

Council of the City of York, Pennsylvania

Edquina Washington, President of Council
Betsy Buckingham, Vice President of Council
Dr. Felicia O. A. Dennis, Member of Council
Elizabeth Bupp, Member of Council
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MINUTES DECEMBER 17, 2024 6:00 p.m.

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CALL TO ORDER: President Washington called the December 17, 2024, meeting to order at 6:00 p.m. in Council Chambers, 101 S. George St., York, PA, with the following members present: Elizabeth Bupp, Teresa Johnescu, Felicia Dennis, Betsy Buckingham, Vice President, and Edquina Washington, President with President Washington presiding.

Members of the Administration included: Mayor Michael Helfrich; Kim Robertson, Business Administrator; India Banks, Interim Director of Public Works; Dave Rudolph, Electrical Supervisor; Monica Kruger, Director of Health; Ricardo Quintero, Executive Administrator; and Assistant Solicitor Brett Flower.

Council Staff in attendance included: Dianna L. Thompson, City Clerk.

I. Public Comment:

Manuel Gomez, resident, said the last meeting he noticed there was a break in convention, and we went into discussion when a bill was introduced and that threw him off because he didn't expect it and wasn't in attendance to participate in discussion. He prefers sticking to protocol.

Mayor Helfrich responded to a suggestion made by resident Michael Walker about putting together a committee to engage the public regarding immigrants. He said he met with the Director of the Human Relations Commission, and they will form a committee to get as many resources as possible to individuals no matter what their immigration status is. He thanked Mr. Walker for making the suggestion.

There being no further comment, the public comment session adjourned at 6:04 p.m.

II. Called Legislative Meeting to Order at 6:04 p.m.

III. Roll Call

IV. Pledge of Allegiance was recited.

V. Moment of Silence was observed.

- VI. Action on previous meeting Minutes of [December 3, 2024](#). Council dispensed with the reading of the minute and unanimously approved them as written.
- VII. Presentations, Awards and Announcements
 - ▶ Ann Yost, YSM Landscape Architects – Brief Presentation on the Parks Master Plan. (Click [here](#) to view presentation) Then the gentleman that was in attendance with her participated in the presentation.
- VIII. Meeting(s) Scheduled:
 - ▶ Legislative Meeting: The next legislative meeting of Council will be held on Tuesday, January 7, 2025 at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on December 31st.
 - ▶ Council Committee Meeting: Scheduled for Wednesday, January 29, 2025, at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on January 22nd.
- 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. 110 - A Resolution Accepting the recommendations of HARB. ([View](#))
 Introduced by: Betsy Buckingham
 Originator: HARB

Resolution No. 110, Session 2024, A Resolution accepting the recommendations of HARB in issuing certificates of appropriateness for work to be covered in the following applications: Application filed for work to be done at 369-371 E. Market St.; Application filed for work to be done at 234 W. Clarke Ave St.; Application filed for work to be done at 39 N. Duke St.; and Application filed for work to be done at 59-61 E. Philadelphia St. was introduced by Buckingham, read at length, and on motion of motion of Washington, seconded by Buckingham, Resolution No. 110 came up for discussion.

Miquel Mendoza said they are opening a Mexican Grill and most of the job was done and the city stopped them. They went to the HARB meeting and was told to come to Council to get approval to finish the job.

There being no further discussion, Resolution No. 110 PASSED by the following vote: Yeas – Bupp, Johnescu, Dennis, Buckingham, Washington – 5; Nays – 0.

2. Resolution No. 111 - A Resolution Authorizing waivers for the preliminary/final subdivision plans submitted by Johnston & Associates Inc. for the York Art Association. ([View](#)) (For 591 Linden Ave.)
 Introduced by: Edquina Washington
 Originator: Economic & Community Development (Planning)

Resolution No. 111, Session 2024, A Resolution authorizing waivers for the preliminary/final subdivision plans submitted by Johnston & Associates Inc. for the York Art Association for the property located at 591 Linden Ave., was introduced by Washington, read at length, and on motion of Washington, seconded by Buckingham, Resolution No. 111 came up for discussion.

Councilwoman Johnescu said this is an excellent reuse of this building and she is excited to see

the process play out.

Roth Preap, York Art Association, said they are pleased to move into this new space. The little green church as been there over 100 years and they are celebrating over 120 years in business. He said they are looking forward to expanding their facility.

President Washington asked how long until the project is completed.

Mr. Preap said they look to finish at the end of 2025.

Vice President Buckingham said as a neighbor, she welcomes them to the neighborhood.

There being no further discussion, Resolution No. 111 PASSED by the following vote: Yeas - Bupp, Johnsecu, Dennis, Buckingham, Washington - 5; Nays - 0.

Final Passage of Bills/Resolutions

3. Final Passage of Bill No. 44, Ordinance No. 44 - A Bill
Approving the 2025 York City Budget. ([View](#))
Introduced by: Betsy Buckingham
Originator: Mayor / Business Administration (Finance)

Final Passage of Bill No. 44, Ordinance No. 44, Session 2024, A Bill approving the 2025 York City Budget, which was introduced by Buckingham at the December 3rd meeting of Council and read by short title, came up for final passage. On motion of Buckingham, seconded by Johnescu, Bill No. 44 came up for discussion.

Councilwoman Bupp said she appreciated the public hearings the administration provided and the effort the department directors put in with preparing their budgets. She said the credit was not given to directors the effort they put in and there was no explanation on where our tax dollars are being spent. She asked are we balancing the budget solely on WWTP proceeds. She said there are salary increases without performance evaluations, and pension obligation challenges. She said this information would have been helpful. She said the public hearings could have been better publicized. She found it difficult to identify revenue and expenses as well as rollover funds. She outlined various other factors that caused her difficulty, and she hopes the budget will be better prepared in the future.

Mayor Helfrich said we are thankful we can provide Council with this budget including ARPA allocations. We are happy that Council worked with us, and we could provide important resources to the public. He said the budget could not be reduced. It is as tight as it can get. We cut work staff by 50% and reduced firefighters. The budget was balanced with WWTP funds which is why we sold the plant. If not, we would have had to increase taxes. He said the budget's bottom line is up because inflation is up. The 3% COLA is less than what is mandated and to give our employees less would put them behind. The pension obligations are our current payments. The remainder of the WWTP funds are in an account that is accruing 4% interest annual and that is what allowed us to balance the budget. With \$170 million at 4% and we earned about \$8 million so this is the first time we are making money. Selling the WWTP places us in a financially stronger position than any other municipality in PA. We need our legislators to work on behalf of 3rd Class Cities and that they will switch over the taxation system that works for cities. Taxation needs get away from property taxes because it's not fair to take the home away from an 80-year-old person. He said we are proud of this budget.

Manuel Gomez, resident, said Councilwoman Bupp's comments are like a birdsong to his ears. He said as a Council, you are not bystanders and going forward try to keep that framework in line. He said this budget is the easiest to understand than all other budgets he's seen. He said

we've had those narrative budget hearings, and this simplified method is more appealing to him. He said he appreciates Councilwoman Bupp's insight.

There being no further discussion, Bill No. 44, Ordinance No. 44 PASSED by the following vote: Yeas - Bupp, Johnescu, Dennis, Buckingham, Washington - 5; Nays - 0.

4. Final Passage of Bill No. 45, Ordinance No. 45 - A Bill Approving the 2025 Tax Rate. ([View](#))
Introduced by: Betsy Buckingham
Originator: Mayor / Business Administration (Finance)

Final Passage of Bill No. 45, Ordinance No. 45, Session 2024, A Bill approving the 2025 tax rate, which was introduced by Buckingham at the December 3rd meeting of Council and read by short title, came up for final passage. On motion made by Buckingham, seconded by Dennis, Bill No. 45 came up for discussion.

Councilwoman Bupp said she asked how the \$18.97 was calculated and Business Administrator Robertson explained it thoroughly.

Business Administrator Robertson said we know what we want to keep the milage rate at and based that on the maximum tax revenue we receive and what we expect to get. From there we build our expenses around what revenue we expect. From there we know there is not enough money from taxes at which point we can use the proceeds from the WWTP to help balance our budget. Although we'd like to lower it, the best we can do is not increase the tax rate.

There being no further discussion, Bill No. 45, Ordinance No. 45 PASSED by the following vote: Yeas - Bupp, Johnescu, Dennis, Buckingham, Washington - 5; Nays - 0.

5. Final Passage of Bill No. 46, Ordinance No. 46 - A Bill Amending Article 136 "Small and Disadvantaged Business Enterprise Program" of the Codified Ordinances. ([View](#)) (To change the title to "The Smallwood Act," and reestablish its purpose; establish a non-discrimination policy, update definitions, create an Equal Business Opportunity Committee and its powers and duties; establish criteria for Small Business Enterprise and Local Business Enterprise; update contracting requirements; establish affirmative procurement initiatives, and certification and bidder registration; and amend penalties.)
Introduced by: Edquina Washington
Originator: Business Administration / Council

Final Passage of Bill No. 46, Ordinance No. 46, Session 2024, A Bill Amending Article 136 "Small and Disadvantaged Business Enterprise Program," which was introduced by Washington at the December 3rd meeting of Council and read by short title, came up for final passage. On motion of Washington, seconded by Dennis, Bill No. 46 came up for discussion.

Motion to amend. President Washington made a motion to amend Section 136.01 of the bill to remove "indigenous BIPOC (Black Indigenous, and People of Color)" and replace with the word "local." The motion to amend was seconded by Dennis and passed by the following vote: Yeas - Bupp, Johnescu, Dennis, Buckingham, Washington - 5; Nays - 0.

President Washington opened the floor to members of the public to speak.

Daniella Smallwood, youngest daughter of William Lee Smallwood, thanked Council, the Mayor and all who were a part of updating this act. She said Lee Smallwood was the first African American councilman and first Black Council President. She said he sacrificed a lot to bridge the gap, and that every citizen of York have an opportunity to provide for themselves and build businesses. This is more than just legislation; it is celebrating the foundation and values of

uplifting our community. His vision was clear; to build prosperity for all people. He wanted to provide opportunities for those who would not have been able to receive those opportunities. She looks forward to how this will impact our community. She said this is a call as a community for action of all of us. She encouraged all citizens to step forward and help build this community.

Manuel Gomez, resident, said the Smallwood family should be very proud. He said when he first moved here, he learned a lot from Mr. Smallwood. He touched every part of this city and anything dealing with civil rights. He said he is honored to speak admirably about him.

Mayor Helfrich thanked Council and the previous Council members for working on this legislation. One thing that has been constant over the past seven years is working on this legislation. We have spent thousands of hours and dollars on working on this legislation and he is very excited to implement a process that honors the goals Councilman Smallwood set in place.

President Washington said it was an honor to walk in the legacy of Mr. Smallwood. He was a wonderful man and to sit in the seat he once held is an honor. She thanked former Councilwoman Sandie Walker for her effort on this legislation.

Councilwoman Dennis said it's wonderful to see legacy and it's good to know that the family continues his legacy.

City Clerk Thompson spoke kind words of Mr. Smallwood and said he hired her, put her through paralegal school, helped her become a notary, and taught her so much. She said she wouldn't be in this position if it wasn't for Councilman Smallwood, and she will forever be grateful for what he did for her.

There being no further discussion, Bill No. 46, Ordinance No. 46 PASSED by the following vote: Yeas - Bupp, Johnescu, Dennis, Buckingham, Washington - 5; Nays - 0.

6. Final Passage of Bill No. 47, Ordinance No. 47 - A Bill Creating Article 156 "Welcoming and Access to Immigrants and Refugees" of the City of York Codified Ordinances. ([View](#)) (By codifying the city's practices related to the provision of city services without regard to refugee or immigration status and requiring city council to advocate for the adoption of similar practices and policies by other municipalities; providing for the severability of the ordinance; and providing that the ordinance shall take effect in accordance with Pennsylvania law.)
Introduced by: Edquina Washington
Originator: Council (Washington)

Final Passage of Bill No. 47, Ordinance No. 47, Session 2024, Creating Article 156 "Welcoming and Access to Immigrants and Refugees" of the City of York Codified Ordinances, which was introduced by Washington at the December 3rd meeting of Council, read by short title, and amended, came up for final passage. On motion of Washington, seconded by Dennis, Bill No. 47 came up for discuss.

Councilwoman Johnescu said she hoped we could move this to committee, but her motion failed at last meeting. She said she understands the struggles of immigrants and her parents were immigrants. She said there is an executive order in place that she thinks is sufficient. Lancaster took ample time to consider becoming a Welcoming City and she thinks we should take those same thoughtful steps.

Councilwoman Bupp said she also feels Mayor Bracey's executive order of 2017 will suffice. She feels we should wait. We can set up language lines, more tele-policing that can be anonymous and language specific and advertise those. If we want to offer resources, there is the 211 number that does have a Spanish option and maybe it could be expanded to other languages.

She asked how often city employees are asking about the immigration status of residents. She questions if this is something that needs a law now. She asked what the penalty is if an employee breaks this law, and she doesn't see there is a penalty section in this ordinance. She said the Mayor is concerned about a \$2 million risk that we'll lose our Federal HUD funding. I'd like to look at all possibilities and if this might affect our ARPA money as well. She said what about our tax base that uses Federal funding, like Precision Components who hosted President Elect Trump's visit to York. She said she is mindful that this ordinance can be construed by those border states that the City of York can take on a large influx of immigrants that we aren't able to handle.

Kim Propeack, CASA Strategic Officer, said if Council passes this, you'll be joining hundreds of other municipalities. She said adopting this legislation is good policy, notably by your neighboring city Lancaster. She said the benefit of codified trust policies are huge and gives comfort to families. Jurisdictions with these laws experience lower crime rates. She said the government cannot remove funding in her legal opinion. The city incurs financial risk for holding someone because of their immigration status and it's illegal. She said Bill No. 47 will apply the same rules we expect local law enforcement to follow. We want a culture where all are respected. Immigrants are neighbors, co-workers and friends at church.

Muricio Toban, resident and business owner, said his children were born here and he has a lot invested in the city of York. He shared a story about a citizen that went through the process of police contact. He said Mr. Torres who is a citizen of York for more than half his life, and in 2023, he was coming from picking up his kids from school. A few blocks from school he was stopped by police. The police asked for his identification. He provided a Mexican passport, and the police officer said the identification was false. Mr. Torres said it is not false. The police didn't believe it and he was arrested in front of his kids for no reason and handcuffed. He was eventually let go. His kids still remember this, and they don't understand why this happened. This is just one example. So, we are all here to share our thoughts on this legislation and share our stories.

Dolores Minaya, CASA, and resident, said she supports this legislation. She understands Council and the Administration needs to analyze this but it's hard from some residents, specifically our immigrants to understand. They are afraid. She said a member of CASA is a small business owner who has lived in York for over 10 years and was a victim of a robbery. She said the worker who noticed the robbery and the owner contacted the police. The police asked if the worker has a social security number. The worker was afraid, so he abandoned the robbery report, and the property was lost with no resolution. She said an ITIN is enough for a worker to provide when running a business. She said so many people are scared to go to the movies or shopping.

Estefania Medina (comments interpreted by Mirna Gonzalez) said she supports this legislation. She said she arrived from Mexico 20 years ago and has lived in York since. She made a life and carried herself and family with dignity. She shared an experience from six years ago that she said changed her life. One Sunday they had to go out on a family emergency when a patrol car stopped her husband and asked him for his license. He didn't have identification. The officer said he has to contact immigration to check his status. The officer on the phone told him he has his name and address and would be waiting for him the next day and asked him to bring all of his family with him. He said they were afraid and suffered with uncertainty. Fortunately, they had legal support. She said they were sent to the Philadelphia office. She said she shared this story so others will be warned and understand the fear their family experienced. We are making an effort to make our community better, and we deserve better.

Clare Twoomey, Executive Director, Human Relations Commission, said she has no idea what it is like to be a person of color that experiences fears on the daily. Historically, whenever there are issues or concerns like that is when those who are oppressed are told to wait and that we need more time to prepare and get things in order. We should not be surprised this is where we are

right now. We knew for months that Trump is exactly where he is; president elect. It should not be pressed upon those who are most vulnerable, afraid and at risk to fend for themselves because we are not ready. Laws like this send a message to the larger public. She talked about someone who used hate speech not caring he was being videoed. There is no questions as to the right way to approach this. We need to protect and make sure our people are safe at all time. If we can't do that, we have no business being in this business.

Barry Ness, resident, said he supports this legislation and feels the city needs this legislation. He said immigrants helped to make this country great. He asked if there is a sunset or caveat to end this legislation when this crisis is over. He said most of our laws do not have sunset provisions and he's hoping there is something in there to address that. He said he understands the mayor is afraid of losing \$2 million if this legislation is passed. He said if the mayor vetoes this legislation, Council should override his veto. He said we can also look to the governor for help, and he hopes Council gets this passed before January 20, 2025 when president elect Trump is sworn into office.

Sherry Washington, President of York County NAACP, said they stand in support of CASA, and she encouraged Council to pass this bill. She said it's not fair to walk around fearful your liberties will be taken away. Please act before January 20.

Saymara Tables, York City Human Relations Commission, said she is Puerto Rican and was born as a citizen of the United States and her birth certificate proves that. She is a mother of six children, and she has a son in St. Thomas and even over there he has been discriminated against. She has two daughters and when they are driving and see a cop driving, they freak out completely. She said we are citizens. Her daughter said she thought the police were stopping her and she was terrified. He daughter said mommy don't you know bad things happen to brown people when they are stopped by the police; and she's a citizen. She pleaded with Council to pass this legislation.

Ricky Quintero, Executive Administrator to Mayor Helfrich, said he has experienced racism and he's also a public servant. He said he supports this legislation, but we also need to have money to support our immigrant community. He said in his role, he has been included in calls with mayors across the country and this is a major topic, and we must protect the vulnerable and we need money to help organizations and non-profits. In the last call, the Mayor of Phoenix said she was fearful that the Federal government can hold funding for those who pass legislation such as this, so we need to make sure we make good decisions. He said he says this as a naturalized and proud citizen and a permanent resident of the City of York. He said he wouldn't have been given this opportunity if York wasn't a welcoming city.

Mayor Helfrich read the following editorial that was printed in the York Sunday paper.

"Personally, and as the Mayor of York, I support closed U.S. borders. But I also support greatly increasing the process of legal immigration into our country. My opinions have been shaped by Border Patrol Agents, economists, healthcare executives, and even local restaurant owners. One Border Patrol Agent told me about Russian, Chinese, and Middle Eastern individuals that he had caught illegally crossing the Mexican border. I have nothing against people from these regions wanting to come to America, but if they make the effort to go to Mexico and sneak in across the border, I'm going to question their intentions. He also told me of the loads of fentanyl and the newest threat, xylazine or "tranq," coming into the U.S. and killing our citizens. Once I heard his personal tales it became very clear that we need to tighten our borders.

"But we also need immigrant workers in this country. We are experiencing a sustained record for non-wartime low unemployment. We have never seen this great of an employment economy. Basically, we have maxed out employment in the U.S., and we are still seeing shortages of employees in the agriculture sector, food processing, food service, nursing, and

other vital services. Our population growth rate of U.S. citizens has dropped to near zero. The only statistic sustaining sufficient national population growth is immigration. Because much of our economic system is based on growing the economy from year to year, it is vital that we grow our population, particularly with younger workers. So, these two national priorities, national security and national economy, have led me to my immigration mantra: "Yes to workers, no to criminals and deadly drugs." And the practical solution to this is greatly increasing border security, while simultaneously greatly increasing the processing and career training of new Americans.

"So how does this affect local policing and crime in our communities? Effective policing is based on trust between the police and the people they serve. The police play a role in enforcing our laws, but much of the ability to enforce comes from the participation of the people of the community. We cannot have safe communities if people fear the local police... for any reason. And making local police the enforcers of immigration policy makes many people afraid, even people of different cultures who are Americans, and whose families have been Americans for generations. People that fear the police are less likely to report crimes. People that fear police do not share information about crimes they have witnessed. People that fear police do not testify against criminals. Women and children who fear deportation more than a life of misery and abuse don't report violent abusers. When people fear police, more criminals go free and are left to prey on all of us.

"Additionally, if people are not embraced in general in our communities, they are less likely to participate in growing the workforce and starting legal businesses that grow the local economy and tax base. What they may do is engage in illegal, black market, and criminal pursuits to survive. Because rule one is: people will do what it takes to survive and the question of legality when you are starving is less likely to be the deciding factor. We have seen this over and over again when communities that are discriminated against create their own black-market economies and justice systems, the latter almost always being of a violent nature. I am writing about this now because the U.S. House of Representatives recently passed a Bill, H.R. 5717, that could eliminate crucial federal funding for housing, infrastructure, and community development for communities who do not have their local police participate in enforcing federal immigration laws. While the bill has not moved this year, it is likely to see growing support in the coming years.

"As I have said above, I believe in the enforcement of immigration laws, but it has dire consequences to public safety if local police are the participants in that enforcement or if residents believe that engaging with the police could in any way be associated with documenting and sharing names, immigration status, addresses, etc. This is not a matter of principle, it is a practical matter of life and death, the safety of all people. I've watched York City become a safer community as we build trust with all people, without regard for race, ethnicity, sexual orientation, gender identification, age, disability, or immigration status. Anything that breaks that fragile trust harms us all. If we, as a country, want to enforce federal immigration policy, then we should fund the federal authorities to do their jobs. We should not, we cannot, sacrifice the safety of our communities because we don't want to fund the federal agency that has been tasked with this purpose.

"This reminds me of one last thing, who is going to fund the extra York City police if our crime-fighting time and efficiency is reduced because our police are now working on immigration enforcement. This looks a lot like another unfunded mandate from Washington where we local residents' foot the bill, because the same people that want us to do this job don't want to be seen as raising taxes to actually fund the federal agency that's responsible.

"Congress and incoming President Trump, please increase funding to U.S. Immigration and Customs Enforcement to secure our borders and country. Please increase funding to the U.S. Citizenship and Immigration Services to ensure we have the workers we need to maintain a

strong economy. And let our local police forces do their jobs to protect us by building and maintaining strong relationships with all people under their care. We can do all of these things at once, but not if our local police are drafted into federal immigration enforcement.”
-- Michael Helfrich, Mayor, City of York

Mayor Helfrich said he has always been a friend of CASA and he’s been to various CASA functions and not one person has ever told him that his law enforcement is participating in immigration enforcement. He said from what he hears, we need to investigate. He said what’s in the Trust Act (Bill No. 47) is already in effect with the 2017 executive order. He said what does this Act change that’s different from what York City does now. He said we are talking about doing something that is going to incur the wrath of those coming into Congress saying we can’t do certain acts without losing money. He said part of this money goes to CASA. He said this legislation doesn’t seem to be doing anything. He said let us wait to see what is going to happen in Washington, D.C. and if we pass this, it will be in the headlines, and they will see it. He said his mom is an immigrant and he has stood with the immigrant community, but we need to be careful, or we’ll lose funding. He said we need to wait to see what happens in Congress.

Manuel Gomez, resident, said we are engaging in a series of reminders. He said he remembers when Helfrich wasn’t the mayor, and he wrote a song that was in Spanish, and it said “Don’t Cry for Me.” He said it was poignant and humanitarian, although he struggles with this memory. He said when we speak of principal we must prioritize. He said Frederick Douglas’ train of thought is that freedom is a right that we all have. We are not disconnected from that. If anything, he would like to see this augmented and so that we can bolster this law. He said this can be enacted but if there is no a failsafe, this law will be washed all away. He said he supports this legislation and there is no financial harborage that he would put on any immigrant. He said he invites a motion to move this to committee because we’re already engaging in these existing practices.

Dolores Minaya, resident, said if people get scared to report to the police, you’re not going to get a report. She said this is a cry from a community that is suffering. She said if you want proof, she can bring you the people and they will tell you.

Mauricio Tobon, resident, said an employee he fired, shot five gunshots through his house. One bullet went through the window and hit the step. He said the police did a report and went away. The next day, two kids walked through the alley and were talking about the shooting. His neighbor heard this and started recording these kids. They kids stopped in front of the house and took pictures, and he followed them. He said the guys who shot up his house just walked through, and he sent those pictures to me. He said he went the police to talk to them about the shooting and showed the images of these individuals and that was years ago and the police took no action. He said there is an issue of foundation principle that needs to be worked on. He said he’s a legal immigrant and received this treatment and that he can’t imagine what undocumented immigrants must deal with who are victims of crime.

Michael Walker, resident, said the question we must ask is what’s next. He said he doesn’t think there is any issue with this legislation, and this is something we should do. The issue is what’s next. He said he does understand the executive order issued in 2017. But we have a completely different nuance because we have a republican congress that will pass harmful legislation. He said we are going to have a crisis in this city.

President Washington said she would like to share that this legislation was nothing quick and she’s been working on this for several years, along with Mayor Helfrich and Commissioner Muldrow. She said when you have the privilege of white skin it’s hard to understand what the fear is when driving to the store. She said she is a black woman and fears when she hears police sirens that she or her kids will be pulled over. She said she had to have a conversation with her 13-year-old son as a black boy when something happened in school that he couldn’t fathom and after the talk she went into her bedroom and cried. She said we live with this skin, and to be

pulled over by police, or asked about immigration status, or asked where you are going and what are you doing, is sickening. She said if you are not black or brown you can never understand but you can have compassion. She said she has compassion when she hears these stories from members of her community and how these stories break her heart. Looking from my lens, it's not a question of waiting; the waiting is over. The time is now. She said she worked under the Bracey administration, and she was honored to work alongside Mayor Bracey and CASA as we provided office space to CASA. She outlined several initiatives under the Bracey administration and how she's rolled up her sleeves to get the work done. She said no amount of money will ever be worth the safety of our residents. We don't know what's going to happen, but we know today we have a piece of legislation that is in the best interest of our immigrant community.

Councilwoman Dennis said she agrees with President Washington. She said it hurts her heart that money can be a threat to residents and our safety behind \$2 million. She said her ancestors were immigrants and we need to be very careful how we deal with the protection of our residents. The problem is, the trust is not there. There could be an issue that you are part of the problem. She said what are we waiting for, January 20 when we are faced with something else. Tonight is the night. She said we should never feel threatened. Black and brown people have been through it long enough.

Councilwoman Bupp said she supports everyone who lives in the city, and she would not betray any trust to anyone. She said she just learned about this act, and she stated that this should go to committee so that we can be sure the language is solid. She said she supports our immigrants and many of us have immigrants in our background. She said immigrants makes American great. We want York to be a safe place for everyone.

There being no further discussion, Bill No. 47, Ordinance No. 47, Session 2024 PASSED by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - Bupp, Johnescu - 2. (Note: Mayor Helfrich vetoed this legislation. Council will consider overriding the veto at its January 7, 2025 legislative meeting.)

7. Final Passage of Bill No. 48, Ordinance No. 48 - A Bill Amending Article 185 "Human Relations" of the City of York Codified Ordinances. ([View](#)) (To include source of income as a protected class, update language in accordance with the Pennsylvania Department of Housing and Urban Development to allowing funding eligibility, and to update language to make it consistent with applicable laws.)
Introduced by: Edquina Washington
Originator: Human Relations Commission

Final Passage of Bill No. 48, Ordinance No. 48, Session 2024, A Bill amending Article 185 "Human Relations" of the City of York Codified Ordinances, which was introduced by Washington at the December 3rd meeting of Council and read by short title, came up for final passage. On motion of Washington, seconded by Dennis, Bill No. 48 came up for discussion.

Motion to amend. A motion was made by Buckingham, to amend Bill No. 48 as follows:

- *Delete section 185.04(ac) in its entirety
- *Delete "Source of Income" in section 185.06(a)(1)
- *Delete "Source of income" in section 185.06(2)

The motion to amend was seconded by Washington and came up for discussion.

Councilwoman Johnescu read the definitions of "source of income" as defined in the legislation. She said she doesn't doubt there is an issue, but this should be pulled out and explored through a separate legislative process to include tenants, and landlords or they'll be on the wrong side of this law. She said this deserves our full attention.

Councilwoman Bupp said after the information received from HRC Director Twomey, vouchers were not included in this bill and was an oversight in the definition and she was going to make a motion to strike that part of the definition that speaks about vouchers. She said she got input from someone who works with landlords, and they had concerns about the language of vouchers and they received comfort that vouchers were not source of income. She said she has no problem leaving source of income as long as vouchers are removed.

Councilwoman Johnescu said that's a piece meal process. This still needs community input as this will be better served.

HRC Director Twomey said putting this off is a problem. Those on the margin are always asked to wait. If source of income is stricken tonight, she said she'll be back next month. She said if we are going to include housing vouchers, that demands so many more people at the table. This doesn't mean those who are being discriminated against should have to wait. We have seen people with disabilities not get apartments because they are rejected. We have people who are going into evictions because the landlord wouldn't accept third party assistance. She said right now, one fee covers one application so when you have a fee for an application, and you are stricken down, then you must wait. She said we should move forward with looking at source of income. You won't find data driven information. She said this discrimination is not okay and this affects minorities especially. We are not going to ask people who are suffering from the housing crisis that they have to wait again. The governor's office is excited about this.

Kurt Blake, Real Estate Attorney, said the biggest things he's heard from landlords is getting verifiable source of income. He said it's not in their interest to turn away tenants, it's those without verified source of income. He said we made rent late not on the first of the month, but the fifth of the month so landlords work with tenants. He said housing vouchers are difficult.

Michael Walker, resident, said he believes there is a precedent in 2019 that allowed local ordinances and laws to be enacted, and he supports this particular issue. He encouraged Council to pass this.

Samara Tables, resident, said she lives in the projects. She said the place she's living is getting demolished soon but there is no set date. She doesn't know if they will be placed somewhere else, so she's been searching for a new place to live. She said she has nowhere to go because she is the main bread winner of her household. She said most landlords ask for three months in advance to rent a place and she doesn't have that kind of money. So, source of income as a protected class will help her and people like her especially if her husband's social security could be included as a source of income.

Mayor Helfrich said the people who live in the city frequently have urgent problems. It was a surprise that this appeared on the agenda without the solicitor's review and did not go through the administration. He asked the solicitor if she had a chance to review the precedence for legal actions in other communities. He said part of his job is to protect the city from lawsuits. He also asked if the solicitor has any concerns that this will put us at risk of a lawsuit.

Solicitor Flower said she did review this, but she didn't get a review question from Council or the administration. She said Philadelphia and State College use this language and this was drafted at the request of HRC Director Twomey. She said there is potential for litigation if enacted as drafted.

Mayor Helfrich said we need to send this to a place for review so that we are not endangering the city with lawsuits.

Director Twomey said last spring she approached the solicitor about drafting source of income

in addition to the HUD required amendments and after comments from PAHRC, which she shared with the Mayor's office. She said the solicitor has worked with her over several months and she submitted the draft to the commissioners, and they approved. She spoke with HUD about the amendments, and they approved it. She said as soon as HUD approved, she sent the document to Council, the Mayor, Ricard Quintero, Scott Miller and Assistant Solicitor Flower. She asked that questions or concerns be sent to her. She said she heard nothing from the mayor. She said she had some missteps and that is her error where it speaks of Section 8. She gave the solicitor a number of documents through her research and what best meets the needs of our resident. She said she can't help that the mayor doesn't read his emails.

Manuel Gomez, resident, said there is more to flush out and he would like to hear input from landlords because there is more here to be examined. These amendments will not see overnight change, it does deserve thorough discussion.

Vote on amendment. Council voted on the amendment as follows: Yeas - Johnescu, Dennis, Buckingham - 3; Nays - Bupp, Washington - 2. The amendment to remove source of income passed.

There being no further discussion, Bill No. 48 as amended came up for a vote. Councilwoman Johnescu requested to abstain as she is a landlord. Assistant Solicitor Flower said this affects Council as residents and protects the entire class and is therefore not a conflict, so Councilwoman Johnescu can vote on this legislation.

Bill No. 48, Ordinance No. 48, as amended, PASSED by the following vote: Yeas - Bupp, Johnescu, Buckingham - 3; Nays - Dennis, Washington - 2.

New Business - Introduction of Bills: None

New Business

8. Resolution No. 112 - A Resolution Authorizing American Rescue Plan Act funding related Memorandums of Understanding. ([View](#)) (For each City Department which are compliant with the OMB Uniform Guidance (2 CFR Part 200), the 2024 State and Local Fiscal Recovery Funds (SLFRF) Obligation Interim Final Rule, the State and Local Fiscal Recovery Fund Final Rule and relevant FAQs.)
Introduced by: Betsy Buckingham
Originator: Business Administration

Motion to read by short title. A motion was made by Washington, seconded by Buckingham, to read Resolution No. 112 by short title only. The motion passed unanimously.

Resolution No. 112, Session 2024, A Resolution authorizing American Rescue Plan Act funding related Memorandums of Understanding was introduced by Buckingham, read by short title, and on motion of Buckingham, seconded by Dennis, Resolution No. 112 PASSED by the following vote: Yeas - Bupp, Johnescu, Dennis, Buckingham, Washington - 5; Nays - 0.

9. Resolution No. 113 - A Resolution Approving the 2025 stated meetings of Council. ([View](#))
Introduced by: Edquina Washington
Originator: City Council (City Clerk)

Resolution No. 113, Session 2024, A Resolution approving the 2025 stated meetings of Council, was introduced by Washington, seconded by Johnescu, and passed by the following vote: Yeas - Bupp, Johnescu, Dennis, Buckingham, Washington - 5; Nays - 0.

- XI. Requests for Future Meetings: None
- XII. Council Comment: None
- XIII. Administration Comment: None
- XIV. Adjournment: There being no further business, the December 17, 2024 meeting of Council adjourned at 8:48 p.m.
- XV. Resumption of Public Comment Period (at the discretion of the presiding officer): None



Dianna L. Thompson, City Clerk



Edquina Washington, President of Council