



The City of York Pennsylvania

Office of City Council
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COMMITTEE MINUTES May 25, 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.

NOTICE: Council will hold a Special Meeting at 6:00 p.m. The committee meeting will follow immediately afterwards. Click [here](#) to view special meeting agenda.

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

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

Administration in attendance: Michael R. Helfrich, Mayor; Kim Robertson, Acting Business Administrator; Nona Watson, Director of Economic & Community Development; Blanda Nace, Chief Opportunity Officer; Steve Buffington, Building Code Official; James Crosby, Director of the Bureau of Housing Services; Melanie Baldwin, Grants Administrator; and Don Hoyt, Assistant Solicitor.

- I. Called committee meeting to order at 6:11 p.m.
- II. Committee Issues for the June 7, 2022 legislative Agendas as follows:

CLICK [HERE](#) TO VIEW ISSUES CHART

GENERAL

1. MS4 Presentation

Lettice Brown, MS4 Coordinator for the City of York, did a presentation on MS4 discharge. MS4 is short for, "Municipal Separate Storm Sewer System", where the word "Municipal" refers to a unit of local government and the number 4 refers to the four words that start with the letter "S"; "Separate," "Storm," "Sewer," "System." A separate storm sewer system is a collection of structures, including retention basins, ditches, roadside inlets, and underground pipes, designed to gather stormwater from built-up areas and discharge it, without treatment, into local streams and rivers. It's called a separate system because it's not connected to the sanitary sewer system which drains wastewater from inside a home to a sewage treatment facility or a private septic system. Ms. Brown then answered questions from Council and the Mayor. Click [here](#) to view Ms. Brown's PowerPoint presentation.

2. Historical Architectural Review Board (HARB) Discussion

Craig Zumbrun, Chair, HARB, introduced himself and made himself available to answer questions.

Councilman Rivera asked about the number of Board members, which was answered by Mr. Zumbrun.

Councilman Rivera then asked what was HARB's issue with the Northern Gateway / Ballpark Commons project (the "Project"). (See the Minutes of [5/18/22](#), discussion on agenda item #3, for more information.)

Mr. Zumbrun said the applicant failed to have an engineering report regarding demolition absent declaration of a building being unsafe. The Philly Cafe had that declaration, so HARB recommended to Council demolition of that building. He said the applicant for the Project had two engineering reports that both failed to clarify the building was unsafe. There was also no development proposal or architectural drawings that the project would comply with the guidelines for new construction. He said there was a sketch of future possible development but at this point, the properties will be demolished, and nothing left but grass. HARB recommends ways to enhance and use historical structures of the city. York has the densest resource of architectural properties but we're losing them fast especially over the last five years. He said the gateway had nothing to do with an urban project, so HARB didn't see the merit of the proposal because of these issues.

Councilman Rivera asked if there has been a Council liaison to HARB.

Mr. Zumbrun said no, but by ordinance the city's building code official is required to serve on the board, which he does. He then explained the role of the former HARB consultant that was very helpful in helping board members render recommendations.

Councilman Rivera asked if any people of color serve on the board. Mr. Zumbrun no, and it's hard to find people to step up to the commitment of HARB.

Councilman Rivera said what he sees is that the HARB area covers areas that are inhabited by lower income residents of color. He said he was told the standards of HARB are so stringent that they cannot afford to meet those standards. He said some people cannot afford these changes and they then turn to Council for its consideration.

Mr. Zumbrun said maintenance is often an easy solution. He said neglect is what causes more money in repairs. He said HARB Co-Char Dennis Kunkle has given people step-by-step instructions on how to do the work. He said the days of not bending on the rules are long gone and the loss of historic architecture is being realized. He said municipal pride and preserving these precious assets was why the historic district was established.

Mayor Helfrich said there is a risk to loss of funding if the Secretary of Interiors Guidelines are not followed. Mr. Zumbrun said that is correct.

Mr. Zumbrun said that you have these publicly funded businesses that are allowing these properties to be neglected and then they come to Council asking to demolish instead of preserving the properties. He said the Project building (located at 319-335 N. George St.) is found in historic pictures and now Council approved it to be demolished. He said we advise Council on matters of changes to historic properties in the city.

Mayor Helfrich said the city put out an RFP for a HARB consultant but received no responses. He said there was a concept to bring a housing professional in-house that has historic knowledge and lead abatement, so we have been reviewing multiple ways to assist HARB.

City Clerk Dianna L. Thompson said the issue of affordability has been an issue for years when renovating historic buildings because people just can't afford it. She suggested possibly having a reserve fund of ARPA money to help owners with repairs and upgrades.

Building Code Official Steve Buffington said he was side-eyeing HARB in the past because of their stringent requirements but in the short time he's been on HARB, the members have engaged the applicants. He said Co-Chair Dennis Kunkle comes up with alternatives for the applicants to help save money, so HARB isn't as stiff and ridged as they are perceived to be. He then said people buy these properties in the HARB district and have no clue about the HARB requirement. He said maybe the HARB ordinance can be amended to require the seller to disclose the HARB aspect of properties located in the Historic District.

Councilwoman Buckingham said we need to have a conversation with RAYAC because the seller's realtor should have that included in their disclosure because that's what a realtor is for - to safely see you through a transaction.

HARB Co-Chair Dennis Kunkle said the issue is disclosure, not profit, when it comes to realtors. We need honesty throughout the entire process.

Manuel Gomez, resident, said he is a big fan of HARB when it's black and white. He said he does not like when they are dealing in exemptions and waivers because people don't know about the HARB requirements. He said zoning and HARB are a point of contention for homeowners when you purchase in the overlay district. He said there are key stakeholders that can partner with and educate the community. He said Council can attend HARB meetings if they want to participate in or hear discussion on applications presented so that you are informed.

Blanda Nace, Redevelopment Authority, said there are other districts than just the HARB district and when people go after Federal money, they have to get state approval to demolish some of these properties.

Melanie Baldwin, Grants Administration and Special Projects Analyst, presented Council with the ARPA Manual.

President Walker asked if HARB would be an eligible ARPA expense as suggested by the City Clerk. Ms. Baldwin said it would.

There being no further discussion, President Walker moved on to the next agenda item.

ECONOMIC & COMMUNITY DEVELOPMENT

3. RACP grant application in the amount of \$1.5M for the Rex/Laurel Fire Station Historic & Life Safety Renovations Project.

Chief Opportunity Officer Blanda Nace said they received two RACP grants one which is for \$1.5 million for the Rex/Laurel Renovation Project. The other \$1.5 million is for the Penn Market Renovation Project. The Penn Market funding was granted to the RDA, and Rex/Laurel funding was awarded to the city. He said he is writing a business plan that explains the economic and community impact of the project. He said this resolution is to allow submission of the application and that he will ask the RDA to pass a similar resolution at its June 15th meeting.

DECISION: A motion was made by Washington, seconded by Walker, to place this item on the **6/7/21** legislative agenda. The motion passed by the following vote: Yeas - Buckingham, Walker, Washington - 3; Nays - 0.

4. 2022 CDBG & Home Budget Amendment

James Crosby, Director of the Bureau of Housing Services, said this is amending the budget to show what our actual allocations are for this year. He said the original plan was submitted using a guestimate and this reflects actual. (CDBG Actual - \$1,421,140) (HOME Actual - \$588,243)

DECISION: A motion was made by Washington, seconded by Walker, to place this item on the **6/7/21** legislative agenda. The motion passed by the following vote: Yeas – Buckingham, Walker, Washington – 3; Nays – 0.

5. COVID-19 Annual Action Plan Amendment

Director Crosby said we received these funds in 2019-2020 when we did the plan. We had a potential recipient for \$60,000 of the CDBG-COVID funding and that person was associated with the program #ItsAboutChange. He said this program is led by the city Controller, so we had to submit a conflict-of-interest disclosure to HUD, and they said there is no conflict of interest so this funding is being pledged to that program.

Councilwoman Buckingham asked how that money will be used.

Director Crosby said for salaries, case management, and support services. He said the program is for community re-entry of incarcerated individuals.

DECISION: A motion was made by Washington, seconded by Walker, to place this item on the **6/7/21** legislative agenda. The motion passed by the following vote: Yeas – Buckingham, Walker, Washington – 3; Nays – 0.

6. 2022 Annual Action Plan Amendment for CDBG/HOME

Director Crosby said this is the amendment to the 2022 Annual Action Plan to show the actual dollars of HOME and CDBG funding.

DECISION: A motion was made by Washington, seconded by Walker, to place this item on the **6/7/21** legislative agenda. The motion passed by the following vote: Yeas – Buckingham, Walker, Washington – 3; Nays – 0.

7. Budget transfer in the amount of \$60,000 for the It's About Change program

Director Crosby said this is transferring the \$60,000 to the line item for #ItsAboutChange Program.

DECISION: A motion was made by Washington, seconded by Walker, to place this item on the **6/7/21** legislative agenda. The motion passed by the following vote: Yeas – Buckingham, Walker, Washington – 3; Nays – 0.

8. Budget amendment - ARPA funding (Habitat - \$500K; RDA Blight - \$550K; PMI's - \$88K)

Habitat

Director Crosby said there was a fire on Chestnut St. and Habitat is replacing those homes with brand new affordable housing units. He said we initially funded the project for six townhomes with \$500,000 from DCED. There has since been a gap in financing for materials. So, we are requesting these funds so we can complete the work. He said for any unspent funds for this portion of the program, Habitat is asking that they be applied to phase 3 of the project as we are now in phase 2.

Terri Abruzzese, Family Services Manager, Habitat for Humanity, said there are 14 families that will be served in that block when these homes are completed.

Councilman Rivera said a half of a million dollars could help a lot of other organizations that can serve way more people. He said he's not belittling Habitat; he said he just thinks this money could go a longer way than just serving 14 families in the community.

President Walker said she'll need more information and history with regard to the city's role with Habitat. She said she is not updated or informed as to our role.

Director Crosby said HOME funding from DECD was the original funding source. The city stepped in and applied for a grant on behalf of Habitat. We are on the hook for \$500,000 right now. If for some reason, this project isn't completed, DCED is going to be asking the city to refund this money.

President Walker asked what's the time timeline to pay the money if the project isn't completed.

Director Crosby said we have to complete the project by 2023 and we are working with a total of \$1 million for this project with each house costing about \$225,000.

President Walker asked what original amount of ARPA funding was being requested.

Director Crosby responded about the same - \$500,000.

Vice President Washington asked for a budget outline of how the \$500,000 will be spent.

Director Crosby said he'll provide that information to Council.

Mayor Helfrich said this project is to build homes, not purchase homes. He said Habitat is contributing to the fabric of the city to replace houses that were burned down, and he is in support of this project.

Blanda Nace, Chief Opportunity Officer, said this will bring in approximately \$84,000 annually of tax revenue for the city.

Councilman Rivera asked if ARPA funds are not granted, where will the money come from.

Mayor Helfrich said probably taxpayer dollars.

RDA Blight

COO Nace then discussed the blight allocation of \$550,000. He said he's developed a complete blight program, and this is a great start to acquisition of blighted properties. This is money that is going to the Department of Economic & Community Development, not to the Redevelopment Authority (RDA). He said the RDA does not come into play until we acquire the property. He asked if there are other ways we can pull together a blight specialist that would consult the RDA and HARB?

Vice President Washington said the ordinance will need to be changed to reflect that the money is not being used for acquisition.

COO Nace said he agrees the language should be changed.

Manuel Gomez, resident, asked if the RDA is looking at a large acquisition down the pipeline because this is a nice amount of money. He said he would like to see a disposition strategy because he hears them talking about acquisition. He asked what they are really planning to do.

Nona Watson, Director of Economic & Community Development, said one of the things they are trying to do is separate out who is doing what to make sure Mr. Nace is not wearing two hats (RDA/Econ-Dev). If they acquire on Econ. Dev., then we partner with the Bureau of Housing Services, Econ. Dev, codes, etc. She said homeownership and affordable housing is so important. We need to look at how we can tap into the finances available to us.

President Walker said some Council members have been meeting with the RDA to open communications. When blight was mentioned at our last meeting, she said her concern was the homeownership part and how to make sure individuals in our community are at the forefront to become homeowners.

Property Maintenance Inspectors (PMI's)

Steve Buffington, Building Code Official, said we applied for ARPA funding for three additional inspectors, but we got that down to two inspectors which will allow us to get two more sets of eyes on the street. He said the city does not look its best so this will allow us to address property maintenance and neglect. We want these individuals cross-trained so that we have a cork to stick in the hole to keep things moving along. He said this will give us a much-needed increase in capacity and maintain continuity.

General ARPA Discussion

President Walker said in regard to ARPA, to date, how much has been expended.

Melanie Baldwin, Grants Administrator, said nothing has actually been spent except the \$197,000 for the Human Relations Commission Eviction Specialist. She said recipient training is next Thursday, but we haven't given out any money although Council has approved expenditures.

President Walker asked why money has not been spent.

Ms. Baldwin said we have to get the application files and recipients trained before money is expended so that when audited, we are making sure recipients are doing the right thing. She outlined the process required by recipients.

President Walker asked if internal staff will be assigned a point person for training.

Ms. Baldwin said a consistency must happen and metrics must be followed. Whenever the training needs to happen, she said she can do it one-on-one or as a group.

President Walker asked that Council receive reports on funding and expenditures including internal departments to include resolution/bills passed, budget amendments, and funding expenditure timelines.

Ms. Baldwin said after they have taken care of the application, it goes to Business Administration and the financial department that ideally will act within five days but in reality, it could take up to a month.

President Walker said for this resolution, it all falls under Econ Dev., will there be a separate point of contact for each. Ms. Baldwin said, yes.

Councilman Rivera asked where we are in hiring an ARPA administrator.

Mayor Helfrich said the RFP should be sent out in a few weeks.

President Walker said she made it clear that she is not supporting any additional ARPA funding until an ARPA administrator or project manager is in place which was previously approved by Council.

Councilman Rivera said he is an admirer of Habitat for Humanity, so he apologized to Ms. Abruzzese because he felt he came off a little strong. He said he just feels that \$500,000 can be shared.

Ms. Abruzzese said it's about education and we've worked with these families for over two years. So, this helps break that cycle of poverty.

Mayor Helfrich said he has no problem with holding off on ARPA expenditures except for Habitat because he believes they need the funding sooner than later.

Nona Watson, Director of Economic & Community Development, said it is important to get moving on ARPA funding because three years is not a long time to spend \$34 million. She said with all this time we're taking for the administrative piece; we are going to end up in trouble.

President Walker said there was a general timeline that was shared. She said she believes having an ARPA administrator in place will assist us tremendously. With internal staff being stretched, she said we need help to keep this moving.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the 6/7/22 legislative agenda. The motion FAILED by the following vote: Yeas - Buckingham; Nays - Washington, Walker - 2. **This item remains in committee.**

III. Council Comment: None

IV. Administration Comment: None

V. Next Committee Meeting **September 28 at 6:00 p.m.** in Council Chambers. (Council does not meet in committee during its summer recess.)

VI. Adjournment: There being no further business, the May 25, 2022 committee meeting adjourned at 8:35 PM.



Dianna L. Thompson, City Clerk



Sandie Walker, President of Council