

# Council of 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 Helfrich, Member of Council  
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## EMERGENCY MEETING

### MINUTES

December 30, 2015

9:00 a.m.

#### [Signed Resolutions](#) / [Signed Bill](#)

**CALL TO ORDER:** City Council convened in an emergency meeting on December 30, 2015 at 10:00 a.m. in Council Chambers, 101 S. George St., York, PA, with the following Council members present: David Satterlee, Michael Ray Helfrich, Renee S. Nelson, Henry Hay Nixon, Vice President, and Carol Hill-Evans, President, with President Hill-Evans presiding.

**Members of the Administration in attendance included:** Michael Doweary, Business Administrator; and Jason Sabol, Assistant Solicitor.

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

- I. Called Emergency Meeting to Order: 9:00 a.m.
- II. Roll Call
- III. Opening Statement of the Council President

York City Council has called this emergency meeting for the purpose of considering final adoption of the 2016 York City Budget following the December 29, 2015 veto of the budget by the Mayor.

#### IV. Emergency Agenda:

1. Resolution No. 91 (FAILED) - A Resolution Overriding the Mayor's Veto of Bill No. 33, Ordinance No. 33 of Session 2015. (2016 Budget)  
Introduced by: Carol Hill-Evans  
Originator: Council (Hill-Evans)

Resolution No. 91, Session 2015, A Resolution overriding the Mayor's veto of Bill No. 33, Ordinance No. 33 of Session 2015 (2016 Budget), was introduced by Hill-Evans, read at length, and on motion of Hill-Evans, seconded by Helfrich, Resolution No. 91 came up for discussion.

Councilman Helfrich said the rumor is that Council sprung amendments on the Mayor, which is not true. He said we have been in this position in the past when the Mayor offered a tax increase and Council reduced the budget - on the spot - to decrease that tax increase. He said Council had relayed our concerns to the administration and asked them to offer alternative amendments, so this is not a sneak attack. Councilman Helfrich then discussed the city's collection of Realty Transfer Tax and said that this would devastate the school district as they are taking a hard hit from the state on their funding. He said this will take teachers out of our schools and that he cannot support that so he asked Council to support this veto override.

President Hill-Evans said the Mayor has vetoed the 2016 Budget and that she doesn't agree with the veto but in the best interest of the city she feels it is necessary for Council to fix this budget so that we can get on with the business of the city.

Councilman Helfrich said Council is being asked to (1) take money away from the school district by snatching the real estate transfer tax, (2) hire a Director of Economic Development (although Council has given the administration enough money to hire a Deputy Economic Development Director); (3) return salary and FICA funds to the Human Relations Commission; and (4) return overtime funding to the WWTP. He stated that with three shift supervisors on duty at the WWTP, he doesn't understand the need for overtime. He also questioned why we would take money from the school district to fund an Economic Development Department that is pretty well staffed at this point. Councilman Helfrich reminded Council that hiring a new position in Economic Development would require pension, health benefits and everything else associated with hiring someone - so this is a gift that keeps on giving.

Michael Miller, resident, asked that the City not take funding resources from the school district. He said \$150,000 removed from their 2016 budget is equivalent to the loss of two school teachers. He then discussed harsh concessions by the school district over the years because of funding struggles. He said taking money from them would be devastating to their operations.

Franklin Williams, resident, said we are here today because of some mistakes made in the past by the powers that be. He said some past Council members went along with whatever the administration requested and now we're in trouble. He asked Council to send a signal to the administration that we are going to do things differently and we won't put a dime in one pocket just to turn around and take a quarter out of another pocket. He said no matter what the vote is, our future is going to be challenging. He urged Council to override the Mayor's veto.

Stan Sexton, Human Relations Commission member, said law enforcement eats up a large percent of the budget. He asked isn't the commission a form of law enforcement as we enforce Article 185. So he asked why the commission shouldn't be part of the police department. He stated that the HRC is proactive and police are reactive. If you cut the salary of the commission, he said, you will then cut positions that support the voice of our citizenry. He said he doesn't understand the rationale of taking money out of the HRC salary line item.

Councilman Helfrich responded that funding for salaries would run out in September of 2016 but his proposal was to fund the HRC through that time at which point the HRC would have to do fundraising to sustain itself. He said he would consider speaking with the police department on the feasibility of the HRC working in conjunction with the police department.

There being no further discussion, Resolution No. 91 **FAILED** by the following vote: Yeas – Helfrich, Nelson, Hill-Evans – 3; Nays – Nixon, Satterlee – 2. (Note: A vote of two-thirds of Council is required to override the Mayor's veto and was not met, therefore the resolution failed.)

2. Resolution No. 92 \_\_\_\_\_ - A Resolution  
Amending Bill No. 33, Ordinance No. 33 of Session 2015.  
Introduced by: Carol Hill-Evans  
Originator: Mayor

Resolution No. 92, Session 2015, A Resolution amending Bill No. 33, Ordinance No. 33, Session 2015, to increase various line items within the 2016 budget, was introduced by Hill-Evans, by short title, and on motion of Hill-Evans, seconded by Nixon, Resolution No. 92 came up for discussion.

### Human Relations Commission Budget

Line Item	Increase	Decrease	2016 Allocation
10-160-40010-00000 Salaries	\$19,251	-0-	\$76,886.00
10-160-41010-00000 FICA	\$1,473.00	-0-	\$5,882.00

A motion was made by Hill-Evans, seconded by Nixon, to increase the salaries and FICA line items within the Human Relations Commission budget, as listed in the chart above. The motion came up for discussion.

Jean Buckingham, Human Relations Commission, stated that she is dismayed about the proposed cuts to the HRC's budget and that we are now expected to turn into a group of fundraisers.

There being no discussion, the amendment **PASSED** by the following vote: Yeas – Helfrich, Nixon, Satterlee, Nelson, Hill-Evans – 5; Nays – 0.

**Economic & Community Development Budget**

Line Item	Increase	Decrease	2016 Allocation
10-400-40010-00000 Salaries	\$66,396.00	-0-	\$192,511.00
10-400-41010-00000 FICA	\$5,079.00	-0-	\$14,433.00

A motion was made by Hill-Evans, seconded by Nixon, to increase the salary and FICA line items within the Economic & Community Development budget, as listed in the chart above. The motion came up for discussion.

Councilman Helfrich reminded Council that they are voting for 50 years of liability that will include pension and healthcare for a new hire. He said he can't make any sense of this when these are the costs that are skyrocketing in our budget.

There being no further discussion, the amendment **PASSED** by the following vote: Yeas – Nixon, Satterlee, Nelson, Hill-Evans – 4; Nays – Helfrich – 1.

**Waste Water Treatment Plan Budget**

Line Item	Increase	Decrease	2016 Allocation
61-240-40030-00000 Overtime	\$25,000.00	-0-	\$150,000.00

A motion was made by Hill-Evans, seconded by Nixon, to increase WWTP overtime line item, as listed in the chart above. The motion came up for discussion.

Councilman Helfrich said the overtime was \$80,000 two years ago and has now grown to \$150,000. He said he understood the increase two years ago because vacancies existed. However, there are now three shift supervisors available, so he asked why we are giving away so much unnecessary overtime. He called for an investigation into why all of this overtime is needed at the WWTP.

Stan Sexton, retired WWTP employee, stated that the 3rd shift at the WWTP is not busy and only requires a skeleton crew so in his opinion overtime is not needed.

There being no further discussion, the amendment **PASSED** by the following vote: Yeas – Nixon, Satterlee, Nelson, Hill-Evans – 4; Nays – Helfrich – 1.

**Realty Transfer Tax**

Line Item	Increase	Decrease	2016 Allocation
10-130-30014-00000 "Realty Transfer Tax"	\$150,000.00	-0-	\$150,000.00

A motion made by Nixon, seconded by Satterlee, to increase the Realty Transfer Tax line item, as listed in the chart above. The motion came up for discussion.

Councilwoman Nelson explained that she previously abstained from voting on this legislation at the December 15 Council meeting because she's employed by the school district. However, she said her research over the past few days has uncovered enough clarity that she has an obligation as a Council person to act on this legislation. She stated that this vote is necessary as part of the process of cleaning up our budget so that we can get on with the business of the city.

Councilman Helfrich said this is breaking a long term gentleman's agreement. He added that "word was bond" when the agreement was made years ago and now "cleaning it up" is taking something away that was promised to the school district. Councilman Helfrich then briefly touched on veto points made by the Mayor and said regardless of her reasoning behind the realty transfer tax, he doesn't agree with taking money away from the school district to put money in our pockets because we are paying taxes out of the same pockets.

There being no further discussion, the amendment **PASSED** by the following vote: YEAS - Nixon, Satterlee, Nelson, Hill-Evans - 4; NAYS - Helfrich - 1.

3. Resolution No. 93 - A Resolution Signifying the City's intention to collect Realty Transfer Tax.  
Introduced by: Henry Hay Nixon  
Originator: Mayor / Business Administration

Resolution No. 93, Session 2015, A Resolution signifying the city's intention to collection realty transfer tax effective July 2016, was introduced by Nixon, read at length, and on motion of Nixon, seconded by Satterlee, Resolution No. 93 came up for discussion.

Councilman Helfrich said if approved, the City will be taking away \$150,000 from the school district in 2016, and \$300,000 every year after that into infinity.

There being no further discussion, Resolution No. 93 **PASSED** by the following vote: Yeas - Nixon, Satterlee, Nelson, Hill-Evans - 4; Nays - Helfrich - 1.

#### **Final Passage of Bills / Resolutions**

4. Final Passage of Bill No. 33, Ordinance No. 33 (Forthcoming) - A Bill Adopting the 2016 York City Budget, as amended.  
Introduced by: Michael Ray Helfrich  
Originator: Mayor / Business Administration

Final Passage of Bill No. 33, Ordinance No. 33, as amended by Resolution No. 92, was introduced by Helfrich, read by short title, and on motion of Helfrich, seconded by Nixon, Bill No. 33, Ordinance No. 33 **PASSED** by the following vote: Yeas - Nixon, Satterlee, Nelson, Hill-Evans - 4; Nays - Helfrich - 1.

- V. Adjournment: There being no further business, the December 30, 2015 emergency meeting of Council adjourned at 9:53 a.m.