

# 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

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## COMMITTEE AGENDA

May 28, 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 members in attendance:** Michael Ray Helfrich, David Satterlee, Renee S. Nelson, and Carol Hill-Evans, President.

**Administration in attendance:** Jim Gross, Director of Public Works; Mike Johnson, Acting Business Administrator; Michael Doweary, Assistant Business Administrator; Tom Ray, Director of Human Resources; Steve Buffington, Director of the Bureau of PP&Z; and Wesley Kahley, Police Chief. Also present was Assistant Solicitor Jason Sabol.

**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 June 3, 2014 legislative Agenda as follows:

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

#### **1. Resolution awarding a contract for the 2014 Street Improvements Project.**

Director Gross explained that this project went out for bid with Shiloh Paving being the lowest bidder offering \$272,284.00. He said the project involves paving a portion of S. Pine St. and some patching on E. Philadelphia St. and will be paid for through liquid fuels and CDBG funding.

**DECISION:** A motion was made by Satterlee, seconded by Helfrich to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich, Satterlee – 3; Nays – 0.

#### **2. Resolution awarding a contract for update to the Inter-municipal Sewer Agreements**

Director Gross said the original agreements were drafted in the 1970's so they are pretty much outdated. He explained that we sent out RFP's and felt Salzmann Hughes, P.C. was best suited for this project. The project will be for legal services to conduct intermunicipal sewage agreement negotiations and contracting. The cost for said services will not

exceed \$100,000.00 for 2014 and will be invoiced hourly. Director Gross then discussed several issues that will be worked on through the negotiation process, which may take 2-3 years to complete.

Discussion ensued on costs associated with running the sewage plant.

Larry Lutter, Buchart-Horn, added that Buchart-Horn serves as the engineers for the sewer system. He outlined the plant operations, capacity, DEP regulations, and nutrient removal process.

Councilman Helfrich asked Director Gross to provide Council with debt service figures. Director Gross said he would provide Council with those figures within the next few days.

Charlotte Bergdoll, resident, discussed sewage flow and how other municipalities calculate their sewer charges.

**DECISION:** A motion was made by Satterlee, seconded by Helfrich to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich, Satterlee – 3; Nays – 0.

### **3. Resolution awarding a contract for Professional Management Services for the York City Ice Arena.**

Director Gross explained that Rink Management Services provided management services for the ice arena in the past; however, in reviewing proposals received, he said they are confident in going with York Professional Baseball Club to provide these services for 4 years and that their cost is actually less than the previous provider.

Eric Menzer, President of York Professional Baseball (YPB), stated that YPB is proposing a lower fixed management fee and that he's sure they can enhance customer experience at the ice rink. He outlined the services YPB will provide as manager of the ice rink. He said he feels they will be able to improve the first impression of the rink which could result in valuable returns to the city.

Mr. Menzer then answered questions from Council regarding current programs and services offered versus those to be provided by York Professional Baseball Club, sponsorship promotions, and revenue streams. He then detailed various portions of the proposed management agreement.

**DECISION:** A motion was made by Satterlee, seconded by Helfrich to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich, Satterlee – 3; Nays – 0.

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

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### **1. Resolution authorizing an agreement with the PA Dept. of Health to provide dental services. (Health)**

Councilwoman Nelson read a statement from Health Bureau Director Barb Kovacs who could not attend tonight's meeting. The statement outlined that this is a one year renewal for the Dental Services Program in the amount of \$46,330.00 (beginning July 1, 2014). The contract has been changed to allow the community health nurses to apply dental varnish on the teeth of city children from first tooth to age 16. They will also continue to contract with Family First Health to provide dental sealants in the schools.

**DECISION:** A motion was made by Nelson, seconded by Helfrich, to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Helfrich, Nelson – 2; Nays – 0.

**1. Resolution authorizing the appointment of probationary police officers. (HR)**

Police Chief Kahley said we are currently 3 officers short of the budget allotment, which places us in a position to issue conditional offers of employment for probationary police officers. He then gave a brief background of the candidates.

**DECISION:** Motion by Helfrich, seconded by Hill-Evans, to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich – 2; Nays – 0.

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

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**1. Bill amending Article 308 “LERTA” to include exceptions to investment opportunity eligible areas.**

Administrator Doweary said the city feels confident that we will receive the CRIZ designation and as such, we must protect our tax revenue. This legislation is geared to prevent “double dipping” of our tax incentive programs.

Councilman Helfrich asked about those in the CRIZ area versus those taking advantage of the CRIZ dollars. He outlined what he felt were disincentives to business owners. Councilman Helfrich asked if language could be included to differentiate businesses who are actually utilizing CRIZ funds versus those merely located within the CRIZ boundaries. Mr. Doweary said he would work with the solicitor on incorporating that language into the ordinance.

**DECISION:** A motion made by Satterlee, seconded by Nelson, to place this item on the **7/15/14** legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

**2. Bill amending Article 705 “Keeping of Animals” to define and establish regulations for keeping of wild animals.**

President Hill-Evans stated that she asked the City Clerk to place this item on tonight’s agenda because she wanted to update the public on discussions. President Hill-Evans said she and Councilman Satterlee are in the process of setting up a meeting with the Animal Enforcement Officer to discuss the issue of cats. She explained that some language being discussed includes securing, identifying, and licensing of cats, as well as regulations on the feeding of feral cats.

Councilman Satterlee added that we want to create laws that can be enforced, so ideas will be thoroughly reviewed with the animal enforcement officer and the city solicitor.

Alicia Bligen, resident, commended Council for their diligence in handling this matter. She then discussed new residents in her neighborhood who own pit bulls, how the dogs are tethered on the porch, how sometimes they roam free, and dog excrement.

**DECISION:** A motion made by Nelson, seconded by Satterlee keep this legislation in committee for discussion at the **September 24 committee meeting**. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

**3. Bill establishing Article 730 “Neighborhood Improvement Ordinance.”**

Assistant Solicitor Sabol said he first heard about this program during a solicitor's conference last year and he shared the idea with Director Buffington. Allentown, Lancaster, Reading and Bethlehem are a few cities that offer the SWEEP program and they have provided us with copies of their ordinances, versions of their tickets, and violation notices, and

we had several conference calls about this program. He said this legislation will give us another tool to address property maintenance issues in the city.

Director Buffington added that this program has been successful in various municipalities throughout PA. One of the big benefits will be addressing the trash and debris problems in the city such as setting trash out too early and solid waste management. The current structure is that our PMI's must first observe the problem, then come back to the office to write the citation, and by the time they go to issue the violation, the problem has already been taken care of. He said this is a waste of the PMI's time. This legislation would allow the PMI's to immediately issue a \$25 fine for violations. He said providing immediate fines gets the violators' attention and won't break the bank. The current structure is that residents are fined \$100 for a violation and then if they appeal, their case is heard at the county magistrate level. As a result, we don't see the revenue produced from these fines because a large portion goes back to the county. He said implementing an immediate citation process would be more cost friendly (\$25.00) and 100% of the revenue will come directly to the city.

Assistant Solicitor Sabol outlined the fine structure as provided in section 730.99(a) and (b) of the proposed ordinance.

President Hill-Evans asked why this ordinance is being proposed when many of these laws are already on the books.

Assistant Solicitor Sabol responded that the notice requirement is the biggest difference in that we can immediately issue a fine and all of the revenue goes directly to the city instead of the county. This structure would be more efficient and effective for the PMI's and would reduce the number of times they have to appear before the district magistrate. Also this process would be more cost effective when considering the current costs to send out first, second and third notices and the loss of revenue once the case is heard at the district magistrate level.

Director Buffington said this ordinance provides that violators would have the option to appeal locally to the Bureau of Permits, Planning and Zoning.

Assistant Solicitor Sabol said that the language has been structured to have the citation fall on the tenant instead of the property owner. The property maintenance inspectors would determine which violations are tenant versus landlord responsibility when it comes to issuing fines.

Councilman Helfrich said that maybe PMI's could forward the fine to the landlord who could then issue the fine to the appropriate tenant.

President Hill-Evans asked if the PMI's will be able to print a ticket immediately. Director Buffington said this will most likely be a handwritten paper ticket-type process at this point. Once we get our software updated, he said he hopes to make this task electronic.

Councilman Helfrich said he would like to see some kind of warning system in place to notify our residents to allow some leniency for first time offenders. Council discussed the pros and cons associated with the "warning" system.

Councilman Helfrich challenged section 730.08(c)(2) of the proposed legislation wherein it reads that cars are not authorized to park on stone. He said he thought parking on stone was authorized. Director Buffington agreed and said that language would be stricken.

Councilman Satterlee said people can become more frustrated by those who break the laws and get away with it especially when you have law abiding citizens following the rules.

Don Hake, resident, applauded Council on their thoughtful deliberations. He then shared a story about his wife receiving a ticket on her car while she was sitting in the car with the car running. He asked Council to be careful with the ordinances and fines.

Alicia Bligen, resident, said she has witnessed people dumping, placing trash out too early and kids littering on her property.

Charlotte Bergdol, resident, suggested violations for not using the proper recycling containers be added to the proposed language. She then asked several procedural questions that were answered by Director Buffington. She also suggested making the language more user friendly such as changing "possessor" to "tenant."

Franklin Williams, resident, said this proposed legislation is a step in the right direction.

Manuel Gomez, resident, said he supports a "warning" system because you shouldn't just instantly whack someone with a fine especially if it's not an egregious offense. As an example, he said the city shouldn't be hypocrites by fining residents for not shoveling snow yet the residents are slipping and sliding on the streets because the city hasn't plowed.

Councilman Helfrich said he is in favor of this legislation but would like to further discuss how we could fund additional PMI's, which could possibly allow us to police neighborhoods every weekend. He said he would also like to consider incorporating a single warning system.

Councilman Satterlee disagreed with the warning system idea.

**DECISION:** A motion was made by Satterlee, seconded by Helfrich, to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee - 2; Nays – Hill-Evans – 1.

**4. Resolution waiving the 30-day provision of Article 1731.12 "Certificates of Appropriateness" during Council's summer recess.**

The City Clerk explained that through adoption of Council's 2014 stated meetings, Council observes summer recess during the months of June, July, and August wherein Council meets in legislative session only once per month. With that said, Article 1731.12 of the Codified Ordinances regulates that Council shall render decisions no later than 30 days after receipt of written recommendations from HARB on issuance of certificates of appropriateness. She said the 30-day requirement is not state mandated, so if there is a period of time greater than 30-days between legislative sessions, this Resolution waives the 30-day provision and authorizes immediate approval for issuance of certificates of appropriateness in accordance with the recommendations of HARB. She did say that Council has the authority to call an emergency or special meeting to consider certificates of appropriateness, if needed.

**DECISION:** A motion was made by Hill-Evans, seconded by Nelson, to place this item on the **6/3/14** legislative agenda. The motion passed by the following vote: Yeas – Nelson, Satterlee, Hill-Evans – 3; Nays – 0.

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## II. Council Comment

President Hill-Evans announced the following:

- **Committee Work Sessions** – Tonight's committee meeting is the last committee meeting prior to Council's summer recess. The next committee meeting will be held on September 24, 2014.
- **Summer Recess** - Council will observe its summer recess from June-August, which means Council will only meet in legislative session once per month during this timeframe – those dates being June 3, July 15, and August 19. Council will resume its regular meeting scheduled (meeting twice per month) beginning September 2.

## III. Administration Comment: None

IV. Next Committee Meeting: September 24, 2014 at 6:00 p.m. in Council Chambers. Committee agenda items due by 12 noon on September 17<sup>th</sup>.

V. Adjournment: There being no further business, the May 28, 2014 Committee Meeting adjourned at 8:36 p.m.

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Dianna L. Thompson-Mitchell, City Clerk

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Carol Hill-Evans, President of Council