

The City of York, Pennsylvania

Carol Hill-Evans, President of Council
 Henry Hay Nixon, Vice President of Council
 Renee S. Nelson, Member of Council
 Michael Ray Helfrich, Member of Council
 David Satterlee, Member of Council

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COMMITTEE MINUTES

May 27, 2015

6:00 p.m.

Police	Fire	Public Works	E&C Development	Business Admin	Rules & Admin
Nixon Hill-Evans Helfrich	Nixon Hill-Evans Helfrich	Satterlee Nelson Nixon	Nelson Satterlee Helfrich	Helfrich Hill-Evans Satterlee	Hill-Evans Nelson Nixon

*Bold text indicates Chairperson

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

Council Members in attendance: Michael Ray Helfrich, Renee S. Nelson, Henry Hay Nixon, Vice President and Carol Hill-Evans, President.

Administration in attendance: Michael Doweary, Business Administrator; Shilvosky Buffaloe, Deputy Director, Department of Economic & Community Development; Barb Kovacs, Director of Health; James Crosby and Tammy Harvey-Bethea, Bureau of Housing Services; and Don Hoyt, Assistant City Solicitor.

City 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 June 2, 2015 legislative Agenda as follows:

ECONOMIC & COMMUNITY DEVELOPMENT

1. **Resolution revising the 2015 Budget to reflect a transfer of HOME funds (From homebuyers' assistance to the Gus's Bar project) (BHS)** ([View Issues Chart](#))

Deputy Director James Crosby, Bureau of Housing Services, explained that this amendment is to transfer 2015 HOME funds in the amount of \$66,720.00 to fund completion of the Gus's bar rehab project.

DECISION: A motion was made by Nelson, seconded by Helfrich, to place this item on the **6/2/15** legislative agenda. The motion passed by the following vote: Yeas – Nelson, Helfrich – 2; Nays – 0.

2. **Resolution approving an emergency preparedness contract with the PA Dept. of Health. (Health)** ([View Issues Chart](#))

Director Barb Kovacs, Bureau of Health, explained that this resolution is to approve an agreement with the PA Department of Health to fund public health preparedness services and activities in the City of York in the amount of \$279,838.64 for the period of July 1, 2015 through June 30, 2016. She outlined various services to be provided.

DECISION: A motion was made by Nelson, seconded by Helfrich, to place this item on the **6/2/15** legislative agenda. The motion passed by the following vote: Yeas – Nelson, Helfrich – 2; Nays – 0.

BUSINESS ADMINISTRATION ([View Issues Chart](#))

1. Resolution approving the certified probationary police officers' eligibility list. (HR)

Councilman Helfrich outlined that this is a routine process whereby City Council approves the Civil Service Eligibility List for consideration of appointment as probationary police officers.

DECISION: A motion was made by Helfrich, seconded by Hill-Evans, to place this item on the **6/2/15** legislative agenda. The motion passed by the following vote: Yeas – Hill-Evans, Helfrich – 2; Nays – 0.

RULES & ADMINISTRATIVE CODE ([View Issues Chart](#))

1. Bill repealing Article 165.07 "Residency Requirements" of the Codified Ordinances (Council / Hill-Evans)

2. Bill amending Article 165.07 "Residency Requirements" to establish a one year residency requirement and providing for exemptions. (Council / Hill-Evans)

President Hill-Evans stated that these two items are being pulled from the committee agenda to allow for further research. She requested that these items be moved to the September committee agenda.

DECISION: A motion was made by Hill-Evans, seconded by Nelson, to move these items to the **September 23** committee agenda for discussion. The motion passed by the following vote: Yeas – Nelson, Nixon, Hill-Evans – 3; Nays – 0.

SUPPLEMENTAL COMMITTEE AGENDA

RULES & ADMINISTRATIVE CODE ([View Issues Chart](#))

1. Bill amending Article 730 "Neighborhood Improvement Ordinance" to remove the warning system

2. Bill amending Article 334 "Mobile Food Vehicles" to amend hours of operation and location during certain hours

President Hill-Evans stated that Mayor Bracey has requested these items be placed on tonight's committee agenda for consideration on an upcoming legislative agenda. Since there was no new information presented on these items since the April 29 committee meeting ([Read Minutes](#)), she moved to place these items on the June 2 agenda for introduction.

Franklin Williams, resident, asked that Council consider including language that trash not be placed out on the curb more than three hours prior to sunset. He said this way people won't have to be hauling trash containers out at 6 p.m. during the winter months when it's dark outside.

DECISION: A motion was made by Hill-Evans, seconded by Nelson, to place these items on the **6/2/15** legislative agenda. The motion passed by the following vote: Yeas – Nelson, Nixon, Hill-Evans – 3; Nays – 0.

II. Council Comment

Disciplinary Hearing: Councilman Helfrich discussed the canceled disciplinary hearing for two police officers. He said accusations - coupled with lack of information - has left the public to speculate on what possibly happened. He requested that Council hold an investigatory hearing to publicly disclose information that was intended to be discussed during the disciplinary hearing.

Assistant Solicitor Hoyt said his office has been asked to submit an opinion on Council's authority to conduct an investigatory hearing but the opinion is not finalized. He said if Council is desirous of moving forward, then it's asked that Council notify his office stating exactly what it is you want to know.

President Hill-Evans said Council was to receive over 1,000's of pages of documentation related to this hearing so to narrow that down would be a challenge to say the least.

Assistant Solicitor Hoyt responded that the final decision is up to Council but that his office would work with them on this issue.

President Hill-Evans asked if Council could meet in executive session to discuss this matter. Assistant Solicitor Hoyt said since this is a personnel matter, it could be discussed in executive session and that he and Assistant Solicitor Sabol would attend.

President Hill-Evans asked Council to submit their availability to meet in executive session to the City Clerk.

Police Chief Salary: Councilman Helfrich then asked about the Police Chief's salary increase. He said the media has reported that his salary has increased approximately \$12,000. Councilman Helfrich recalled that Council voted against increasing his salary yet his salary has been increased without Council approval.

Vice President Nixon responded that the Chief's salary was increased based on his union contract and therefore said he feels it doesn't make sense to discuss this matter any further.

Councilman Helfrich stated that Directors don't fall under union contracts. Additionally, under authority of the 3rd Class Optional Charter Law, Section 607(C), Council sets the salary of Directors. He said he doesn't see how a contract can include a Directors' salary when it must be approved by Council.

Vice President Nixon said his understanding is that Police Chief Kahley was to receive longevity pay through his contract with the FOP. He said he welcomes discussion on this matter but he doesn't think there is much Council can do.

Councilman Helfrich asked for a legal opinion.

Assistant Solicitor Hoyt said this is the first he's hearing about this. He asked if anyone has asked the Mayor or Business Administrator.

Councilman Helfrich said he'd prefer a solicitor's opinion on the law specifically the 3rd Class City Code, Section 607(c).

III. Administration Comment: None

IV. Next Committee Meeting: September 23, 2015 at 6:00 p.m. in Council Chambers

V. Adjournment: There being no further business, the May 27, 2015 meeting of Council adjourned at 6:30 p.m.

Dianna L. Thompson-Mitchell, City Clerk

Carol Hill-Evans, President of Council