

# Council of the City of York, Pennsylvania

Michael Ray Helfrich, President of Council  
Henry Hay Nixon, Vice President of Council  
Renee S. Nelson, Member of Council  
Sandie Walker, Member of Council  
Judy A. Ritter-Dickson, Member of Council

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## AGENDA December 5, 2017 6:30 p.m.

[Signed Resolutions](#) / [Signed Bills](#) / [11-29-17 Committee Minutes](#)

**CALL TO ORDER:** President Helfrich called the December 5, 2017 general public comment session to order at 6:30 p.m., in Council Chambers, 101 S. George St., York, PA, with the following members present: Judy A. Ritter-Dickson, Sandie Walker, Renee S. Nelson, Henry Hay Nixon, Vice President, and Michael Ray Helfrich, President, with President Helfrich presiding.

Members of the Administration in attendance included: Jason Sabol, Assistant Solicitor.

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

### I. Public Comment: 6:30 p.m.

James Harris, resident, discussed a problem property in his neighborhood (S. Duke St.) and that last Saturday paramedics pulled a body out of the house. He said on a separate occasion his son picked up a needle. He stated it's not fair that he and his family are awakened at 5:00 a.m. because of trouble associated with this property.

Jerry King, resident, added to comments made by Mr. Harris about the same property. He said it is a halfway house and there seems to be no one there watching the residents. He said you may as well call it a drug house and it's time for this house to go.

Wendy Miles, resident, discussed having a felony and having to deal with that when trying to get jobs.

James Roundtree, resident, announced that he is starting an after-school board game program at Martin Library beginning January 2018 and that he's looking for volunteers. The program will be held on Tuesdays & Thursdays from 2:00 to 6:00 pm.

Ruth Anne Shaffer, resident, asked what is the status of Mayor-Elect Helfrich's eligibility to hold office because there is case law that states anyone with a felony cannot hold an elected office.

Franklin Williams, resident, also discussed Mayor-Elect Helfrich's eligibility to hold office because of his 20+ year old felony. He said this subject matter has already been heard in a court of law when the judge ruled that he could serve as a councilman. He asked if we tell those who make mistakes that this will forever limit them, or do we show them examples of people who have risen far above them.

Charles Fasano, Spring Garden Twp., said recovery houses should be overseen by Council or the Sheriff's office. He discussed a friend who was given an eviction notice from a rooming house that was in violation of various housing codes. He said his friend was evicted because he bought a space heater since there was no heat. He wants something done with eviction laws and to find help for those recovering from addiction.

Larnail Keith said he's the one Mr. Fasano was referencing. He discussed his eviction. He said he needs help.

There being no further comment, President Helfrich adjourned the public comment session at 6:58 p.m. and convened in legislative session.

II. Called Legislative Meeting to Order: 6:58 p.m.

III. Roll Call

IV. Pledge of Allegiance recited.

V. Moment of Silence observed.

VI. Action on previous meeting Minutes of November 21, 2017 (legislative); November 29, 2017 (committee): Council dispensed with the reading of the minutes and unanimously approved them as written.

VII. Presentations, Proclamations, Awards and Announcements: None

VII. Meeting(s) Scheduled

Council Committee Meeting: Scheduled for Wednesday, January 24, 2018 at 6:00 p.m. in Council Chambers. Council will discuss items for its February legislative agendas. Agenda items are due by 12 noon on Wednesday, January 17, 2018.

Legislative Meeting: The next legislative session of Council is scheduled for Tuesday, December 19, 2017 at 6:30 p.m. in Council Chambers. (General public comment begins at 6:30 p.m.)

IX. Status of Prior Committee Referrals

**Bill No. 31 of 2017** ([View](#)) – Remains in committee until further notice. (Bill No. 31 of 2017 – A Bill amending Article 509 “Parking Meters,” of the City of York Codified Ordinances, Subsection 509.01(a) “Definitions” to redefine the parking meter zones to read “any zone where parking is enforced by the City of York;” Subsection 509.02 “Establishment of Zones” to redefine the parking meter zone for Market Street, both sides, from the Square west to Carlisle Avenue to Market Street, both sides, from the Square west to Penn Street, eliminating parking meters west of Penn Street; and Subsection 509.06 “Installing Meters and marking Spaces” to add “except in areas where there is a multi-space kiosk.”)

X. Legislative Agenda: (Order of Business – Action on Subdivision/Land Development & HARB Resolutions; Final Passage of Bills/Resolutions; New Business.)

**Subdivision / Land Development / HARB:** NONE

**New Business**

1. Introduction of Bill No. 36 - A Bill Amending the 2017 Annual Action Plan. (Transfer of \$60,000.00 in 2017 CDBG funding to the Emmanuel/St. Joseph School Revitalization Project) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Economic & Community Development (BHS)

Introduction of Bill No. 36, A Bill amending the 2017 Annual Action Plan to transfer \$60,000.00 in CDBG funding to the Emmanuel/St. Joseph School Revitalization Project, was introduced by Nixon, read by short title and deferred to the December 19<sup>th</sup> meeting of Council.

2. Resolution No. **110** - A Resolution Authorizing the use of Procurement Cards for the purchase of goods and services. ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Business Administration

Resolution No. 110, Session 2017, A Resolution authorizing the use of procurement cards by city employees for the purchase of goods and services, was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Walker, Resolution No. 110 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

3. Resolution No. **111** - A Resolution Resolution authorizing an agreement with Unimerica Insurance Company, Optum. (To provide stop loss insurance to city employees) ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Business Administration (HR)

Resolution No. 111, Session 2017, A Resolution authorizing an agreement with Unimerica Insurance Company, Optum, to provide stop loss insurance to city employees for the year 2018, was introduced by Helfrich, read at length, and on motion of Helfrich, seconded by Nixon, Resolution No. 111 PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

4. Resolution No. **112** - A Resolution Approving the IAFF 2018-2022 Collective Bargaining Agreement. ([View](#)) (Note: This agreement replaces Resolution No. 102 of 2017)  
Introduced by: Sandie Walker  
Originator: Fire/Rescue / HR

Resolution No. 112, Session 2017, A Resolution re-approving the IAFF 2018-2022 Collective Bargaining Agreement, was introduced by Walker, read at length, and on motion of Walker, seconded by Nixon, Resolution No. 112 came up for discussion.

Michael O'Rourke, resident, asked if Council was provided with an actuarial study which shows the fiscal impact this agreement may have on the city, which is required by Act 205. He said if you weren't given a copy of the actuarial study then you can't approve this Agreement.

Fred DeSantis, IAFF President, said he helped negotiate the IAFF contract and they made a lot of concessions. He stated that the actuary was done and the contract (Res. 102 of 2017) was already approved by Council and this is just correcting some typographical errors. He said Mr. O'Rourke wasn't at any of the negotiations so it's disheartening that Council may consider tabling this contract.

President Helfrich said the recommendation to table the Resolution is just being done as a point of clarification to see if Council received the actuarial study before this agreement is finally approved. (Note: The actuarial study was resubmitted to Council by Business Administrator Doweary via email on 12/7/17.)

**Motion to table.** Council could not recall receiving the actuarial study, so a motion was made by Nixon, seconded by Nelson to table Resolution No. 112 until the December 19<sup>th</sup> Council meeting. The motion to table PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

5. Resolution No. 113 - A Resolution

Approving salaries for Department Heads. (Effective 1/1/2018) ([View](#))  
Introduced by: Henry Hay Nixon  
Originator: Mayor

Resolution No. 113, Session 2017, A Resolution approving salary increases for Department Heads effective January 1, 2018 as follows:

|  |              |
|--|--------------|
| Wesley Kahley, Police Chief  | \$112,946.34 |
| Michael Doweary, Business Administrator                                    | \$110,000.00 |
| David Michaels, Fire Chief   | \$99,352.08  |
| Shilvosky Buffaloe, Acting Director of<br>Economic & Community Development | \$95,000.00  |
| Chaz Green, Acting Director of Public Works                                | \$87,500.00  |

The Resolution was introduced by Nixon, read at length, and on motion of Nixon, seconded by Ritter-Dickson, Resolution No. 113 came up for discussion.

Vice President Nixon said once the cola is backed out, the actual cost of all increases proposed by the Mayor total \$47,317.00. He said there has been question about the city's financial stability and we were upgraded by the S&P to an A- rating so things are improving.

President Helfrich said he appreciates the magnificent work getting an A- from the S&P but this is a short-term news flash and that he's concerned with the negative long-term effects these pay increases might create. He said changes in Federal codes will potentially affect us financially as well as our future rating. We know our pension and health obligations continue to grow and we cannot guarantee that this is going to continue to decrease. He said he's concerned about adding additional costs to the pension fund. He said salary raises should be based on performance and an evaluation of individuals and we didn't see anything like that. He said the comparison provided was a salary comparison of other cities but when comparing municipality populations, the comparisons provided by the Mayor are not fair. President Helfrich agreed there is room for some increases that he believes are fair and balanced and he provided those numbers to Council. He stated that his proposal is a "process" and what the administration provided was not a process. He suggested tabling this legislation until the 12/19/17 agenda to further review his process.

Councilwoman Nelson said Police Chief Kahley is retiring so she questioned his raise. She said she'd rather try to find someone who can fill the position at the current salary. She said this increase was based on his experience and years of service.

President Helfrich responded that whoever comes into these positions won't automatically be granted these salaries but will instead be evaluated on their experience, education, etc.

Councilwoman Ritter-Dickson said she doesn't agree with tabling this Resolution and that she would like to move forward with the vote. Vice President Nixon and Councilwoman Walker agreed with moving forward with the vote.

Councilwoman Nelson said she is not in favor of these raises because she feels it is the purview of the incoming Mayor.

Councilwoman Walker said as a member of Council we have a right to open the budget and she's open to doing that if the need arises.

President Helfrich stated that he would rather decide now on these raises because he doesn't want to have to take them away in January when he takes office as Mayor. He said he would feel uncomfortable

discussing this personnel issue with those he hopes to be part of his team, but he has questions about methodology and numbers. He said one of these raises will increase 20%.

Councilwoman Walker said she looked at President Helfrich's study, but she feels the information provided by the administration was comparable. This is a \$43 million budget with these salary increase being only .14% of our overall budget.

President Helfrich proposed salary increases based on his study. He said he wants to reward people but in an orderly fashion. He said the Mayor's confidential assistant is getting less than what she should be getting. He asked Council to table this legislation. Additionally, he stated that Council didn't get more in-depth information on these raises from the Administration until November 21st with some information just coming in hours ago.

**Motion to table.** A motion was made by Helfrich, seconded by Nelson, to table this item until the 12/19/17 Council meeting. The motion FAILED by the following vote: Yeas - Nelson, Helfrich - 2; Nays - Ritter-Dickson, Walker, Nixon - 3.

Stacy Boyer, resident, discussed the salary comparisons done by the Administration and questioned what was compared. She said the person doing the comparison is getting the most pay raise. She said approving these pay raises are doing a disservice to the residents.

Lois Garnett asked if we have the money in the budget to approve these raises. Vice President Nixon responded, yes.

Craig Smith, resident, said the 2018 COLA is set at 2% and these raises are well above the COLA given to the rest of us. He asked Council to vote its conscience and be responsible.

Franklin Williams, resident, also questioned the survey and comparisons done by the Administration.

Joe Haberly, resident, asked Council to reconsider the motion to table.

Michael O'Rourke said President Helfrich didn't oppose the proposed raises, he just wants to look at the numbers. He said he's heard a lot about the financial condition of the city and he feels folks should be compensated on their skills and their contributions to the city. He said the city is not in any better financial condition than it was 10 years ago.

Ruth Anne Shaffer, resident, said she's sorry to see this salary proposal go down this political hill but since President Helfrich will be the incoming Mayor, why not table this and Mr. Helfrich can recuse himself from this vote to keep the politics out of it.

**Motion to table.** The motion to table was again made by Helfrich, seconded Nelson and FAILED by the following vote: Yeas - Helfrich, Nelson - 2; Nays - Ritter-Dickson, Walker, Nixon - 3.

Motion to amend. President Helfrich made a motion to amend the salary increases as follows:

Business Administrator ~~\$110,000.00~~ **\$101,677.63**

Police Chief - No raise because the study shows his salary is above the pay level.

Fire Chief - ~~\$99,352.08~~ **\$99,990.79**

Public Works Director - ~~\$87,500.00~~ **\$84,118.77**

E&D Director - ~~\$95,000.00~~ **\$86,221.74**

The motion to amend was seconded by Nelson and FAILED by the following vote: Yeas - Nelson, Helfrich - 2; Nays - Ritter-Dickson, Walker, Nixon - 3

There being no further discussion, Resolution No. 113 PASSED by the following vote: Yeas - Ritter-Dickson, Walker, Nixon -3; Nays - Nelson, Helfrich - 2. Therefore, the raises passed as originally presented by the Mayor.

## Final Passage of Bills / Resolutions

6. Final Passage of **Bill No. 32, Ordinance No. 28** – A Bill  
Amending Article 951.12 “Annual Collection Fee Schedule of the Codified Ordinances. (To increase refuse fees) ([View](#))

Introduced by: Michael Ray Helfrich  
Originator: Mayor / Business Administration

Final Passage of Bill No. 32, Ordinance No. 28, Session 2018, A Bill amending Article 951.12 “Annual Collection Fee Schedule” of the Codified Ordinances to increase refuse fees effective January 1, 2018, which was introduced by Helfrich at the November 21<sup>st</sup> meeting of Council and read by short title, came up for final passage. On motion of Helfrich, seconded by Nixon, Bill No. 32, Ordinance No. 28, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

7. Final Passage of **Bill No. 33, Ordinance No. 29** – A Bill  
Approving the 2018 City of York Budget. ([View](#))

Introduced by: Michael Ray Helfrich  
Originator: Mayor / Business Administration

Final Passage of Bill No. 33, Ordinance No. 29, Session 2018, A Bill approving the 2018 City of York Budget, which was introduced by Helfrich at the November 21<sup>st</sup> meeting of Council, came up for final passage. On motion of Helfrich, seconded by Walker, Bill No. 33 came up for discussion.

President Helfrich offered amendments to the 2018 Proposed Budget as follows:

### **AMENDMENT #1:**

President Helfrich said during the 2018 budget hearings \$5,000 was requested for Council’s travel budget which was added to central services. He said he would like to decrease central services by \$5,000 and move it elsewhere in the budget. Therefore, a motion was made by Helfrich, seconded by Nelson to reduce line item 70-213-43012-00000 from \$100,000 to \$95,000.

Vice President Nixon said it's important that we offer a training/travel budget for Council especially with new Council members being elected.

Ritter-Dickson said she agrees as she has attended trainings and conferences and found them extremely helpful.

Assistant Solicitor Sabol said training/travel comes out of central services so it's not relevant to individual departments.

President Helfrich said he'd just like to reduce Council's portion of the central services budget.

There being no further discussion, the motion to reduce said line item PASSED by the following vote: Yeas – Walker, Nelson, Helfrich – 3; Nays – Ritter-Dickson, Nixon – 2.

### **AMENDMENT #2:**

President Helfrich took an unofficial poll to see if Council would agree to amending the salary increases for the Deputy Fire Chief, Assistant Solicitor, City Clerk, Mayor’s Administrative Assistant, and the Director of Community Affairs. An informal roll call revealed that Ritter-Dickson, Walker, and Nixon were opposed to proposed amendment, with Nelson and Helfrich in favor. Since the consensus wasn't there, the amendment was not offered.

**AMENDMENT #3:**

President Helfrich made a motion to transfer the \$5,000 removed from central services (amendment #1) be transferred to the Recreation/Park budget, line item 20-425-39090-00000. The motion was seconded by Nixon and PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

There being no further discussion, Bill No. 33, Ordinance No. 29, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, - 3; Nays – Nelson, Helfrich – 2.

8. **Final Passage of Bill No. 34, Ordinance No. 30** – A Bill  
Approving the 2018 City of York Tax Rate. ([View](#))  
Introduced by: Michael Ray Helfrich  
Originator: Mayor / Business Administration

Final Passage of Bill No. 34, Ordinance No. 30, Session 2017, A Bill approving the 2018 City of York Tax Rate (\$18.97 on each 1,000 dollars of assessed valuation), which was introduced by Helfrich at the November 21<sup>st</sup> meeting of Council and read by short title, came up for final passage. On motion of Helfrich, seconded by Walker, Bill No. 34, Ordinance No. 30, PASSED by the following vote: Yeas – Ritter-Dickson, Walker, Nixon, Nelson, Helfrich – 5; Nays – 0.

XI. Requests for Future Meetings: None

XII. Council Comment


President Helfrich said although some of his amendments were not approved, he thanked Council and the Administration for allowing this process to take place.

XIII. Administration Comment: None

XIV. Adjournment: The next legislative session of Council is scheduled for Tuesday, December 19, 2017 at 6:30 p.m. in Council Chambers (general public comment begins at 6:30 p.m.). There being no further discussion, the December 5, 2017 meeting of Council adjourned at 8:44 p.m.

XV. Resumption of Public Comment Period (at the discretion of the presiding officer): None

  
Dianna L. Thompson-Mitchell, City Clerk

  
Michael Ray Helfrich, President of Council