

# **REDEVELOPMENT AUTHORITY OF THE CITY OF HARRISBURG**

## **Regularly Scheduled Meeting February 21, 2023 - 12:32 P.M.**

The Board of the Redevelopment Authority of the City of Harrisburg held a Regularly Scheduled Meeting on February 21, 2023, in Suite 405 Conference Room, of the Rev. Dr. Martin Luther King, Jr. Government Center, 10 North Second Street, Harrisburg, Pennsylvania, at 12:32 p.m. Chaired by Nichole Johnson.

### **HRA BOARD MEMBERS PRESENT and/or via TEAMS Web-based Video Conferencing**

Nichole Johnson  
Crystal Brown (via TEAMS)  
Alexander Reber (via TEAMS)

### **ABSENT:**

N/A

Also present: Janell Weaser, Harrisburg Redevelopment Authority (HRA) Administrative Project Manager; Bryan Davis, HRA Executive Director, and Catherine Rowe, HRA Solicitor (via TEAMS).

PUBLIC PRESENT: Laura Harding, Harrisburg Resident.

PUBLIC PRESENT via TEAMS: Pamela Parson and Brian Mumma, both residents in Harrisburg.

### **MINUTES**

The minutes of the Regular Meeting of December 20, 2022 was presented for approval. Mr. Reber moved to approve: second by Ms. Brown. The motion passed unanimously.

### **TREASURER'S REPORT**

The Treasurer's Report for September and October 2022 were presented for approval; subject to Audit; Mr. Reber moved to approve; second by Ms. Brown. The motion passed unanimously. The Treasurer's Report for November 2022 was presented for review.

### **COMMUNICATIONS**

Mr. Davis mentioned that we just touched on the Paxton Creek Project in the Harrisburg Land Bank Meeting a few minutes ago. That has had quite a bit of attention internally as well as externally. He wishes that the project had better movement.

Mr. Davis informed that the second highlight is the work down at the Transportation Center. The Contractors have mobilized. You will see on our agenda that we have an approval for Wagman Construction, Inc. to operate out of one of our suites at the Transportation Center. They had planned to start some demolition work this past week, but they were late in sending their plans to PennDOT and Amtrak the prior week. They must wait until they receive their approvals. Mr. Davis said we should start seeing some select demolition in the Window/Pennsylvania Room that is located just off the Lobby. And the other big part is the complete replacement of the roof system. There will be a lot of activity and materials being delivered. The protocol which includes the deliveries is to have little impact as possible on the passengers and tenants at the station. Mr. Davis conveyed that this work is slated to last ten – twelve months.

Mr. Davis added that the Capital Area Transit (CAT) notified the Authority last week that they will be installing improvements to the bus shelters also at the Train Station. This should be completed within

three months.

### **PUBLIC COMMENT**

Ms. Harding addressed the Board Members and Mr. Davis about several concerns she has with the Redevelopment Authority. She said one being the Authority's website not directing the public on how to file a Right to Know Request. And that the posted By-Laws need updated. She said the By-Laws state the monthly Board Meetings start at 10:30 am but the agendas show 12:30 pm which is confusing.

Ms. Harding stated that because she did not know how to file a Right to Know Request with the Redevelopment Authority she then filed one with the City of Harrisburg's Right to Know Officer. My request was denied because they are a different entity. Ms. Harding said she had copied multiple staff members on that request because there was no response therefore she had to file multiple appeals. She believes the Redevelopment Authority has been fraudulent by withholding evidence from her of documents that she now has in her possession. She believes the Authority and the City of Harrisburg are conspiring together unlawfully denying her Right to Know Request.

Ms. Harding added that she is aware of other people who also inquired on the process of filing a Right to Know Request with the Redevelopment Authority and they've received no response. She said this is obstructionist. You are denying the public of their rights to file a Right to Know Request and I would like to also comment on the fact that there was a sworn attestation filed under the penalty of perjury and I have now evidence that there was perjury committed. There are still records outstanding and I'm aware of the process to file, but I would rather not go through that process and just have the records given to me that were withheld.

Ms. Patterson then commented that she about six months ago she had emailed the Redevelopment Authority asking who the Office of Open Records Officer was as she wanted to file a Right to Know Request, but no one had responded to her.

Mr. Davis asked Ms. Harding to send him an email and carbon copy (cc) the Authority's solicitor, Catherine Rowe of the specific documents that she believes the Authority has that she is swearing she did not receive so we can respond to you.

Mr. Davis also addressed Ms. Patterson by saying he does not recall seeing any email from her. He asked that she email him again. He would be happy to include Ms. Rowe with that request. Mr. Davis then inquired of Ms. Rowe on her guidance.

Ms. Rowe addressed Ms. Harding saying you made some very serious allegations. Obviously, the Redevelopment Authority did provide documentation. She does not recall the specifics of that Right to Know request. I do recall there being one but do not recall who the requestor was. Certainly, we want to know what you believe those documents are that you believe the Authority has in its possession.

Ms. Rowe went on to say that the Authority and any government agency is under no obligation to turn over documents that are not their documents. She explained that some Redevelopment Authority projects and many other agencies have information that are perhaps not related to their own documentation;

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documentation for something else that has not been maintained in the same business course as it would be should that project be managed by the Redevelopment Authority. And again, I'm kind of playing hypothetically right now because I do not know the specifics of our requests. I want to know what that information is so we can do an investigation on our end and make sure we are providing documentation under the Right to Know Law.

Ms. Rowe said secondly, I do want to address the providing of information on the website. She said I am not a website manager. I cannot speak to the maintenance of an outdated website, but I will say that we can clarify who the person to communicate to would be. This is certainly something the Authority can handle.

Ms. Harding replied the missing documents are the financial records that are required from Governors Square that were submitted regularly from Uptown Partners Redevelopment for the HUD Upfront Grant. Those records were copies to Mr. Davis on all those emails for all the years that I requested.

Ms. Rowe informed Ms. Harding that she could go through HUD to request that information under the Federal Version of the Right to Know Law.

Ms. Harding shared that she did file under the Freedom of Information Act Request also but these are records that Mr. Davis was copied on of all of those emails when the records were sent. He is just as able to provide them as HUD would be under AFOA.

Ms. Rowe responded saying I have not spoken with Mr. Davis about this. I will note that being copied on an email does not necessarily mean that he still has possession of the document. I understand what you are saying Ms. Harding, but when you are making the allegations that you are, we certainly need to investigate that and see what is in the possession of the Authority. There is the possibility they no longer possess them anymore.

Mr. Davis inquired again if Ms. Harding will be emailing him.

Ms. Harding replied, no. I just want those financial records given to me now.

Ms. Rowe said she will look into it.

Ms. Harding said I do not want to go through any more processes. I do not want to file another request. I would just rather have the documents provided to me now.

Mr. Davis asked if she is looking for the annual financial statements of Governor's Square.

Ms. Harding replied, yes. The ones that Landex sent to you regularly.

Mr. Davis acknowledged that he understood her request.

Mr. Reber commented that he agrees it would be good to have a place on the website to make it clear what the Right to Know process is and I wish to state for the record that I think we should do that and update

the By-Laws and have the monthly meeting dates clearly defined.

Ms. Johnson concerned.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

RESOLUTION NO. 1-2023 Designating the Officers of the Board of Directors of the Harrisburg Redevelopment Authority for 2023. Mr. Reber moved to approve; second by Ms. Brown. The motion passed unanimously.

RESOLUTION NO. 2-2023 authorizing the Authority to approve a License Agreement with Wagman Construction, Inc. for the purpose of renting Suites 201-201A at the Harrisburg Transportation Center. Mr. Reber moved to approve; second by Ms. Brown. The motion passed unanimously.

Mr. Davis pointed out that he had mentioned of this earlier. This Resolution formalizes the amount of rent that Wagman Construction, Inc. will pay each month. The term will last through the end of this year; however, it could extend should they need more time.

RESOLUTION NO. 3-2023 authorizing the Authority to approve the sale of 1928 & 1930 Logan Street to GMC Harrisburg A LLC for an accessory yard/green space to his adjacent property. Mr. Reber moved to approve; second by Ms. Brown. The motion passed unanimously.

Mr. Davis informed that the Authority has held title to 1928 & 1930 Logan Street lots for a very long time. Together they are scarcely large enough to build on. He has not seen anyone interested in these lots since he came on board and then suddenly, we have three parties. One is Georg Goerg who has the GMC Harrisburg A LLC and Kate Hummel. The third party is Kireston Wilson. Each proposal is listed at the bottom of the Resolution. You can see that GMC Harrisburg A LLC was the highest successful bidder of \$25,600. They happen to own an apartment building that face 3<sup>rd</sup> Street. Logan Street is at the rear of their property. Their proposal stated the use as a side yard. Plus, these two lots will complete and add value to their existing property. If they should decide to construct any new improvements or want off street parking, they will have to acquire approval from the City's Zoning and the Planning Bureau.

Mr. Davis informed that this topic came up in a conversation with the Mayor's Office just last week. There is a heightened concern about people buying vacant lots in the City. Especially, vacant lots that are not adjoining properties. Their recent experience has been of people not maintaining and abandoning them. The grass not being cut and a great deal of dumping which is contributing to blight. Mr. Davis said that he conveyed to the Mayor's Office that the Redevelopment Authority has very few of these small lots. We only sold five or six over the past six or seven years. They are leaning towards people obtaining from the Repository List. None had come from the Redevelopment Authority.

Mr. Davis reported that he raised the possibility of the Authority executing what he calls an Abbreviated Redevelopment Agreement for the sale of vacant lots. Mr. Davis addressed Ms. Rowe saying I have not

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talked with you about this yet. I need your input to see if this is feasible. Mr. Davis explained that our contracts are quite specific in that they identify planned improvements. The 1945 Urban Renewal Act that established Redevelopment Authorities states if we sell land that has planned improvements, a contract must accompany the deed. The contract is to have language that spells out the planned improvements, and a time frame of when those improvements are to be completed. Plus contain conditions that if they fail to do what they promised that the Authority will take back the land.

RESOLUTION NO. 4-2024 authorizing the Authority to approve the sale of 1535 & 1537 Berryhill Street to Martha Marmolejo for an accessory yard/green space to her adjacent property. Mr. Reber moved to approve; second by Ms. Brown. The motion passed unanimously.

Mr. Davis said Ms. Marmolejo resides at 1539 Berryhill Street. These lots will be side yards adjacent to her home.

RESOLUTION NO. 5-2023 authorizing the Authority to approve the sale of 339 Peffer Street to Kireston Wilson for the purpose of green space/garden. Mr. Reber moved to approve; second by Ms. Brown. The motion passed unanimously.

Mr. Davis remarked that this particular lot is different from the other two sales because Kireston Wilson does not reside or own land adjacent to 339 Peffer Street. This lot is a small parcel at the corner of 4<sup>th</sup> and Peffer Streets.

Mr. Davis said you may recall the Authority recently executed an Easement Agreement with Capital Region Water (CRW) for their green storm water infrastructure to be installed on the Redevelopment Authority's land which is adjacent and surrounding 339 Peffer Street. Kireston's planned reuse of an urban garden should complement or not interfere with CRW's infrastructure plan. Kireston stated that she will meet with CRW to discuss some kind of cooperative agreement as soon as she is back from vacation. This is the very scenario that the City is concerned about. Mr. Davis, I added this to the agenda today. The last item "E" has worded such other conditions that the staff of the Authority and its solicitor deem reasonable and appropriate. My suggestion is we add to item "E" that the Mayor's Office approve her detailed plan on how she is going to sustain the maintenance of this lot. Mr. Davis said we could table this Resolution until our next meeting pending her providing this additional documentation to satisfy the Mayor's Office or pass the Resolution as it stands.

Ms. Johnson inquired if the mayor's approval needs to be in writing.

Ms. Rowe also wondered what that would look like. And if this is a condition that we are going to set fourth for other future buyers of lots that are not connected to the property. Perhaps the Board should consider how we would want to frame this. Her recommendation is to develop a contingency plan. There needs to be consistency for all potential buyers in the future.

Mr. Reber concurred. He said that he was fine passing the Resolution just as it is worded but if the Mayor is to approve then the Resolution needs amended to state that. But I do not know that we want to set a precedent that there is Mayoral sign off on any of this because I do not believe they really have any say in this matter. I do agree that we need to make sure whoever is buying these properties that they will be doing appropriate things and not letting it fall in disrepair.

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Ms. Rowe agreed. I think that requiring a potential owner to get additional approval beyond the Authority is not only ownerless, it is putting too much on a potential buyer. I do believe it is reasonable for the Authority to say as a condition you need to demonstrate suitable to the Board that you are going to be able to sustain the development of this lot in such a way. Ms. Rowe added that if this is something the Mayor's Office has and specifies what this is supposed to look like then that is fine. We do have a Board here of residents and business owners, experts who can weigh in on what that language should reasonably look like for purchasers.

Ms. Brown was trying to clarify that if they were to pass this Resolution of sale having the additional language that there would be follow up from Kireston submitting that additional information prior to the official sale.

Ms. Rowe's advice is for any future sales that this information be attached to the Resolutions upon voting for approval so the Board can see and determine the sustainability efforts that a potential buyer is going to have. However, for today I will leave it to your discretion if you want to approve the Resolution as is and grant Mr. Davis to go back after to attain that information.

Mr. Davis inquired of the Board if they will pass without the amendment.

Ms. Rowe was in support of paragraph "E" including such other conditions including information be submitted by the applicant on how the lot would be reasonably sustained that the Authority and its solicitor deem reasonable and appropriate.

Mr. Davis point out that this rarely come up for us. But we can amend.

Mr. Davis announced that he can add a sentence to our Development Process Guide that says submitted proposals to purchase small unbuildable lots must contain clear evidence of their ability to sustain their planned reuse no matter what the reuse is.

Ms. Brown moved to approve the Resolution with the amended language.

Mr. Reber and Ms. Johnson agreed.

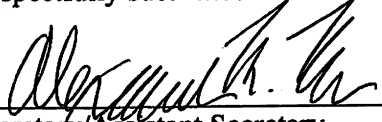
**OTHER BUSINESS**

None

**ADJOURNMENT**

The meeting adjourned at 1:12 pm.

Respectfully submitted

 3/21/23  
Secretary/Assistant Secretary