



The City of York Pennsylvania

Office of City Council
101 S. George St.
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COMMITTEE MINUTES April 26, 2023

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 April 26, 2023, 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.

Members of the Administration in attendance included: Kim Robertson, Acting Business Administrator; Samantha Zahm, Bureau of Health; James Crosby, Director of the Bureau of Housing Services; Chaz Green, Director of Public Works; and Don Hoyt, Assistant Solicitor.

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

- I. Called committee meeting to order at 6:01 p.m.
- II. Committee Issues for the May 2 & 17, 2023 legislative Agendas as follows:

[CLICK HERE TO VIEW ISSUES CHART](#)

BUSINESS ADMINISTRATION

1. Resolution - Authorizing a contract for City Solicitor Services

Administrator Robertson shared a revised version of the resolution with the name of the firm name Eckert Seamans Cherin & Mellott, LLC. She said the city sent out requests for proposals and this firm provided the best combination of services, price, and products. She said a copy of the contract will be provided to the City Clerk once we have it. She said the contract will not exceed \$250,000 per year.

President Walker asked that this be placed on the May 17, 2023 agenda since we have not seen the contract yet and she would like a chance to review it. She asked Assistant Solicitor Hoyt if he will remain onboard as solicitor throughout the duration of this contract.

Solicitor Hoyt said if President Walker is talking to the completion of 2023, the answer is, no.

President Walker asked what the timeframe is for this contract.

Administrator Robertson said May 1, 2023 for a two-year period with the option to extend an additional two years.

President Walker as Assistant Solicitor Hoyt how long he will remain onboard while this new firm is here.

Attorney Hoyt said the current discussion is to the end of June. He said he expects to have some input into what the contract says, and he will advise Council and the mayor about it. He said there are ethical issues in terms of cancellation in that the client always has the right to cancel a contract with a lawyer and he needs to make sure that the language allows the city to walk away from the contract if things are not working out.

President Walker said Councilwoman Buckingham was a part of the interviews and asked Assistant Solicitor Hoyt was also part of the interviews.

Assistant Solicitor Hoyt said he reviewed the proposals that were a response to the RFP's and he did have some email discussions, but he did not sit in on any of the interviews and provide input into the matrix such as Councilwoman Buckingham did. .

President Walker said she is concerned with the firm and the duration of the time for us not having anyone outside of the firm. She said she needs clarity. She referred to [Article 135](#) of the codified ordinances and asked if the solicitor's office is being dissolved.

Administrator Robertson said at the moment there is a proposal to transfer money from line items currently in the solicitor's budget for salary, FICA, training, and other monies that were not obligated to free up money to pay for other professional services. She said the full-time paralegal will stay and she will be the middle person between the firm and the city, and she will continue to be the right-to-know officer. As for structure wise, she said her position would fall under Business Administration for supervisor. She said that according to Article 135, we must have a solicitor, which was brought up to the final two candidates that were interviewed. She said legally, there is no issue with the city contracting outside legal services and other 3rd Class Cities, such as Lebanon, has outside solicitor services. As such, she stated that the mayor will ask Council to appoint Eckert Seamans Cherin & Mellott, LLC as the city's solicitor.

President Walker said so that means no dissolution of the solicitor's office.

Assistant Solicitor Hoyt said there must be a city solicitor. He said the difference is for many years Lancaster hired a firm as their city solicitor and as it turns out, this is the model of most cities across Pennsylvania. He said having employees in the city solicitor's office is unusual at this point. But he said there must always be a solicitor and an office but how it is staffed is what we are talking about.

Councilwoman Buckingham asked if the office can be staffed by a contract. Assistant Solicitor Hoyt said yes.

Vice President Washington asked if the firm would have an office at city hall.

Administrator Robertson said their primary office is located in Harrisburg. But she stated that what was discussed is that we will have a lawyer assigned to us as our main point of contact. She said we want to make sure they will be available for all meetings and will be scheduling out a few days a week that the attorney will be working out of the solicitor's office in city hall. She said our main goal is that they will be available 24-7 and be readily accessible.

Councilman Rivera said according to our charter, does not the firm have to be located in the city.

Assistant Solicitor Hoyt said yes and that is an issue yet to be determined.

Councilman Rivera said shouldn't we be addressing that issue now.

President Walker said unfortunately we do not have anything to work from to allow for discussion. She said she takes it that Assistant Solicitor Hoyt will be advising Council and the Administration throughout the process. She said we will need to look at this when the contract is presented so we can hopefully get some clarity as to how this transition will look. She requested that Council receive some kind of summary

explaining the process and transition instead of us just receiving the contract.

DECISION: A motion was made by Rivera, seconded by Walker, to place this item on the **5/17/23** legislative agenda. The motion passed by the following vote: Yeas - Rivera, Walker, Buckingham - 3; Nays - 0.

2. Resolution - Yorktowne Hotel Parking Agreement

Administrator Robertson said there has been some activity with the agreement that was presented to us by the Yorktowne but they wish to continue negotiations. So, she asked that this be placed on the **5/17/23** agenda.

DECISION: A motion was made by Rivera, seconded by Walker, to place this item on the **5/17/23** legislative agenda. The motion passed by the following vote: Yeas - Rivera, Walker, Buckingham - 3; Nays - 0.

3. Resolution - Microsoft Enterprise Agreement

Administrator Robertson said this is our agreement for the city's Microsoft Office suite, email, exchange servers, and all other Microsoft products including SharePoint where a majority of the city's files are located. She said this needs to be done in order for our IT Department to upgrade the city's desktop computers. She said the plan is to forego desktops and everyone will be set up with a surface laptop that they can dock at their desks and take it with them. She said we are excited about this.

DECISION: A motion was made by Rivera, seconded by Walker, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Rivera, Walker, Buckingham - 3; Nays - 0.

4. 2023 Budget Transfer - Resolution - Solicitor's Office

Administrator Robertson said this is a transfer and since it does not have to sit for a meeting, she is okay with it being moved to the 5/17/23 agenda to go along with the agreement.

DECISION: A motion was made by Rivera, seconded by Walker, to place this item on the **5/17/23** legislative agenda. The motion passed by the following vote: Yeas - Rivera, Walker, Buckingham - 3; Nays - 0.

POLICE

5. 2023 Budget Amendment - Ordinance - ARPA Training (\$46,000)

Administrator Robertson said there are multiple funding sources for staffing coming into the police department. She said her intent was to pull out the expenditures associated with funding for the various positions and put them into one particular cost center. She said she was successful in moving those dollars, but she took it out of fund 10 but did not put it into fund 29, so this corrects that mistake.

Councilman Rivera said during the last committee meeting, he asked if we get reimbursed if the recruits quit during their training.

Administrator Robertson said Captain Aikey of the Police Department sent her a response and he quoted the FOP contract that if an individual leaves within 2 years, the individual is responsible to reimburse the city for the expense of their training. If they go to another municipality, she said that municipality is responsible for reimbursing the city.

Councilman Rivera asked Administrator Robertson if she could find out and let him know if that rule also pertains to the Fire Department. She said she could do that.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - 0.

6. Resolution - SRO Agreement w/ YCSD

Administrator Robertson explained that we have a previous agreement to designate an SRO to assist with the school district and their staff. She said they asked for additional help on a part-time basis. She said the police department is looking to fill this as additional opportunities for police officers.

Councilwoman Buckingham asked if this is for this current year. Administrator Robertson said that is correct.

President Walker said it looks like the services have already been provided. Administrator Robertson said yes and that this contract is basically getting us caught up with what has been provided.

DECISION: A motion made by Washington, seconded by Dennis, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - 0.

7. Resolution - PCCD Agreement w/ York County

Administrator Robertson said the county is distributing these funds out to various police departments. She said the county wants to give us money to fund a detective. She said we wanted to make sure the salary and fringe benefits are included in the \$330,249.00 figure. She said the Police department will promote a police officer to the detective rank which will free up the general fund money that was allocated to that police officer so we can bring in another police officer.

Vice President Washington asked if this dollar amount is for one year. Administrator Robertson said this amount will cover at least two years, but she will have Captain Aikey follow up with the correct number of years.

Michael Walker, resident, asked if this position will be permanent. If so, what happens when the funds run out.

Administrator Robertson said when the funding runs out, then we will lose the position through attrition unless additional funding is found for that position.

DECISION: A motion was made by Washington, seconded by Dennis, to place this item on the **5/2/23** agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - 0.

8. Resolution - Hiring of Probationary Police Officers

Administrator Robertson said because of the nature of our committees, we know we need to hire eight individuals but the actual list for eligibility was just approved by the Civil Service yesterday, so she wants to confirm with them the number of officers we intend to hire. So, she said this should be cleared up by the May 17 meeting.

DECISION: A motion made by Washington, seconded by Buckingham, to place this item on the **5/17/23** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Washington - 3; Nays - 0.

PUBLIC WORKS

9. 2023 Budget Amendment - Ordinance - Liquid Fuels - Atlantic Ave Bridge Replacement (\$858,000)

Director Green said there are bridges that need to be replaced and Atlantic Ave Bridge is one of those bridges. He said this funding was supposed to be in the 2023 budget, but it was not so this is to amend the budget to put the money in the 2023 budget. He said the project is projected to start this summer and will take about 9 months.

Administrator Robertson said the Commonwealth gives us funding and if we do not use it in a given year, we can roll over that money. So, this is a combination of various years of roll over liquid fuels funds.

DECISION: A motion made by Rivera, seconded by Washington, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Washington, Rivera, Dennis - 3; Nays 0.

10. Resolution - Award Bid - CriLon Corp - Atlantic Ave Bridge Replacement (\$941,533.78)

Director Green said this is the companion piece to agenda item #9 which awards a contract to CriLon Corp for the Atlantic Ave. Bridge replacement project.

DECISION: A motion made by Rivera, seconded by Washington, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Washington, Rivera, Dennis - 3; Nays 0.

11. Resolution - Parks Equipment Lease (Toro Groundsmaster Mower)

Director Green said this is for the purchase of a sweeper and mower. The mower will be leased and used by our parks department, and the sweeping vehicle will be used in the downtown area. He said this will be a five-year lease to own agreement.

DECISION: A motion made by Rivera, seconded by Washington, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Washington, Rivera, Dennis - 3; Nays 0.

ECONOMIC & COMMUNITY DEVELOPMENT

12. 2023 Budget Amendment - Ordinance - MNOA Fund 26 Health - FHCCP End of Year Incentive (\$28,366.52)

Samantha Zahm, Bureau of Health, said the revenue was received in 2022 and this is being rolled over into 2023 to allow them to spend it down.

DECISION: A motion made Washington, seconded by Buckingham, to place this item on the **5/2/23** agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

13. 2023 Budget Amendment - Ordinance - Healthy Moms/Babies (\$156,018.17)

Samantha Zahm, Bureau of Health, said this is Title 5 funding and we are shifting funds to be able to use unspent personnel funds because we want to be able to spend the full amount.

DECISION: Motion made Washington, seconded by Buckingham, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

14. Resolution - FHCCP Agreement (\$100,000)

Samantha Zahm, Bureau of Health, said this is a grant they received through the Family Health Council. The funding is to provide family planning education and counseling and treatment of STD's.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the 5/2/23 legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

15. 2023 Budget Amendment - Ordinance - Health - FHCCP (\$100,000)

Samantha Zahm, Bureau of Health, explained that this is the companion piece to agenda item #14 and amends the budget to include the additional funding received.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the 5/2/23 legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

16. Resolution - Housing - 2023 CDBG & HOME Action Plan Amendment

Director Crosby said this is amending both plans for 2023. He said we originally used the 2022 numbers, but we have since received our actual allocations for the year and they were slightly less than we originally planned. So, our plan was adjusted, and this amendment will be submitted to HUD.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the 5/17/23 legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

17. 2023 Budget Amendment - Ordinance - Housing - CDBG & HOME Rollover Adjustments

Director Crosby said this is rolling over unspent 2022 dollars to 2023.

Administrator Robertson every year we budget for CDBG money based on estimates. When actual dollars come in, the budget is amendment to align with actual money. This is the companion piece to agenda item #16.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the 5/2/23 legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

18. Resolution - Extending DCED contract #C000074955 (709-719 Chestnut St.) to 6/14/2024

Director Crosby explained that we are extending the current agreement with DCED who provided the funding for this project. All construction was to be completed by June of 2023 but because of some construction delays, the project will take longer so DCED suggested we extend the agreement. This agreement extends the original agreement to June 14, 2024 to grant ample time to complete the project.

DECISION: A motion was made by Washington, seconded by Buckingham, to place this item on the 5/2/23 legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

19. Resolution - Authorizing an agreement with the Latino Connection (#ItsWorthAShot)

Samantha Zahm, Bureau of Health, said we started this project last summer and we did Phase I in May 2020, and this is Phase 2 of the project which includes outreach and education to communities of color. She said we do know that May 11 is the end of the emergency declaration (COVID-19) federally, so we want to try to get more vaccinations in before the deadline.

Vice President Washington asked about Phase I results.

Ms. Zahm said they were really good with corner stores and community partners being able to get out COVID testing kits. She said she has a report that she will share with Council.

DECISION: A motion made by Washington, seconded by Buckingham, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Walker, Buckingham, Washington - 3; Nays - 0.

GENERAL

20. Resolution ending the Declaration of Disaster Emergency (COVID-19)

Assistant Solicitor Hoyt said at the last meeting, the question came up about why the declaration was continuing to be placed on the agenda. He said this is to end it as the state and federal government have ended the declaration.

DECISION: A motion made by Walker, seconded by Rivera, to place this item on the **5/2/23** legislative agenda. The motion passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

III. Council Comment

Councilwoman Buckingham said a resident asked if the city will be closing George St. for dining again this summer and when this will happen. Administrator Robertson suggested Councilwoman Buckingham reach out to Scott Miller, Chief of Staff, as he should be able to answer that question.

Councilman Rivera asked about the numbers of those who have applied since the residency was lifted. Administrator Robertson said numbers have not been provided but we have been able to staff the vacant positions that have been lingering in the Bureau of Health. We are having difficulty with filling one position in that department.


Councilwoman Buckingham asked for clarification on the date of the second meeting in May. She said because of the primary election being on May 16, wasn't the Council meeting moved to May 17.

City Clerk Thompson said that was correct. She stated that the second meeting in May will be held on May 17 and that she will correct the minutes of this meeting to reflect the correct date.

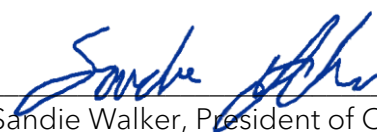
IV. Administration Comment: None

V. Next Committee Meeting is scheduled for **May 31, 2023** in Council Chambers. Committee agenda items due by 12 noon on May 24th.

VI. Adjournment: The being no further business, the April 26, 2023 committee meeting of Council adjourned at 7:07pm.



Dianna L. Thompson, City Clerk



Sandie Walker, President of Council