in engineering assistance, and acquisition costs. He said he cannot see that we would go over \$5 million. He said if we move forward, he will provide Council with legislation for an amount "up to" a certain cost.

Councilman Rivera said he supports anything that benefits the city. It's hard for me to believe these conversations have only taken place over the past week.

Mr. Nace said there were no immediate calls for offers and that just happened last Tuesday so that's when the conversation started.

President Walker asked what exactly is being requested of Council? Mr. Nace said to allocate ARPA funding in an amount not to exceed \$5 million for acquisition and blight. She asked if the WODA deal is included in this amount. Mr. Nace said if we subdivide and sell him the parcels he wants, we can use that money to deal with blight but that's not something set in stone.

President Walker asked who asked WODA to come to Council? Mr. Nace said that was James Crosby from the city's Bureau of Housing Services, suggested Mr. Cohen attend to discuss HOME dollars. He said Mr. Cohen decided to change his presentation once he arrived at the meeting. It was not pre-planned.

Vice President Washington said Council had requested \$750,000 for renovations to Penn St. Market and we received some pushback. How is this different? Mayor Helfrich said he wanted to make Penn Market at community project with contributions from other businesses which would give us leverage to turn our \$325,000 into \$750,000 but Council went against that recommendation.

Vice President Washington asked why this project is different in that the full amount of ARPA funding is being requested instead of using the concept presented by the Mayor for Penn St. Market. Mayor Helfrich said because we can get money back on this property by selling portions of parcels then using that money to reinvest in blighted properties. He said for instance, a school district is looking for a west end school and they want to know more about the property and if there is any opportunity there.

Councilman Rivera said he's more interested in what's going to happen short term and immediately. Is it the city or the RDA that will purchase this property? Mr. Nace said his gut is saying the city should purchase it and transfer it to the RDA.

President Walker said we definitely need to identify potential conflicts of interest and eligibility requirements and she wonders how this qualifies for ARPA funding

Melanie Baldwin, Grants Administrator, explained that we are eligible to use ARPA funding for this purchase. The acquisition is a free and clear expenditure category. There are now 83 expenditure categories. She provided Council with the new expenditure categories. The categories that fit the purchase of Dentsply are "Strong Health Communities - Demolition and Rehabilitation of Properties".

Michael Black, Chair of the RDA, said they passed a resolution last week to support purchase of this property. The RDA would love to be able to fund ourselves.

President Walker said with a letter of support, will there be a proposal or development plans? Mr. Nace said his intent is to find a way to fund his dream of fixing all the blight and whatever is remaining after that can be reused.

Councilman Rivera said a member of the RDA said he wanted to sell Penn Market to the highest bidder so that rubbed him the wrong way. Mr. Nace said he wants it on record that that's not the RDA's position on this property. Councilman Rivera said we made it clear last week that whatever goes in there, it benefits the community not that it goes to the highest bidder.

Mayor Helfrich said the RDA is eligible for grants that the city is not eligible for. So, there are benefits on both sides. We can work on agreements that the RDA works with us as a partner to make sure these properties are put to the best use.

President Walker said, just like ARPA funding, she feels this is another once in a lifetime opportunity. This property could be used to address homelessness and homeownership. She said she supports the city having control of what happens with this property and the proceeds.

Councilwoman Buckingham asked if there is a method in place for the RDA to transfer money to the city? Mr. Nace said we just write a check.

President Walker asked when they are looking to bring this to Council? Mr. Nace said the letter of intent is due Friday, May 6th. We don't have to give them a \$1 million check when we submit the letter. He said he drafted a 90-day due diligence clause and that he's having a meeting with our broker on Monday, so he'll get his opinion. Mr. Nace said he would like to be able to tell him we have the ball rolling.

Mayor Helfrich said we need a resolution for a letter of intent on the May 3rd Council agenda.

Councilman Rivera asked if Council could tour the property. Mr. Nace said, yes, he could set that up.

President Walker asked if Mr. Nace has primarily been involved with Dentsply. Mr. Nace Blanda said, yes, he's doing the leg work and Econ/Dev Director Nona Watson is being kept in the loop, as well as

the city planner and grants administrator.

George Fitch, resident, said hearing all this is great, but can we also look at having a grocery store as an option? There are a lot of people in the city that don't have transportation.

Jeff Kirkland, resident, said planning is important as this has the potential to be transformative for our community. Many citizens feel that much of this development has not been in the best interest of those in our community. He spoke about the importance of land development and how it affects the well-being of our residents, especially our youth. I feel the RDA has not been a good neighbor in our community because property is purchase, razed, and then a sign posted to keep off. He then gave a brief history of land acquisition for the Dentsply property. Let's try to make sure this benefits the members of this community. This is important and you will set the tone for the future development of our community. He asked that Council continue to do its due diligence especially since they are asking for ARPA funding and that money is aimed to help the community.

Melanie Baldwin, Grants Administrator, said the easiest way for ARPA to fund this is for the city to purchase this and keep it until 2026 that way you can tell people what they can do there since there are expenditure categories assigned. She said year 2026 is when ARPA funding is no longer restricted. She said she's included in discussions with Mr. Nace but then the rest of the discussions come to her afterwards. She said she never discussed with Mr. Nace about the RDA becoming a recipient of ARPA funding.

Manuel Gomez, resident, said it's a lot to take in but he would like the Mayor and Mr. Nace to give a number from 1-5, how risky this purchase would be with 5 being risky. Mayor Helfrich said 1.5. Mr. Nace said 1.98.

Mr. Gomez said that this is speculative and risky. You may end up catching it on the right end or the opposite end. One of the key factors in this is disposition strategies but the enforcement mechanisms I would like to hear in further detail. He discussed Penn Market and the funding, in that the Mayor said, "We don't own it, the RDA can turn around and sell it for a dollar." He said he's paraphrasing but Vice President Washington asked great questions about how this project is different. He said things seem to always be brought to the table when the pedal is to the floor at full throttle and this doesn't sit well with him because it's far too risky.

Mayor Helfrich said he's not always on the same side of the decisions as the RDA but he trusts we can work out a process with the RDA that we utilize the RDA for redevelopment for this exact purchase. I feel confident about this. I'm sorry for the rush but when the owner says they are taking bids come May 6th, we have no control over that and must move accordingly.

Vice President Washington said she expects a resolution be submitted to the City Clerk tomorrow regarding the letter of intent for inclusion on Council's May 3rd agenda.

MOTION: A motion was made by Washington, seconded by Buckingham, to place a letter of intent to purchase the Dentsply property on Council's **5/3/22** agenda. The motion passed by the following vote: Yeas - Washington, Dennis, Buckingham - 3; Nays - 0.

RULES & ADMINISTRATIVE CODE

1. Article 185 - CROWN Act ("Creating a Respectful and Open World for Natural Hair").

Stephanie Seaton, Chair, York City Human Relations Commission, said she's here on behalf of the HRC who approved this amendment at its 4/18/22 meeting. This language was worked on with Vice President Washington, Dianna Thompson, City Clerk, and Assistant Solicitor Jason Sabol. She said she has had personal experiences of discrimination based on my hairstyles. There is trauma associated with

individuals who have been discriminated against in school and in the workplace because of their hairstyles. She said this is an important addition to our ordinances. The CROWN Act is an additional protective class. She outlined the amendments and how protective and cultural hair textures, and hairstyles is defined. She said there are 13 states that have this in their state laws, unfortunately, Pennsylvania is not one of them.

Vice President Washington said our hair is our crown and this is not just for today, it's for the little boys and girls of the future so that we don't have to fit into an idealization of what professionalism looks like. She thanked Ms. Seaton and the City Clerk for working on this legislation.

Councilwoman Dennis said she is also natural, and this is very important legislation and no one should have to worry about how they wear their hair. She said thank you all for the hard work.

Manuel Gomez, resident, said this brings him a lot of joy because this brings relatable laws to our community. This shows growth and progress.

MOTION: A motion was made by Rivera, seconded by Washington, to place this item on Council's **5/3/22** agenda. The motion passed by the following vote: Yeas - Rivera, Washington, Dennis - 3; Nays - 0.

2. Article 165 - Residency (To repeal and allow residency in counties contiguous to York County).

Mayor Helfrich spoke at length about the difficulty in hiring potential employees because of the residency requirement. He outlined the amendment which includes expanding residency to contiguous counties to York County. He said this opens up the pool of qualified candidates. There are 10% of city positions open that have been open for a long period of time. For the 98 employees affected by the requirement out of 300+ employees, it is unfair to require those 98 employees to adhere to a law that others don't.

Kim Robertson, Acting Business Administrator, said that she started in recruiting and worked her way up to management and over the past 10 years this has been a topic of discussion. It's not just hiring; it's also retaining our employees. Depending on the position, we need people that have experience that comes with age and life changes. Those people have established families and they are just a few feet outside of the city limits. We can't expect them to uproot their family to meet our residency requirement. Life changes and it's unfair to tell an employee that if you decide to move because of your life change, you'll lose your job.

Mayor Helfrich said Cliff Kern, our WRCT Producer, has expressed his desire to move his family outside of the city and will probably leave if he can't. Losing him would be a big blow to us. He's an excellent employee and is important to delivering broadcasted events countywide. We've had employees quit because they are stuck doing two and three jobs because we can't fill openings. This is affecting their personal lives and they shouldn't have to be made to choose.

President Walker asked if preference is given to city residents. Mayor Helfrich said preference is always given to qualified city residents.

President Walker said when it comes to our HR procedures, there have been times that people have applied and said they haven't heard anything back. I know you're stretched thin even bur if individuals are applying, they should at least receive the common courtesy of a response.

Kim Robertson, Acting Business Administrator, said that everyone that applies gets acknowledgement that their application has been received. In order to communicate back to applicants, we have to be careful of our wording and sometimes it's not in the best interest of the city to share details. Sometimes I'm concerned about what type of response is expected. This has been a discussion that has come up

before, but we are limited in our technology.

Councilman Rivera asked why contiguous counties? Mayor Helfrich said how would you expect someone to travel from Pittsburgh every day to work? He said were trying to find a reasonable ground to expand the boundaries. Councilman Rivera said he supports opening it up completely without limits. He said when he ran for Council, he was opposed to repealing residency, but that's not allowing us to grow with talent that might not be from the city. He said he is a proponent of hiring the best and brightest but that a concerted effort be made to give black and brown people an opportunity. I think it's a lazy argument to say black and brown people don't apply. We have to make a concerted effort that black and brown folks are considered for these positions and that's extremely important to me.

Ms. Robertson said her goal is to hire the most qualified applicant for the job. This goes to increasing the applicant pool. We've gone to job fairs and people have asked if they have to live in the city, and when we say yes, the stop coming to our table. This is the same ordinance that was presented in 2019 and our goal then was to expand the boundaries.

Stephanie Seaton, Chair of the York City Human Relations Commission, asked if there are points associated with the hiring preference such as veterans' points because this can become subjective. Mayor Helfrich said it's something like 5 points, but he can't give an exact percentage but it's about 2-3%. He then outlined their scoring process. Ms. Seaton said the HRC is currently hiring for an Executive Director and we're looking for the most qualified person for this job. We are in the midst of a housing crisis and this trend isn't changing anytime soon. This impacts the ability for potential employees to find housing if restricted to the city. Fair housing is a choice, she said.

Sharon Smith, resident, and Chair of the York City Board of Health said we are a diverse group. The city is one of a few entities that contract with the state. It takes a population-based approach to disease prevention and health promotion and that's done by partnering with other agencies. In the last few years, it's been terribly challenging for the health field. When the coronavirus hit, the pandemic was felt, and the York City Health Bureau really stepped up to the challenge. During the state of emergency, the governor waived the residency requirement for the health bureau, but reinstatement of those residency requirements will be problematic in many ways. She said we can't afford to lose the employees that are working for the bureau under the declaration order. She outlined the challenges the health industry faces especially in light of the pandemic. She listed the current openings in the York City Bureau of Health. She said the York City Board of Health asks that the residency be rescinded.

Dr. George Fitch, York City Board of Health, said anytime you have families doubling and tripling up on housing, it's a crisis. There were weeks and months that I didn't see my neighbor Monica Kruger who works for the City Bureau of Health because she had to keep coming in the office to handle business. We are down to the bare bones, and we don't want our health department to close because our residents need this resource. He said we are extremely lucky to have a health department in our city.

Joe Jefcoat, Treasurer, discussed how Kim Robertson is the Acting BA, HR Director, and Payroll Clerk. The Treasurer's office has been open every day even through the pandemic. He said we are in the process of initiating a new financial and budgeting system. I hope that you will give this serious consideration and we're looking for individuals looking for accounting jobs.

Melanie Baldwin, Grants Administrator, said when working with health, they have the money to pay for employees, but the residency is a problem. She said she didn't want to move into the city but hopefully she can move out of the city. There is nothing wrong with the city, it's just that city life is not my preference. This requirement takes away your choice on where you want to live. You never know how long people are willing to travel for their job.

Monica Kruger, Bureau of Health Director, thanked the board members for being here and said nothing else needs to be said. She said she's been with the city for 14 years and her husband worked for the city

for many years.

Chastity Frederick, York City Health Bureau said she is standing before Council today for people who are not being cared for because staff has been overworked and underpaid. She outlined the services of the Bureau of Health and said this is important work.

Bethany Kern, resident, and husband of a city worker said all the points made this evening are dead on point and she knows there was good intent for the residency requirement. People who live just outside of the city love and support the city. Of those 98 employees subjected to the residency requirement, have they met the goals of the original intent of the ordinance? I have lived here for almost seven years, and I love this city. My husband loves his job and we've stayed in the city because of that but our family has expanded, and we want more land to have beehives, plant vegetables, and raise chickens. Is this ordinance worth the cost of where we are at now with the lack of a full labor force? Are there other methods the city could use to achieve the same goal of the residency requirement? The current residency requirement is not helping, it's hurting city government.

Nona Watson, Director of Economic & Community Development, said she lives in the city and doesn't plan to move anytime soon but she supports residency being lifted. We should be able to make our own choices about where we want to live and work. I welcome those who want to work for our fine city. Because of the residency, we have missed out on a lot of a good employees.

Manuel Gomez, resident, said this is a decades' long experience imposed upon the people by the government. We've heard many stories today and you either believe resources move unencumbered by those barriers or you don't. We've cut ourselves off from an expanded pool. Look how long and how many people had to suffer before we could finally get to this point.

MOTION: A motion was made by Rivera, seconded by Washington, to place this item on Council's **5/3/22** agenda. The motion passed by the following vote: Yeas - Rivera, Washington, Dennis - 3; Nays - 0.

GENERAL

1. Industrial Pretreatment Program - WWTP.

Mayor Helfrich said this is part of the transitioning of the Wastewater Treatment Plant to American Water Company. This is for if an industry is non-compliant, American Water Company can come to us for assistance. Generally, people are compliant, but this is to make sure there is no loophole.

MOTION: A motion was made by Walker, seconded by Rivera, to place this item on Council's **5/3/22** agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

2. Conflict of Interest Waiver - Quo Warranto.

Don Hoyt, Assistant Solicitor, said he feels discussion on this item this is a moot point because the case as already gone to court.

Mayor Helfrich said, "I disagree." He said there is no knowledge what the future brings such as appeals so this is still relevant.

Solicitor Hoyts said there could be an appeal. The hearing has been held and it's in the judges hands so that's where it stands. This can be revisited if it comes to that.

President Walker said this item was submitted by the Solicitor's office yet he's saying it's moot. She said

she's still going to ask questions. For the letter that was sent from the PA Bar Association's ethics committee, is that the basis for this agenda item. Assistant Solicitor Hoyt said, yes.

President Walker asked if the opinion of the letter is the opinion of the full bar. Solicitor Hoyt said from the contact we made; they gave us an individual who had municipal experience since we wrote a letter asking for an opinion. He said he can't say this is the opinion of the full board. President Walker asked if this letter is admissible in court. Solicitor Hoyt said, no because it's just advice.

President Walker asked for an explanation the caveat given by the Bar Association that reads, "The foregoing opinion is advisory only and is not binding on the disciplinary board of the Supreme Court of Pennsylvania or any court. It carries only such weight as an appropriate reviewing authority may choose. Moreover, this is the opinion of only one member of the committee and is not an opinion of the full committee." She said so when she asked about the full opinion, she was speaking about the caveat at the end of the letter. She said this was forwarded to Council from Assistant Solicitor Jason Sabol with no explanation.

President Walker then asked about the sentence in the Bar Association's letter that reads, "The opinions expressed in this response are not dependent upon whether the Inquirer will represent the Respondent as the incumbent Mayor or as a private client." However, she stated, the resolution states the Bar Association has determined that the Mayor qualifies to be represented by the solicitor's office because it's in the course of his employment as Mayor. The Bar said they cannot determine, yet the resolution is saying that they have determined.

Assistant Solicitor Hoyt said the Bar Ethics Committee's opinion is that we represent the City of York, and we are an entity to represents two bodies (the executive and legislative branches). Under the rules of conduct, this poses a conflict of interest. That conflict can be waived by informed consent as stated by the Bar, so we requested the waiver of a conflict of interest. The mayor hired other counsel since Council didn't act on it.

President Walker said the Bar Association didn't determine that the Mayor qualifies to be represented by the Solicitor's office, so the resolution is very misleading. In the formal complaint, the City of York or the Mayor isn't listed in the complaint. It says Michael Helfrich. I does not say the Mayor or the City of York.

Assistant Solicitor Hoyt said that was clarified in their letter in that they are saying Michael Helfrich is being sued in his capacity as Mayor.

President Walker said the person submitted the opinion but said they could not give advice on whether the city could represent Michael Helfrich as a private citizen.

Assistant Solicitor Hoyt said we asked if the city solicitors can represent Michael Helfrich in his capacity of Mayor and we asked Council if that could be waived, and it wasn't so the case moved forward with Mayor Helfrich being represented by a private attorney.

President Walker asked where it states the City of York has to pay for his attorney?

Assistant Solicitor Hoyt said he didn't say that but if Assistant Solicitor Jason Sabol said that, he'd be happy to talk to him about it. Our only concern was if Council would waive the conflict of interest.

President Walker said so at this point, we don't know who is responsible for the costs.

Assistant Solicitor Hoyt said that is correct.

Councilman Rivera said it sounds like Mayor Helfrich is not communicating with the solicitor's office.

President Walker asked that the Bar Association's Ethics Committee answer the question as to who pays the legal costs for Michael Helfrich's defense and if this is a private matter or if the city is responsible for this.

Councilman Rivera said he saw a figure of \$5,000 to cover his legal costs.

Ryan Supler, resident, asked if the government paid for the other times Michael Helfrich was sued in court challenging his qualifications to hold office? He said he attend the hearing and Judge Vedder said he'd deliver prompt execution if the ruling doesn't go his way. The city should be ready in case that happens.

Vice President Washington said at one time - she believes back in 2011 - when a challenge was brought up about Michael Helfrich running for office, he said he didn't want the city to be responsible for the payment of his bill by taxpayer dollars.

Mayor Helfrich said he doesn't know what Vice President Washington is referring to.

Manuel Gomez, resident, said there is no method to determine what the judge will decide. There are some questions that should be answered. He asked if there is any precedent for this situation? This is cloudy and murky. He said he doesn't think this is a plot guided by Council and that he's never seen anything like this.

Mayor Helfrich said when he was given advice that it was not necessary for an incumbent Mayor to take another oath. I was the Mayor and continued to be Mayor at that time. The fact that the solicitor is not being given the opportunity to defend his own logic doesn't make sense. We cannot be in the mind of Assistant Solicitor Jason Sabol, so we asked a surrogate to step in.

President Walker said we requested the District Attorney and the Attorney General to consider a quo warranto and we met with the solicitor about this. I don't know why this resolution references a quo warranto because the petitioners' action is not a quo warranto.

Councilman Rivera said Mayor Helfrich can continue to blame Council, but this isn't Council's fault. I'm disappointed that Council didn't know there was an issue with you not being sworn in. It was brought to our attention. When are you going to take responsibility?

Mayor Helfrich said he always said Council should get its own attorney.

Councilwoman Dennis said you seem to make it seem like it's Council's fault that you're in this situation Mayor Helfrich.

Mayor Helfrich said that since Council didn't waiver the conflict, it's going to cost taxpayer dollars.

President Walker said she'd like to put on the record that Assistant Solicitor Sabol explain why he said we have to pay for the Mayor's defense.

Mayor Helfrich said Council could have asked Assistant Solicitor Sabol questions?

Vice President Washington said it's not Council's role to come up with pre-determined questions. Sometimes questions come up on the fly so don't use that as an excuse.

Councilwoman Dennis said we all make mistakes, and we have to own up to our mistakes versus trying to put the blame on others like Council or Assistant Solicitor Sabol.

MOTION: President Walker asked if there is a motion to place this item on Council's legislative agenda.

No motion was received; therefore, the resolution remains in committee.

II. Council Comment: None

III. Administration Comment: None

IV. Next Committee Meeting is scheduled for May 25, 2022 at 6:00 p.m. in Council Chambers. Committee agenda items are due by 12 noon on May 18th.

V. Adjournment: There being no further business, the April 27, 2022 committee meeting of Council adjourned at 9:32 PM.



Dianna L. Thompson, City Clerk



Sandie Walker, President of Council