



# The City of York Pennsylvania

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

Sandie Walker, President  
Edquina Washington, Vice President  
Lou Rivera, Member  
Betsy Buckingham, Member  
Dr. Felicia O. A. Dennis, Member  
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## COMMITTEE MINUTES September 28, 2022 6:00 p.m.

Fire/Police	Public Works	Econ & Comm Development	Business Admin	Rules & Admin
<b>Washington</b> Dennis Buckingham	<b>Dennis</b> Washington Rivera	<b>Washington</b> Walker Buckingham	<b>Buckingham</b> Walker Rivera	<b>Rivera</b> Washington Dennis

\***Bold text indicates Chairperson**

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

**CALL TO ORDER:** President Walker called the September 28, 2022, committee meeting to order at 6:00 p.m. in Council Chambers, 101 S. George St., York, PA, with the following members present: Felicia Dennis, Betsy Buckingham, Lou Rivera, Edquina Washington, Vice President, and Sandie Walker, President, with President Walker presiding.

**Members of the Administration in attendance included:** AliceAnne Frost, Controller, Kim Robertson, Acting Business Administrator; Nona Watson, Director of Economic & Community Development; Blanda Nace, Chief Opportunity Officer; Michael Muldrow, Police Commissioner, Scott Miller, Chief of Staff; Ricardo Quintero, Executive Administrator; and Jason Sabol, Assistant Solicitor.

**Members of York City Council staff in attendance included:** Dianna L. Thompson, City Clerk.

- I. Called committee meeting to order at 7:09 p.m. (Council held a special meeting at 6PM. The committee meeting immediately followed the special meeting.)
- II. Committee Issues for the **October 4 & 18, 2022** legislative Agendas as follows:

[CLICK HERE TO VIEW ISSUES CHART](#)

### GENERAL

1. **An ordinance amending the FY2022 budget. (Public Works/Highway)(Economic & Community Development)**

Acting Business Administrator Kim Robertson said section one of the bill is amending the FY2022 City Budget for the Highway Bureau of the Public Works Department by appropriating revenue and expenditures associated with the recent sale of a dumpster truck and intended purchase of a skid loader and attachments for paving and patching of streets and potholes, and a down payment on a new street sweeper, in the total amount of \$130,984.00. She said the city recently sold, with Council's authorization, a dumpster truck for \$130,984.00. The Highway Bureau has a need to purchase a skid loader with attachments for paving and patching of streets and provide a down payment on the purchase of a new street sweeper. Since PA American Water purchased our vehicle, the proceeds from that sale will be used by the Highway Department to purchase equipment that will make their job much easier (Skid loader).

The second amendment she said is for the Department of Economic & Community Development. The city has been working with various community members on the Local Sourcing initiative and they have been working on ways to make sure that bigger companies in the city are sourcing their supplies to local companies. This amendment represents WellSpan's \$25,000 contribution to support this initiative.

**DECISION:** A motion was made by Washington, seconded by Rivera, to place this item on the **10/4/22** agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

**2. Approving a waiver of sewer/refuse back charges for the properties located at 275 Jefferson Ave. & 175 W. Gay Ave. (Solicitor's Office)**

Seth Predix outlined his request. In a letter dated July 12, 2022, Mr. Predix explained the following:

"I am co-owner of Predix & Ilyes Investments, LLC, and Keystone ColorWorks Partnership LP, which owns two properties in the City that were redeveloped into multi-family housing: 275 Jefferson Avenue ("Jefferson") and 175 W. Gay Avenue (the "Keystone Colorworks").

Jefferson is a 6-unit property, and Keystone Colorworks is a 29-unit property. Trash service for both properties is currently handled via private contract with Republic Services. We are in receipt of bills for past due balances to the trash hauler contracted through the City even though this hauler has never provided services to these properties. We also believe that, by retaining service through the private hauler, we can ensure that trash from all the units does not blow around and that any issues can be rectified quickly through the service without having to notify the Department of Public Works.

On this basis, we have previously approached City officials regarding waiver for these two properties, along with another 44-unit multi-family property at Madison Avenue due to the fact that they are served by a private hauler and are not currently on the City contract (meaning the City does not derive any revenue from the properties). The City officials granted a waiver for the Madison Avenue property but requested that we submit a formal waiver to City Council for the Jefferson and Keystone Colorworks properties.

We believe that the Jefferson property, which is only 6 units, could properly be served by the City contract and would agree to pay all charges for this service going forward. We would respectfully request a waiver of any back charges as we have made a good faith effort to resolve this issue with the City.

We would request a waiver for the Keystone Colorworks property, permitting this property to remain off of the City contract and to pay the minimum administrative fee that is currently \$8.76 [sic] per unit. We would also request a waiver of back charges."

Mr. Predix said he randomly got a bill for trash service from the city and was told that properties with under 50 units are automatically on the city's trash contract. He said private contracting is cheaper for him so he wants to continue using his private trash collector because he can control the pick ups and it's a cost savings. He said Keystone ColorWorks is not even on the city's contract, yet we're being billed.

Assistant Solicitor Sabol said the request is to have the back amounts for 275 Jefferson and 175 W. Gay waived going forward and then go down to the \$8.75 rate going forward.

President Walker said her concern is the waiver. She asked if anything like this has come to Council in the past.

Assistant Solicitor Sabol said not to his knowledge and that Mr. Predix is asking for a waiver of the law.

President Walker said her concern is that this might open up a can of worms leading to others coming to Council asking for waivers. She asked about the Madison Ave. waiver mentioned in Mr. Predix's letter.

Assistant Solicitor Sabol said he believes that was done a few years ago.

Councilman Rivera said if others would want this same opportunity, Council would have to consider waivers for everyone that asks. He said the Public Works Director should have discussed this with the committee chair and then discussed it with Council.

Assistant Solicitor Sabol said the Administration is not supportive of waiving the past due balance, but Mr. Predix had a right to argue his case to Council.

Mr. Predix asked why he should pay the city for a service that the city never provided. He said he doesn't even know who to pay - the contractor or the city - since the city is billing him although he's privately contracted with Republic Services. He said he hired an attorney to try to figure out this mess. He feels the ordinance needs to be changed. We have been in this building for 10 years. He said some of these trash bills are as much as \$30,000. He said the city doesn't make money on trash; they make money off the \$8.75 per unit fee ([Article 951.12](#)). He said every other municipality allows us to control our own trash.

Vice President Washington said we should revisit the ordinance and have a meeting with all interested parties at the table so this can be properly discussed. There are other properties in our city that are going to be repurposed so we need to think about this going forward because a request like this will come before us again.

Mr. Predix asked what he should do in the meantime. He said the bills from the city have not stopped and the fees are accruing penalties.

President Walker said there needs to be discussion between Committee Chair Councilwoman Felicia Dennis, the Public Works Director Chaz Green, and the city attorney. She stated that her concern is more so the waiver of back charges. She said there hasn't been any discussion with Council prior to this evening. She also had concerns with the reference to sewer and refuse.

Mr. Predix said we would pay the sewer but would send a notice that our refuse is done privately. He said it's very complicated. The back charges are real numbers and it's taken way too long to get to this point, although he understands Council's concerns.

President Walker asked about the waiver for Madison Ave. mentioned in Mr. Predix's letter. Assistant Solicitor Sabol said he believes that was done in 2019.

Manuel Gomez, resident, said he feels this is something that needs to be looked at and he appreciates the feedback. He said he would like to see some flexibility built into the ordinance so we can prevent this type of conundrum in the future.

**DECISION:** A motion was made by Rivera, seconded by Dennis, to **keep this item in committee**. The motion passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

### 3. Authorizing agreements with PennDot for SR0083-091 R/W. (Solicitor's Office)

Alan Thompson, PennDot Consultant, briefly outlined the project.

The Pennsylvania Department of Transportation (PennDOT) is continuing construction on the third early action project which will replace the Market Street bridge in preparation for the I-83 North York Widening. The bridge will be replaced using Accelerated Bridge Construction techniques where the site

is prepared with minimal disruption to traffic while the bridge is being fabricated offsite in segments. The site is now ready for Market Street to be closed. The bridge will be closed starting at 6:00am on Tuesday, September 27.

An approximately month and a half detour will be in place while crews demolish the existing bridge, finish the site preparation work, and bring the segments to the worksite for final assembly. The bridge is expected to remain closed until early November.

A detour will be in place using North Sherman Street, Route 30, and North Hills Road.

Motorists can check conditions on major roadways by visiting [511PA](#). 511PA, which is free and available 24 hours a day, provides traffic delay warnings, weather forecasts, traffic speed information and access to more than 1,000 traffic cameras.

Additional information on the Market Street construction and other infrastructure construction projects in District 8 can be found at [PennDOT Projects](#).

Clearwater Construction, Inc. of Mercer, PA, is the prime contractor on this \$6,379,000 project. The bridge replacement is expected to be completed in December of 2022.

To see all of the I-83 construction sections and anticipated schedule, please click [here](#).

Don't miss the project visualizations to see how I-83 will look, please click [here](#).

Source: <https://www.i83northyork.com/>

Assistant Solicitor Sabol said when the WWTP was built in the early 1900's, the city was granted large swaths of property along the Codorus Creek. All other swaths were granted back to the owners, and we don't know why this property stayed with the city, but it did.

**DECISION:** A motion was made by Buckingham, seconded by Dennis, to place this item on the **10/4/22** agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

## RULES & ADMINISTRATIVE CODE

### 4. Amending Article 145 "Police Department" of the Codified Ordinances (Police)

Police Commissioner Muldrow said the largest reason for this amendment is that this is the first hurdle to bring in additional officers. In the 1950's-60's, the limit was set to 100 officers to keep it safe. We have been functioning under that ordinance regardless of what has been happening in the city. Without this change to Article 145, we won't have the additional resources to deal with the increased need for police presence. Also, the detective bureau was being run by people who didn't have investigative experience. He said he created a detective commander that will work through the department and will have investigative experience. He said these amendments will open the door to better functioning within the police department.

Manuel Gomez, resident, questioned the amendment to section 145.01(a) that will now allow the police department to be staffed at a number determined by the Mayor and why 145.01(b) regarding Council is being stricken.

Acting Business Administrator Kim Robertson said Council will still approve the appointment of police officers.

Mr. Gomez said he understands the process. He said if we are adding language and striking language, let's be sure we understand what is being done. We are amending specific language to remove Council and granting the Mayor powers.

Councilman Rivera asked who recommended these changes.

Commissioner Muldrow said the police department in consultation with the labor attorney.

Assistant Solicitor Sabol said the current process is that the Mayor staffs the police department. So that remains the same.

Michael Walker, resident, said in removing 145.01(b) removes Council's authority altogether. He asked why we are taking out that piece.

Assistant Solicitor Sabol said that section was in there just to address when we receive state/federal funds to be able to go over 100 officers. If we don't have the 100-officer cap anymore, we no longer need the language in 145.01(b).

Commissioner Muldrow said as a department he would recommend changing the language in 145.01(a) to read, "...be staffed by a number determined by the Mayor and City Council through funds provided..."

Assistant Solicitor Sabol said that changes the entire context. He said we can keep 145.01(b) although it would be superfluous.

Mr. Gomez said it's not so much the matter of modifying the number of officers, it's more the explicit language added for the mayor and removal of Council. He said we should maintain the language in section 145.01(b).

**DECISION:** A motion made by Washington, seconded by Dennis to place on the **10/4** agenda. The motion passed by the following vote: Yeas - Dennis, Washington, Rivera - 3. Nays - 0.

5. Amending Article 1728 "Vacant Property Review Committee" of the Codified Ordinances (Solicitor's Office)

Assistant Solicitor Sabol explained that the state legislature changed the definition of blight. This amendment is to change our definition to match state law.

**DECISION:** A motion was made by Rivera, seconded by Dennis, to place this item on the **10/4** agenda. The motion passed by the following vote: Yeas - Dennis, Washington, Rivera - 3. Nays - 0.

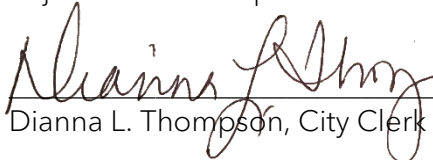
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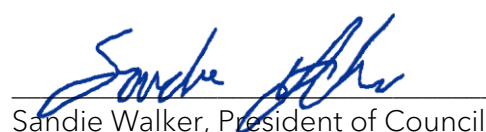
III. Council Comment: None

IV. Administration Comment: None

V. Next Committee Meeting is scheduled for October 26, 2002 at 6:00 p.m. in Council Chambers

VI. Adjournment: There being no further business, the September 28, 2002 committee meeting of Council adjourned at 8:18 p.m.

  
Dianna L. Thompson, City Clerk

  
Sandie Walker, President of Council