



# 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  
Dianna L. Thompson, City Clerk  
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## MINUTES November 30, 2022 6:00 p.m.

Fire/Police	Public Works	Econ & Comm Development	Business Admin	Rules & Admin
Washington Dennis Buckingham	Dennis Washington Rivera	Washington Walker Buckingham	Buckingham Walker Rivera	Rivera 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 November 30, 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, Edquina Washington, Vice President, and Sandie Walker, President, with President Walker presiding.

**Members of the Administration in attendance included:** Joe Jefcoat, Treasurer; Kim Robertson, Acting Business Administrator; Scott Miller, Chief of Staff; and Don Hoyt, Assistant Solicitor.

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

- I. Called committee meeting to order at 6:00 p.m.
- II. Committee Issues for the December 6 & 20, 2022 legislative Agendas as follows:

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### PUBLIC WORKS

#### 1. Budget amendment for Highway (\$60,000 & \$33,000)

Acting Business Administrator Kim Robertson said this is one of those end-of-year transfers to meet the expenses between now and December 31<sup>st</sup>. She said most of this is to cover unexpected increases.

**DECISION:** A motion was made by Dennis, seconded by Washington, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Washington, Dennis - 2; Nays - 0.

#### 2. Budget amendment - TRC for King St. Bike Lanes (\$130,000)

Acting Business Administrator Kim Robertson explained that additional work needed and since we get reimbursed from PennDot, we have to do a budget amendment.

**DECISION:** A motion was made by Dennis, seconded by Washington, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Washington, Dennis - 2; Nays - 0.

## GENERAL

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### 3. Presentation on Thackston 2 Project funding request

Regina Mitchell, Executive Director of the York Housing Authority, said we are in full construction mode of the Thackston 2 Project. Two weeks before Thanksgiving we were told all buildings have been covered with a roof which is good news especially going into the winter months. We are on schedule. We are 30 days out from our original date. As we started excavating the previous homes and the ground, we ran into a lot of debris that dates back to the Codorus Housing project. What's costing us additional funding is contaminated soil - coal ash. She said EPA standards have changed over the years and now it's considered a regulated field debris which means this material has to go to a regulated field that will only take contaminated soil. The change orders have to do with removing this contaminated soil. Because of the amount of debris, we had to go down deeper until we reached bedrock. We cannot take this contaminated soil off the property until we can get funding, which will cost us about \$370,000.

Ms. Mitchell went on to explain that the other unexpected cost for this project is \$95,000 for drywall. Construction costs have increased 30% and now developers are being asked to go to their municipalities to request assistance in funding these unexpected costs. A total of \$470,000 is needed to complete this project on time and on schedule. We know there is ARPA funding that could be used for affordable housing projects that are experiencing some financial problems due to material and the cost of doing business. It is our request to use \$470,000 of ARPA funding to finish out Thackston Phase 2. We cannot move forward until we move the contaminated soil. The projected date of completion is May 21, 2023. Every time we move a pile of dirt, it's costing us \$15,000-\$20,000. The timeline to remove the contaminated soil is sooner than later but the latest is the first of February 2023 because we'll be at the point of requesting occupancy certificates on the south side of the project. She asked for a proposed timeline to consider their request.

President Walker said she needed a little more time to look over the information that was emailed to Council. She said she would follow up with Ms. Mitchell but at this point, it's to be determined because we need to discuss this publicly with the administration and prepare budget amendments if this is to move forward.

Mayor Helfrich said this is an immediate need and this project benefits all of us. He said we saved about \$25,000 by not ripping out a cul-de-sac, so we can spare \$25,000 because we saved \$25,000.

**DECISION:** Further action to be determined.

### 4. 2023 Council meeting dates

City Clerk Dianna Thompson explained that this is a list of stated Council meetings for 2023. She said the Commonwealth has not posted 2023 election dates so there may be some minor changes to the May and November meeting dates. As such, she requested that this item be placed on the 12/20/22 agenda.

**DECISION:** A motion as made by Dennis, seconded by Washington, to place this item on the **12/20/22** Council agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington, Walker - 4; Nays - 0.

### 5. Request for exoneration of municipal taxes (Church: Iglesia Pentecostal/Open Door)

**Rev. Doc. Sharon Lincoln explained that this is The Well Worship Center, not Iglesia Pentecostal/Open Door. We moved into the building in May 2020. The previous owners abandoned it in 2019. Our services were being held at a different location and I agreed to take over the building in May 2020. Because the previous owners abandoned the building, the parking lot was being used for drug sales and shootings. Our community was living in fear, so we took the building back. We put up cameras and shut the drug**

deals down by having vehicles towed. The building was in terrible shape, but we began rebuilding and went to settlement in June 2021. We thought this was a transfer of title, but we received a notice that the status of the church was changed, and we would have to pay taxes. I questioned why the status was changed when this is a church building, and we are operating as a church. We were told it was a technicality, so we moved forward with the settlement and have held church services in the building for over a year. We attended a tax hearing, and it was agreed we were a church and that we would be tax exempt beginning in 2023. So, this technicality is now costing us thousands of dollars. We applied for assistance but somehow our application was lost in the system and so we re-filed and was denied because they said it was late. We are not taking salaries because all of our money is going toward renovating the building. We have all sorts of programs for the community, and we are about the community. I cannot seem to get an answer as to why we have to pay taxes.

Councilwoman Buckingham asked if there was professional guidance through the transaction.

Rev. Lincoln said yes, and the status change came out of the blue.

Treasurer Jefcoat said the status changed because the building wasn't being used as a church.

Rev. Lincoln said we were operating it as a church a whole year prior to settlement, so we don't know why the status was changed. We were told we had to prove we operate as a church for three years and then was told this was just a mere technicality. In order to appeal, we had to attend a hearing. They said we wouldn't have to pay taxes beginning 2023 going forward but we would have to pay taxes for 2022.

President Walker asked if the county or school district exonerated the taxes.

Treasurer Jefcoat said he is unaware if those taxes were exonerated.

Rev. Lincoln said she didn't receive anything from the county or school district that taxes were exonerated.

President Walker asked why Iglesia and Open Door is handwritten on the letter submitted to Council.

Treasurer Jefcoat said that is his handwriting on the letter and those names were there because that's what name he found in his research.

Mayor Helfrich said the administration is in favor of exonerating these taxes because this is a glitch in the system. He said this property always operated as a church.

President Walker said she needs more clarification about ownership, title transfer, etc. She said she also heard there was a lien on the property.

Treasurer Jefcoat said there is a lien because the taxes weren't paid.

President Walker said she needs more information.

Councilwoman Dennis asked if the Rev. Lincoln received documentation that a lien was on the property.

Rev. Lincoln said she didn't receive any documentation but was told she had to appeal before December which is why she is presenting this to Council. She said she presented the request for exonerated to all three taxing entities. She said she was told that after December if the taxes aren't paid, the property will go on a list for sale, and they would have to buy the property back.

Vice President Washington asked if a decision needs to be made by tomorrow, December 1<sup>st</sup>?

Rev. Lincoln said, yes.

Treasurer Jefcoat said if the taxes are paid or exonerated, the property won't go on the sale list.

President Walker said she would like to communicate with the county and school district.

Treasurer Jefcoat said if Council exonerates the taxes, this problem will go away. He said there are five parcels involved so we need to distinguish between the parking lots and church parcel.

**DECISION:** A motion was made by Walker and seconded by Buckingham to **keep this item in committee**. The motion passed by the following vote: Yeas - Dennis, Buckingham, Walker - 3; Nays - Washington - 1.

## 6. Exoneration of municipal taxes (Church: New Covenant)

Pastor Anthony Sease said back in 2012, Maranatha and Abundant Life merged ministries. We made New Covenant separate and we were in a position to carry the mortgage on our own. So, we asked them to separate the loan so New Covenant could be separate from Abundant Life. We always operated as a church, and we proved that we are non-profit. He said the county taxes have been forgiven but the glitch in the system puts us in this position with city taxes.

President Walker said because of her connection to New Covenant, she will have to abstain.

**DECISION:** A motion was made by Dennis, seconded by Washington to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - 0; Abstained - Walker - 1.

## 7. Act 57 of 2022 Definitions

Treasurer Jefcoat briefly outlined the Local Tax Collection Law relating to the tax collector waiving additional charges for real estate taxes in certain situations as detailed in the resolution.

**DECISION:** A motion was made by Buckingham, seconded by Washington, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington, Walker - 4; Nays - 0.

## RULES & ADMINISTRATIVE CODE

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### 8. Amending Article 101 "Codified Ordinances" to update definition of "owner"

Treasurer Jefcoat said we just want some clarity on the definition of owner to include an owner may be a single individual, a group of individuals, a Limited Partnership, or a Limited Liability Company. We are asking that businesses give us a name, phone number, or email address or some sort of contact information so we can communicate with the owner. This is just for clarity and to provide some background information and materials so we can communicate effectively with the proper entity.

**DECISION:** A motion was made by Dennis, seconded by Washington, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Washington, Dennis - 2; Nays - 0.

### 9. Amending Article 127 "Treasurer" and Article 129 "Controller" to establish minimum requirements

Agenda item #9 was PULLED at the request of the Solicitor's Office. In an email sent to Council dated 11/29/22, Assistant Solicitor Jason Sabol stated that the Third-Class City Code establishes the requirements, and the city may not place more stringent requirements on those offices than authorized by state statutes.

10. ShotSpotter funding & Drone program

Mayor Helfrich said we've had this in committee previously and did some outreach efforts and have received 70-80% support of this program.

Acting Business Administrator Robertson said this was included on the committee agenda in error.

**DECISION:** No action requested.

11. Probationary Police Officers

Acting Business Administrator Robertson said this is to appoint a total of 13 probationary police officers to start January 3, 2023 as follows:

PPO	Vacancy
1	Resignation
2	Resignation
3	PPO Resignation
4	Early Retirement
5	DROP end 2/10/22
6	DROP end 3/4/22
7	DROP end 7/1/22
8	COPS 1
9	COPS 2
10	ARPA 1
11	APRA 2
12	ARPA 3
13	ARPA 4

She said these 13 positions will exhaust our current Civil Service eligibility list for Probationary Police Officers, so the additional 4 ARPA funded officers would be hired off the resulting list from the examination process that will be held early in 2023. If approved by Council, those new officers would be scheduled to attend the June 2023 Police Academy. This is well thought out and to use ARPA funds will give us an influx of officers to address the issues we are having now since this funding is only for three years. The average turnover of the police department was taken into consideration because we don't want to have to lay anyone off when the ARPA funding is exhausted. We cannot give an offer letter until this is approved so we are on a bit of a timeline in order to get them through the process to be able to attend the academy in January 2023.

Councilwoman Buckingham said we don't know exactly how much an officer is going to cost us because contract negotiations are still ongoing.

Administrator Robertson said that is correct and that funding for these positions is based on the current contract which ends 12/31/22. So, we'll need to come back to Council in the form of a budget amendment once the terms are settled.

**DECISION:** A motion was made by Washington, seconded by Buckingham, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - 0.

## BUSINESS ADMINISTRATION

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### 12. Employee Retention Incentive (\$620K) (ARPA)

Administrator Robertson said this is a request that has been popular this year and that ARPA funds can be used for employee retention incentives. So, we are requesting \$620,000 of ARPA funds that will go to employees active as of the introduction of the ordinance. All eligible City employees will receive a maximum gross incentive of \$1,750.00, with eligible part-time employees receiving a pro-rated gross amount based on the standard hours per year their position was budgeted for in 2022. If approved on 12/20, this money will be included in the employees' 12/30/22 paychecks.

**DECISION:** A motion was made by Buckingham, seconded by Walker to place this on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Buckingham, Walker - 2; Nays - 0.

### 13. Agreement with York City School District for Crossing Guards

Administrator Robertson said we have had an agreement with the school district to split the costs of the crossing guards for many years. These services have been outsourced for several years so this agreement authorizes the mayor and controller to enter into an agreement with the school district.

**DECISION:** A motion was made by Buckingham, seconded by Walker, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Buckingham, Walker - 2; Nays - 0.

### 14. Agreement with All City Management Services for crossing guard services

Administrator Robertson said this is the companion piece to the school district agreement. This is authorizing an agreement with All City Management Services to provide school crossing guards.

**DECISION:** A motion was made by Buckingham, seconded by Walker, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Buckingham, Walker - 2; Nays - 0.

### 15. Agreement for ARPA Grant Management, Accounting, & Compliance Services

Councilwoman Buckingham said she was party to the interviews for this.

Administrator Robertson said we have the agreement in place, and it is being reviewed by the solicitor's office. We will provide the dollar amount once everything is finalized. We request to place this on the 12/20/22 agenda to give us adequate time to finalize the documents.

**DECISION:** A motion was made by Buckingham, seconded by Walker, to place this item on the **12/20/22** legislative agenda. The motion passed by the following vote: Yeas - Buckingham, Walker - 2; Nays - 0.

### 16. 2023 MMO's

Administrator Robertson said this is our minimum municipal obligations which is done yearly and reflects the funding required to fund our pension plans. She said she will have these numbers finalized by the 12/6/22 meeting.

**DECISION:** A motion was made by Buckingham, seconded by Walker, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas - Buckingham, Walker - 2; Nays - 0.

### 17. Health Insurance Resolution

Administrator Robertson said this resolution is for various health insurance programs for our employees.

**DECISION:** A motion was made by Buckingham, seconded by Walker, to place this item on the **12/6/22** legislative agenda. The motion passed by the following vote: Yeas – Buckingham, Walker – 2; Nays – 0.

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III. Council Comment

Councilwoman Dennis acknowledged students from York Academy that wrote letters to Council. She thanked them for their interest in city government.

IV. Administration Comment

Mayor Helfrich echoed Councilwoman Dennis' comments and said it might take a minute to get back to them, but we appreciate their letters. He then invited residents to attend Light Up Night and First Friday.

V. Next Committee Meeting **January 25, 2023** in Council Chambers. Committee agenda items are due by 12 noon on January 18, 2023.

VI. Adjournment: There being no further business, the November 30, 2022 committee meeting adjourned at 7:38 PM.

  
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Dianna L. Thompson, City Clerk

  
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Sandie Walker, President of Council