

The City of York, Pennsylvania

Henry Hay Nixon, President of Council
 Sandie Walker, Vice President of Council
 Judy A. Ritter-Dickson, Member of Council
 Edquina Washington, Member of Council
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COMMITTEE MINUTES February 26, 2020 6:00 p.m.

Police	Fire	Public Works	E&C Development	Business Admin	Rules & Admin
Washington Ritter-Dickson Rivera	Washington Ritter-Dickson Rivera	Walker Rivera Washington	Ritter-Dickson Nixon Walker	Walker Nixon Washington	Rivera Walker Nixon

***Bold text indicates Chairperson**

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

Council in attendance: Lou Rivera, Sandie Walker, Vice President and Henry Nixon, President

Administration in attendance: Michael Helfrich, Mayor; Tom Ray, Business Administrator; Chaz Green, Director of Public Works; Philip Given, Acting Director of Economic & Community Development; Kittrell Barnes, Parking Bureau Manager; James Crosby, Director of the Bureau of Health; AliceAnne D. Frost, Controller; and Don Hoyt, Assistant Solicitor.

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

- I. Called committee meeting to order at 6:00 p.m.
- II. Committee Issues for the **March 3rd & 17th** legislative Agendas as follows:

Click [here](#) to view issues chart.

Note: As only 3 members of Council were present, items were discussed under the General Committee.

ECONOMIC & COMMUNITY DEVELOPMENT

1. Resolution authorizing a budget transfer for a contract with the York County Planning Commission (BHS)

James Crosby, Director of the Bureau of Housing Services, explained that this transfer is to support a HUD approving Housing Rehab Specialist for the York County Planning Commission.

President Nixon asked if this funding is coming out of the BHS budget. Director Crosby said, "yes."

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

2. Resolution authorizing submittal of the 2019 CAPER to HUD (BHS)

Director Crosby explained that this is our end of year report to HUD for 2019 which details how CDBG and HOME funds were spent. He said it's an extensive document, so if Council has any questions, he would be happy to meet and discuss.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/17/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

3. A Bill amending the 2020 Budget - \$60,453.02 for the Prescription Drug Monitoring/Substance Abuse Prevention Program (Health)

Barb Kovacs, Director of Health, stated that this amendment is to allocate additional revenue for this program to get us through the end of this year.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

4. Resolution authorizing an Intergovernmental Agreement with the PA Dept. of Health (\$560,823 for Prescription Drug Monitoring Program) (Health)

Director Kovacs explained that this is for funding received for the prescription drug monitoring program which is geared to reduce opioid overdoses, prevention and education strategies.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

PUBLIC WORKS

5. Resolution authorizing a budget transfer. (\$50K for the Poorhouse Run Project)

Chaz Green, Director of Public Works, stated that we did not realize these funds were available, so we request to transfer this money to allow us to use this funding for the Poorhouse Run Project.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

6. Resolution authorizing the sale of 28 surplus vehicles

Director Green said these are vehicles we have had in our fleet for many years but are no longer working effectively. Therefore, we would like to sell them or send them to an auction (Manheim Auction) for disposition. He said we will publicize the sale of these vehicles and profit will then be placed back into the city budget.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

7. Ordinance amending Article 951 "Municipal Solid Waste," and 952 "Recycling" to update language

Director Green explained that we receive grant funding from the PA Dept. of Environmental Protection for recycling bins which helps us to keep the cost down for our residents. In order to continue to

receive these funds, we had to update the language to make it consistent with state laws and regulations.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

BUSINESS ADMINISTRATION

8. Resolution authorizing an agreement with OpenGov for budget software

Tom Ray, Business Administrator, explained that this item is authorizing an agreement with OpenGov. He said we have been looking for a better budgeting software program and OpenGov reached out to us. After reviewing their services, we felt it was a good fit for the city. This is a cloud-based service. The program will allow yearly creation of budgets by our Directions outside of our current budget system, Dynamics. He said this is a much better user-friendly platform.

Director Ray said some Council members, and members of the Administration, have received correspondence from a company saying “Wait, you haven’t seen our product.” He said this company did not respond to the request for proposals and to submit an email at the last minute is unacceptable especially since we want to have something in place for the 2021 budget process which beings in a few months.

Mayor Helfrich added that these companies use google search to find open RFP’s and then they contact these entities trying to put the kibosh on the process. He said this late minute business competition tactic causes him to pause and he does not like it.

Eric Fahrenkopf, Account Executive, OpenGov, thanked the city for the opportunity to serve. He stated that OpenGov is a company that offers cloud-based software for public sector budgeting, reporting, communications, and performance, powering more effective and accountable governments. He said OpenGov is the leader in cloud-based planning. He outlined their services and answered questions from Council. He specifically noted that OpenGov has an integration software that will communicate with the city’s current budget software Dynamics. He said OpenGov’s software will be much easier to understand. (Note: OpenGov services and cost are attached to the Resolution)

AliceAnne, Controller, asked what if something goes wrong with the software or if we want to switch software.

Mr. Fahrenkopf responded that OpenGov has an ERP platform. Cloud ERP allows users to access Enterprise Resource Planning (ERP) software over the Internet and gives companies access to their business-critical applications at any time from any location. If the city wants to use another software, OpenGov has open ended licensing, wherein you can move all of your data into OpenGov and transfer that information to the new software. Additionally, if there are questions or system malfunction, OpenGov has regional representatives that can come onsite and meet with city officials to answer questions and troubleshoot.

DECISION: A motion was made by Walker and seconded by Rivera to place this item on the **3/3/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon – 3; Nays – 0.

9. Resolution authorizing a Parking Facilities Management and Administrative Services Agreement with the General Authority.

Stacy MacNeal, General Authority solicitor, gave some background on the GA's current agreement. The purpose and intent of this Agreement is to allow the Authority to own and operate the public parking facilities within the City of York as an autonomous and independent entity. Both the GA and the City agree that the Parking Facilities Management Agreement should be updated to reflect current operating procedures. Additionally, we consolidated two agreements into one document. We clarified the duties of the GA, and we continue to work on a short-term management fee. She said this agreement is fiscally consistent with the budget so there would be no budget amendment required.

Mayor Helfrich said the other key component is that we were hoping to find a way to provide the GA with a capital needs fund. So instead of taking out money and paying interest, they would be saving money that will allow them to make repairs. We are currently awaiting a real analysis from Buchart Horn of the cost of maintaining all these facilities so we can have a good number before we divvy up whatever is left over.

Councilman Rivera said it's disappointing when guests to our city cannot find parking because the garages are full, especially the Philadelphia St. garage.

Attorney MacNeal said that has been an item the GA has discussed over the years. She said the GA is working on equipment improvements to handle that type of situation.

DECISION: Vice President Walker said she needs more time to review this agreement, so she requested it be placed on the 3/17/20 agenda. Therefore, a motion was made by Walker, seconded by Rivera to place this item on the **3/17/20** legislative agenda. The motion passed by the following vote: Yeas – Rivera, Walker, Nixon 3; Nays – 0

RULES & ADMINISTRATIVE CODE

10. Bill amending Article 507 "Booting" to establish regulations for booting on public & private property (Solicitor's Office)

Mayor Helfrich said we have submitted an amendment we feel is fair. He said we are the first in the Commonwealth to push this booting legislation forward. The businesses feel this is an effective practice and the administration supports these amendments.

President Nixon said when he read the amendment, it pretty much mirrors the towing ordinance.

Mayor Helfrich said that is correct with just a few additional tweaks to make it fair.

Mayor Helfrich outlined several amendments being made to the ordinance such as the drop fee, parking restriction signs, increasing visibility, and booting time limitation to eliminate predatory booting.

Mayor Helfrich answered questions from Council on the methodology of the amendments.

President Nixon said he asked our solicitor to come up with language, but he did not ask the Administration to interject proposed language. He reminded Mayor Helfrich that the solicitor works for both the executive and legislative branches.

Alex Kaufman, Parking Lot Services, said the 5-minute waiting period is fair after a meter has expired before action can be taken.

President Nixon responded that if your parking meter expires, we don't have an enforcement officer sitting within 25 ft. of that meter waiting for it to expire. That is, however, the case with booting companies. They sit there and wait for that red time expired ticker to pop up. This legislation is to eradicate predatory booting.

Charles Potter, Parking Enforcement Solutions, said he leaves the time allotted up to the businesses. He said if the business owner asks that a violator be booted immediately, then he'll do that.

Attorney Nicolas Wichinski, representing Parking Enforcement Solutions, said when you park illegally in a public space, there are two actions, ticketing and then towing. For a private company, this is a less invasive response to unlawful parking on private property. So, we thank the Mayor for bringing this legislation forwards to ensure there is no predatory enforcement behavior. He then referred to notice requirements, fees and liability language in the ordinance and recommended those sections be revisited and amended. Attorney Wichinski said he would forward his concerns and recommendations via email to Council and he's agreeable to work with Council and the Administration on these recommendations.

Michael Darrah, Darrah's Towing, said state police told him booting is illegal in PA and there is no regulation authorizing a municipality to create fees. He said New Jersey is the only state that authorizes booting and you must follow their predatory towing. He said for us towers, the property owner contacts us but most the time the car is gone before we get there. We can't patrol a lot and decide on what car needs to be towed. The only way for us to determine that is if we sit there and watch - that's predatory. He said some residents will park on a lot during street cleaning which leaves them open to booting/towing. He said we are at \$65 for a drop and said if its \$75 for booting, then it should be \$75 for towing.

Councilman Rivera asked how many companies boot in the city.

Mayor Helfrich said two, but booting is not an active practice of the city.

George Rhine, resident, asked what happens when the parking meter is not in working condition.

Mayor Helfrich said you won't get towed or booted because meters are property of the city.

Joe Darrah, J&K, said he has been towing since 1978. He said this is not about competition, it's about predatory behavior and this legislation should address predatory behavior.

DECISION: To provide the Administration with additional time to make final amendments to the Booting ordinance, Councilman Rivera made a motion to place this item on the **3/17/20** legislative agenda. The motion passed by the following vote: Yeas - Rivera, Nixon - 2; Nays - Walker - 1.

Vice President Walker asked that those who commented tonight on the Booting ordinance to send an email to Council with their testimony and recommendations.

III. Council Comment: None

IV. Administration Comment

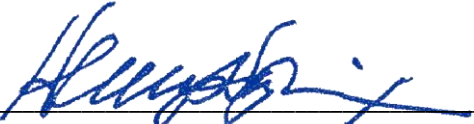
Mayor Helfrich reminded residents that sign up for the Sewer Amnesty Program begins on March 1, 2020 and lasts until March 31, 2020. For more information, please visit: <https://www.yorkcity.org/sewer-refuse-amnesty-program/>.

V. The next committee meeting of City Council is scheduled for March 25, 2020 at 6:00 p.m. in City Council Chambers. Agenda items are due by 12 noon on March 18th.

VI. Adjournment: There being no further business, the February 26, 2020 Committee meeting adjourned at 7:20 p.m.



Dianna L. Thompson-Mitchell, City Clerk



Henry Hay Nixon, President of Council