

# The City of York, Pennsylvania

Carol Hill-Evans, President of Council  
 Henry Hay Nixon, Vice President of Council  
 Renee S. Nelson, Member of Council  
 Michael Ray Helfrich, Member of Council  
 David Satterlee, Member of Council

Dianna L. Thompson-Mitchell, City Clerk  
 email: dthomps@yorkcity.org



Office of City Council  
 101 S. George St.  
 York, Pennsylvania 17401

Mailing address:  
 P.O. Box 509  
 York, Pennsylvania 17405  
 Telephone: (717) 849-2246  
 Fax: (717) 812-0557  
 www.yorkcity.org

## COMMITTEE MINUTES

February 26, 2014

6:00 p.m.

Police	Fire	Public Works	E&C Development	Business Admin	Rules & Admin
<b>Nixon</b> Nelson Satterlee	<b>Nixon</b> Nelson Satterlee	<b>Satterlee</b> Hill-Evans Helfrich	<b>Nelson</b> Nixon Helfrich	<b>Helfrich</b> Hill-Evans Nixon	<b>Hill-Evans</b> Nelson Satterlee

\***Bold text indicates Chairperson**

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

Council Attendees: Carol Hill-Evans, Henry Hay Nixon, David Satterlee, Michael Helfrich, and Renee Nelson

Council Staff: Dianna L. Thompson-Mitchell, City Clerk

Administration Attendees: Public Works Director Jim Gross; Police Chief Wes Kahley; Building Code Official Steve Buffington; and Assistant Solicitor Jason Sabol

- I. Committee meeting called to order at 6:00 p.m.
- II. Committee Issues for the March 4 & 18, 2014 legislative Agenda as follows:

### **PUBLIC WORKS** ([View Issues Chart](#))

#### **1. Budget amendment for purchase of road salt (Introduced on 2/18/14)**

Councilman Satterlee, Chair, outlined the budget amendment.

**DECISION:** A motion was made by Satterlee, seconded by Helfrich, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich, Satterlee – 3; Nays – 0.

- 2. Resolution authorizing purchase of vehicles**
- 3. Resolution authorizing purchase of pick-up trucks**
- 4. Resolution authorizing purchase of a one-ton truck**

Public Works Director Gross explained that these vehicles will be financed for five years through Fulton Leasing Group through a state contract and purchased from Apple Automotive. He then outlined which vehicles in our current fleet will be replaced.

Vice President Nixon asked about outsourcing plowing. Director Gross responded that there are no other municipalities that he's aware of that outsources. He explained that this is a specialized service with specific equipment that might not be so easy to secure.

**DECISION:** A motion was made by Satterlee, seconded by Helfrich, to place these items on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich, Satterlee – 3; Nays – 0.

**ECONOMIC & COMMUNITY DEVELOPMENT** ([View Issues Chart](#))

---

**1. Resolution authorizing a release of security funds (Parkway Homes) – PP&Z**

Councilwoman Nelson, Chair, asked Building Code Official Steve Buffington to explain.

Mr. Buffington explained that security funds are held by the city to ensure that projects are completed to satisfaction. These funds are now being released on the recommendation of the city’s engineering firm C.S. Davidson.

**DECISION:** A motion was made by Nelson, seconded by Nixon, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nixon, Helfrich, Nelson – 3; Nays – 0.

**RULES & ADMINISTRATIVE CODE** ([View Issues Chart](#))

---

**1. Bill approving the inclusion of 2013 ordinances as part of the Codified Ordinances**

City Clerk Dianna L. Thompson-Mitchell explained that this is a process done every year to approve inclusion of the prior year’s ordinances adopted by Council into the York City Codified Ordinance book.

**DECISION:** A motion was made by Nelson, seconded by Satterlee, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

**2. Bill amending Article 185 to include COLA adjustment for HRC employees**

President Hill-Evans, Chair, explained that as the HRC is autonomous, their COLA is approved by separate resolution. This legislation will allow them to automatically receive their COLA at the same time other NAFF employees receive theirs.

**DECISION:** A motion made by Satterlee, seconded by Nelson, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

**3. Bill amending Article 1763 “Property Maintenance Code”**

Code Official Buffington explained that a lot of these changes are simply housekeeping items. He said there was a lot of shell language that placed certain requirements on the city that became problematic because of staff reduction, cost, and legal concerns. He explained that most of the “shall” language was changed to “may.”

Code Official Buffington then explained section-by-section other amendments made.

Councilman Helfrich asked for clarification on various portions of the proposed ordinance. He said he would like to increase the fines and penalties and he asked the solicitor to research whether this is allowed.

Discussion ensued on liability, liens, and cost recuperation.

Charlotte Bergdoll, landlord, explained various practices exercised by landlords with regard to notice requirements and property maintenance.

**DECISION:** A motion was made by Satterlee, seconded by Nelson, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

#### 4. Bill amending Article 509 “Booting”

Councilman Helfrich outlined the changes that he and Councilman Satterlee made to the draft legislation. ([View amendments](#))

##### **507.14(a) – Discussion**

**CORRECTION.** Councilman Helfrich noted a typo in that the heading should read “Non-Metered or **Non**-Pre-Pay Private Lots” instead of “Non-Metered or Pre-Pay Private Lots.”

##### **507.06(b) -Discussion**

Councilman Helfrich then discussed booting fees outlined in 507.06(b) and asked Council to consider changing the fine for immobilization of vehicles on non-metered private parking lots from \$75.00 to \$60.00.

Councilman Satterlee said the \$75.00 booting fee is more expensive than the towing fee so he favors changing the fee to \$60.00.

Brandon Marquette, PLS (a booting company), said once a boot is used it remains on the vehicle immobilized for the duration of the day which results in additional costs to his company. He explained costs associated with booting. He said towing and booting are to different businesses and he is not in favor of reducing this cost. He requested the fee remain at \$75.00.

Mike Darrah, Darrah's Automotive (a towing company), explained the difference between booting and towing. He said the cost of towing equipment is much higher than booting equipment.

Councilman Satterlee said that after hearing debate this evening, he understands the financial strains placed on booting companies.

**AMENDMENT:** A motion was made by Helfrich, seconded by Nelson, to reduce the fee in section 507.06(b) from \$75.00 to \$60.00. The motion passed by the following vote: Yeas - Helfrich, Nelson, Hill-Evans - 3; Nays - Nixon, Satterlee - 2.

##### **507.14(b) - Discussion**

Vice President Nixon took issue with the 15 minute wait to boot on private lots since the same is not done on city-owned lots. He feels it should be the same across the board.

Discussion ensued on wait time and penalties.

**AMENDMENT-MOTION DIED.** A motion was made by Nixon to remove section 507.14(b) so as to completely eliminate the 15 minute wait time. There was no second to the motion so the motion DIED.

##### **Signage - Discussion**

Councilman Helfrich then outlined signage size in that lettering on the notice signs should be at least 2 inches high as regulated in the PA Code.

##### **507.05 & 507.13(b) - Discussion**

Mike Darrah, Darrah's Automotive, discussed section 507.05 and 507.13(b) in that the current language reads that a car can be deemed abandoned if not claimed in 60 days but the state code mandates 15 days.

**AMENDMENT.** Councilman Helfrich made a motion to remove the following sentence from Section 507.05: “Vehicles unclaimed within sixty days of towing and storage shall be deemed abandoned and subject to disposal as such in the manner authorized by law.” The motion to amend was seconded by Nelson, and passed by the following vote: Yeas – Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5; Nays – 0.

**AMENDMENT.** Councilman Helfrich made a motion to amend 507.13(b) "Notification of Towing" to remove the word "booting" so that it reads "...the towing company, within 1 hour from...." The motion was seconded by Hill-Evans, and approved by the following vote: Yeas – Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5; Nays – 0.

#### **507.99 - Discussion**

Mr. Darrah then questioned section 507.99 “Penalties” and asked if the police will be able to charge an offender on private lots. Chief Kahley said this would be considered criminal mischief whether on private or public property.

**DECISION:** A motion made by Satterlee, seconded by Nelson, to place this item, as amended, on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

#### **5. Resolution amending the Rules & Procedures of Council**

President Hill-Evans, Chair, outlined the changes. She requested Council act on each amendment separately.

##### **Rule 5(e)1(a) – Discussion**

President Hill-Evans explained that through practice, Council has not discussed HARB and subdivision/land development resolutions in committee because of the time restrictions to act on these types of legislation. This amendment will formally amend the rules to exempt HARB and subdivision/land development resolutions from the committee requirement.

**DECISION:** A motion was made by Nixon, seconded by Nelson, to accept Rule 5(e)1(a). The motion passed by the following vote: Yeas – Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5; Nays – 0.

##### **Rule 5(e)1(b) – Discussion**

President Hill-Evans explained that again, through practice, Council has not discussed board appointments in committee but the Mayor has requested that appointments be formally exempt from the committee requirement.

President Hill-Evans confirmed with Assistant Solicitor Sabol that Council could meet in executive session if there are questions surrounding an appointment. Assistant Solicitor Sabol confirmed that Council is able to meet in executive session to discuss appointments

Councilman Helfrich requested that the Mayor give Council advanced notice of the names she plans to put forth for appointment confirmation by Council.

**DECISION:** A motion was made by Nelson, seconded by Satterlee, to accept Rule 5(e)1(b). The motion passed by the following vote: Yeas – Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5; Nays – 0.

**DECISION:** A motion was made by Satterlee, seconded by Nelson, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

**GENERAL** ([View Issues Chart](#))

---

**1. Resolution exonerating 2013 municipal taxes for LOGOS Academy**

Dave Shaumann, Attorney representing LOGOS Academy, gave background on LOGOS Academy. He said they are currently non-exempt and are requesting exoneration of 2013 municipal taxes and those going forward. He explained that LOGOS staff met with city staff to put in place a payment in lieu of taxes (PILOT) agreement. He said they would like to partner with the city to enrich the lives of our families and children.

Assistant Solicitor Sabol said he spoke with Business Administrator O'Rourke and he is agreeable to this request.

Councilman Helfrich said that Stillmeadow Church paid off what they owed before they requested exoneration. He suggested a 10-year payment plan that would pay off their taxes without becoming a financial burden.

Jason Lewis, LOGOS, said he is not authorized to make long term decisions for that duration but can make a five year deal. Otherwise, the board would have to approve such an agreement. He said he spoke to Business Administrator O'Rourke about this and he was okay with the 5-year option.

Discussion ensued on other payment options versus exoneration. Solicitor Sabol explained the agreement with LOGOS is a 5-year PILOT with the option to continue such an agreement after the 5-years is up.

Councilwoman Nelson said it is important to note that every year LOGOS is sending volunteers to work in our city parks and she applauds their volunteerism.

**DECISION:** A motion made by Helfrich, seconded by Nixon, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5; Nays – 0.

**POLICE** ([View Issues Chart](#))

---

**1. Resolution appointing a probationary police officer. (G.Pritchard)**

Chief Kahley explained that there are two vacancies in the police department and they are immediately seeking to appoint one probationary police officer at this time. Mr. Pritchard is already ACT 1 certified and acting now would allow us to put him through the academy for the upcoming session.

**DECISION:** A motion made by Nixon, seconded by Satterlee, to place this item on the 3/4/14 legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Nixon – 3; Nays – 0.

II. Council Comment

III. Administration Comment

IV. Next Committee Meeting March 26, 2014 at 6:00 p.m. in Council Chambers

V. Adjournment: 8:42 p.m.

/s/Carol Hill-Evans, President

/s/Dianna L. Thompson-Mitchell, City Clerk