

Council of the City of York, Pennsylvania

Sandie Walker, President of Council
Edquina Washington, Vice President of Council
Lou Rivera, Member of Council
Betsy Buckingham, Member of Council
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MINUTES December 6, 2022 6:00 p.m.

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FACEBOOK: <https://www.facebook.com/CityofYorkPA/>

YOUTUBE: <https://www.youtube.com/c/WhiteRoseCommunityTV>.

CALL TO ORDER: President Walker called the December 6, 2022, 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, with President Walker presiding.

Members of the Administration in attendance included: Kim Robertson, Acting Business Administrator; Nona Watson, Director of Economic & Community Development; Joe Jefcoat, Treasurer; Gerard Lavelle, City Accountant; William Slegger, Fire Chief; Monica Kruger and Samantha Zahm, Bureau of Health; and Jason Sabol, Assistant Solicitor.

I. Public Comment:

Michel Walker, resident, commended the Mayor and Council for all they do in preparing the budget. He said he knows what all it takes to put it together. He then spoke about the Princess Street Center's history and how it resonates deeply with many residents like him. He said the center has value that's not necessarily fiduciary, so the question is what is government supposed to do? They are supposed to take care of residents over property. However, repeatedly, the Princess Street Center was not rehabilitated because we couldn't find investors. There is a reason why we have a Dept. of Community & Economic Development because they are to work with the community on what makes sense. This aspect needs to be stressed especially around budget time. When the Dentsply building takes priority over the Princess Street Center, that makes us feel like profit is more important than people, he stated.

Kathy Stetler, & Teresa Gurreri spoke about violations they are getting on properties in the city, and they seem to increase. Ms. Gurreri said we have an influx of tenants changing all of the time and most of these fines are for garbage, but this garbage is dumped by others. Is there a way to issue warnings to homeowners before issuing citations? We received a fine for \$300 for weeds that we just found out about. She said when notices are posted on doors, the tenant may not see it, or they may take it down and we'll never know a violation was issued. She suggested a decal be placed on the door. She said the mail is so slow that by the time they receive the notice, the violation has already increased. She said they are not slumlords.

Ms. Stetler said the decal can have a contact name, number or email address and a time when the violation needs to be handled before we receive a fine.

There being no further comment, the public comment session adjourned at 6:13 PM.

- II. Called Legislative Meeting to Order at 6:13PM.
- III. Roll Call
- IV. Pledge of Allegiance was recited.
- V. Moment of Silence was observed.
- VI. Action on previous meeting Minutes of [November 15, 2022](#) (Legislative); and [November 30, 2022](#) (Committee). Council dispensed with the reading of the minutes and approved them unanimously as written.
- VII. Proclamations, Awards and Announcements: None
- VIII. Meeting(s) Scheduled:
 - **Legislative Meeting:** The next legislative meeting of Council will be held on Tuesday, December 20, 2022 at 6:00 p.m. in Council Chambers. Agenda items are due by 12 noon on December 14th.
- IX. Status of Prior Committee Referrals: No reports.
- X. Legislative Agenda:

Final Passage of Bills / Resolutions

1. Final Passage of Bill No. 61 (original version) - A Bill
Adopting the FY2023 York City Budget. ([View](#))
Introduced by: Betsy Buckingham
Originator: Mayor | Finance

Bill No. 61, Session 2022, A Bill adopting the 2022 York City Budget, which was introduced by Buckingham at the November 15 meeting of Council came up for final passage. On motion of Buckingham, seconded by Rivera, the motion came up for discussion.

President Walker said she wasn't in favor of the overall budget process. She said the hearings should have been held before the budget was presented to us. She said she now has to look over the 1,000+ line items that have been submitted for amendment to what was presented on November 15th.

Manuel Gomez, resident, said traditionally the hearings are held before the budget is presented. I don't think anyone would begrudge you in doing your due diligence but I'm hoping it won't be a last-minute fiasco. At the hearing, there was a request for body armor for property maintenance inspectors and I found it off-putting. He said he doesn't like the disposition of a property maintenance inspector at his door in body armor. He said this needs more discussion.

President Walker asked if that was included in the original budget. Mayor Helfrich said it was.

Mayor Helfrich responded that we have unfortunately experienced some issues but I'm not in favor of that item, but it was requested so whatever Council deems appropriate, I'm okay with it. We have had incidents where workers have had rocks thrown at them and there is much concern from staff about threats. I have closed off the 2nd floor of City Hall because of safety issues and I want my employees to feel safe. He then asked that Council not approve this budget but

instead approve the amended version (agenda item #2).

President Walker asked why.

Mayor Helfrich said the 2nd version is an amended version that best reflects our 2023 needs.

President Walker said the amended budget was emailed to us on Wednesday and delivered by the City Clerk on Friday, which didn't leave much time for them to review the massive amendments.

There being no further discussion, Bill No. 62 (original budget) FAILED by the following vote: Yeas - Dennis, Walker - 2; Nays - Buckingham, Rivera, Washington - 3. **Important Note: Bill No. 61 (agenda item #1) was reconsidered and tabled until the December 20th meeting of Council. (See discussion on agenda item #2)**

2. Final Passage of Bill No. 61 (amended version) - A Bill
Adopting the FY2023 York City Budget. ([View](#))
Introduced by: Betsy Buckingham
Originator: Mayor | Finance

Final Passage of Bill No. 61 adopting the amended version of the 2023 Budget. A motion was made by Buckingham, seconded by Washington to approve Bill No. 61, as amended. The motion came up for discussion.

President Walker said at the budget hearings, the Mayor was going to ask about additional costs in the solicitor's budget but was told by Assistant Solicitor Sabol that it couldn't be discussed. She asked what this was and why it couldn't be discussed.

Assistant Solicitor Sabol said it was to add an additional user to the Lexus Nexus account. He said the Mayor's Chief of Staff is a licensed attorney, so we have it set up that in addition to himself and Assistant Solicitor Don Hoyt, that the Chief of Staff also has access. Since the chief of staff is not an attorney for the city, we have him set up as an administrative user otherwise we would have to pay additional fees for him using it as an attorney.

Mayor Helfrich said for example, Council requested tax cuts but then we had to determine whether it would be for the elderly or indiscriminately. To have the Chief of Staff be able to look into this, this would give him the means to look into this without serving as an attorney. He said the Chief of Staff has a lot of experience in the legal field.

Vice President Washington said if you are not using him as an attorney, should he be using the system at all?

Assistant Solicitor Sabol said, yes. He likened it to his legal assistant, who is not an attorney, but also uses the system. Solicitor Sabol said there is no additional cost to have an added administrative person, but it would cost us if we had him as an attorney.

President Walker said she doesn't understand why this was an issue during the hearing.

President Walker then said Council received a statement from the Treasurer's office relating to the 2023 budget. Treasurer Jefcoat said he has nothing further to add unless Council has any questions. (Click [here](#) to read statement)

President Walker asked about the Executive Director salary for the Human Relations Commission.

Acting Business Administrator Robertson said it was requested that we use ARPA funds to take a part-time investigator to full-time. In the 2022 budget we included additional funds of ARPA to make it full-time and we added funding for a Housing Eviction Counselor who is full-time. We do not have an investigator or part-time Housing Eviction Counselor, so we are merging the ARPA funds that are being requested to use for one Director position for 2023. So, the Director would act as an investigator and housing eviction counselor. The pay is \$64,000+. Discussion ensued on ARPA funding and general fund dollars for this position.

President Walker asked if they felt \$64,000 is competitive.

Mayor Helfrich said when you add the salaries of both positions, that totals about \$78,000+ which would be the salary.

President Walker asked questions about several line items being amended in the Police, Economic & Community Development and Public Works budgets, which was answered by Mayor Helfrich and Acting BA Robertson.

Michael Walker, resident, questioned the Chief of Staff having access to Lexus Nexus. He asked if Council was aware that this system can be used to look into individuals' personal lives, including yours. He said as an attorney, there is an ethical kind of rule that attorneys abide by. But when someone is acting in a capacity other than an attorney, that is concerning. He said he would ask Council to look into this carefully before you approve access.

Assistant Solicitor Sabol said the Chief of Staff is an attorney so he's bound by the same ethics.

President Walker said but there are no boundaries to the Chief of Staff's access so he would have the ability to even look into Council's personal history. That really needs to be considered.

Mayor Helfrich said he would be happy to have this conversation separately, but this item is not part of the budget. If we determine that it is inappropriate for his chief of staff to have access, then he would reconsider.

Michael Walker then said Council voted down the original budget. He asked if these amendments have been advertised according to the City Charter because it seems that we are introducing a second budget that the public has not had an opportunity to review. He said that this seems to be the first reading of this particular budget. He asked were these advertised and if this is in line with the city's charter.

President Walker said she too questioned the process. She asked if this needs to be re-advertised.

Assistant Solicitor Sabol said Council can make amendments from the floor but if Council is considering the amended budget as a new budget, then it will need to be re-advertised. Or Council can consider the packet of amendments presented as part of the original budget.

Mr. Walker said there was a "no" vote on the first budget which the Mayor requested Council to vote down.

Manuel Gomez, resident, said Council definitely voted down the passage of Bill No. 61 and it can't be voted on unless it is re-introduced. He said this might not be the cleanest approach to Robert's Rules, but this is a bill that was not appropriately a bill on the table. He said he agrees with the concerns brought up by Mr. Walker about the Lexus Nexus discussion. He said the gray area is a concern.

Marie Rohleder, resident, said a Chief of Staff is to in essence be part of what the Mayor does. If

the Mayor is not allowed to do research, the Chief of Staff shouldn't be allowed either.

City Clerk Dianna Thompson suggested reconsideration of agenda item #1. Discussion ensued that since agenda item #1 was voted down, agenda item #2 cannot be considered.

Mayor Helfrich said he agrees that there be a motion to reconsider agenda item #1, inclusive of the amendments, and that we'll make sure the amendments are made available to the public.

Assistant Solicitor Sabol said Council could wait to vote on the budget until its December 20th meeting to allow more time for public review.

Motion to withdraw. A motion was made by Buckingham, seconded by Rivera, to withdraw the motion to consider adoption of Bill No. 61, as amended (agenda item #2). The motion to withdraw passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

Motion to reconsider agenda item #1 (Bill No. 61 - original budget). A motion was made by Buckingham, seconded by Rivera, to reconsider agenda item #1. The motion passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

Reconsideration of Agenda Item #1:

Bill No. 61 (agenda item #1) was reconsidered. It was determined that amendments (agenda item #2) couldn't be considered since Council voted down agenda item #1. Therefore, Council unanimously approved reconsideration of agenda item #1 and the amendments proposed by the administration (in agenda item #2). The following discussion took place on the reconsideration:

A motion to reconsider agenda item #1 and accept amendments proposed by the administration (in agenda item #2), was made by Buckingham, seconded by Walker, and came up for discussion.

Manuel Gomez, resident, said he's never seen a whole swath of amendments and that this may not necessarily be a violation, but this is a slippery slope.

Mayor Helfrich said these are clerical increases. There are no major expenditures. Some are just a few dollars. He said he hasn't been happy with the process either and this one is unique but there is nothing in here that changes the function of the budget excepted the inclusion of the additional four police officers. He said the administration is understaff and overworked and he requested additional time from Council.

Manuel Gomez, resident, said he doesn't dispute what the mayor said. He said Council duly established its meeting dates and advertised but when you get into the muscle memory this is not where you want to be. He said don't streamline things because it never comes, so stay where you're most diligent.

Michael Walker, resident, said Council advertised its meetings at the beginning of the year and the administration knew that budget is due the same time every year. He then said if Council hasn't had a chance to verify the amendments, then the public surely hasn't had a chance to verify.

Treasurer Joe Jefcoat said he has an amendment to reinstate a position in the treasurer's office that he presented.

Mayor Helfrich said 460-line items were changed to include the four additional police officers so to add the Treasurer's amendment would be additional line items.

Vote to accept amendments: Yeas – Buckingham, Rivera, Washington – 3; Nays – Dennis, Walker – 2. Since there are line-item increases in the proposed amendments, four votes were needed to pass the amendments. Since there were not four votes, the amendments failed.

Mayor Helfrich requested Council table the amendments and consider passage of the budget at its December 20 meeting.

Motion to table: A motion was made by Rivera, seconded by Washington, to table Bill No. 61, inclusive of amendments, until the December 20th meeting of Council. The motion passed by the following vote: Yeas – Dennis, Buckingham, Rivera, Washington – 4; Nays – Walker – 1.

Therefore, Bill No. 61 will be on Council's December 20, 2022 agenda for consideration of final passage.

3. Final Passage of Bill No. 62 (Deferred to the 12/20/22 agenda) _____ - A Bill
Adopting the FY2023 Tax Rate. ([View](#))
Introduced by: Betsy Buckingham
Originator: Mayor | Finance

Deferred to 12/20/22 agenda. The 2023 Tax Rate could not be voted on as the 2023 budget was tabled until the 12/20/22 meeting.

Introduction of Bills

4. Introduction of Bill No.63 _____ - A Bill
Amending the FY2022 Budget. ([View](#)) (TRC for King St. Bike Lane - \$130,000)
Introduced by: Felicia Dennis
Originator: Public Works

Introduction of Bill No. 63, Session 2022, A Bill amending the FY2022 City Budget for the Public Works Department to pay the final invoices to TRC for King Street Bike Lane work expenditures from PennDot funding, in the amount of \$130,000.00, was introduced by Dennis, read by short title, and deferred to the December 20th meeting of Council.

5. Introduction of Bill No. 64 _____ - A Bill
Amending Article 101 "Codified Ordinances" subsection 101.04(p). ([View](#)) (To amend the definition of "owner")
Introduced by Lou Rivera
Originator: Treasurer

Introduction of Bill No. 64, Session 2022, A Bill amending Article 101 "Codified Ordinances" of the City of York Codified Ordinances, Subsection 101.04 "Interpretation" to update the definition of "owner" was introduced by Rivera, read by short title, and deferred to the December 20th meeting of Council.

6. Introduction of Bill No. 65 _____ - A Bill
Amending the FY2022 Budget. ([View](#)) (To fund an Employee Retention Incentive Program - \$620,000)
Introduced by: Betsy Buckingham
Originator: Finance

Introduction of Bill No. 65, Session 2022, A Bill Amending the FY2022 City Budget for the Office of Human Resources by appropriating expenditures from the American Rescue Plan Act "ARPA"

funds, to fund an Employee Retention Incentive in the amount of \$620,000.00, was introduced by Buckingham, read by short title, and deferred to the December 20th meeting of Council.

Items for Consideration of Consent Agenda

Motion to consider consent agenda. A motion was made by Rivera, seconded by Washington, to consider agenda items 7-13 as a consent agenda.

President Walker asked if Council requests to pull any items from the consent agenda.

President Walker said she would like to pull agenda item #8.

A motion to consider agenda items 7, and 9-13 as a consent agenda was made by Rivera, seconded by Washington, and passed by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

President Walker asked if there was any Council, Administration, or public comment on the consent agenda items. There was none.

Vote on consent agenda items. There being no further discussion, a motion was made by Buckingham, seconded by Rivera, to approve agenda items 7, and 9-13. The motion was seconded by Washington and PASSED by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington, Walker - 5; Nays - 0.

7. Resolution No. 126 - A Resolution Authorizing a budget transfer. ([View](#)) (Highway - \$60K to Fund 110; \$33K to Fund 21)
Introduced by: Felicia Dennis
Originator: Public Works

Resolution No. 126, Session 2022, A Resolution approving transfer of funds in the FY2022 City Budget for the Highway and Fleet Maintenance Bureaus of Public Works Department to cover expenses through the end of the year by transferring a total of \$60,000.00 for Fund 10 General and \$33,000.00 for Fund 21 Liquid Fuels, was approved unanimously by consent agenda.

8. Resolution No. 127 - A Resolution Exonerating year 2021 municipal taxes. ([View](#)) (New Covenant Community Church - \$17,188.75)
Introduced by: Felicia Dennis
Originator: Treasurer's Office | New Covenant Community Church

Resolution No. 127, Session 2022, A Resolution exonerating 2021 municipal taxes for New Covenant Community Church in the amount of \$17,188.75, was introduced by Dennis, read at length, and on motion Walker, seconded by Washington, Resolution No. 127 came up for discussion.

Councilwoman Buckingham asked how this came back onto the tax rolls.

Bishop Anthony Sease said it happened when the property was transferred but it always operated as a church.

President Walker said New Covenant was one of two churches that requested exoneration that she asked for more information on from the Solicitor's Office.

Assistant Solicitor Sabol said the solicitor's officer cannot do a full title search; that is up to the property owner.

Treasurer Jefcoat said he talked to the county and submitted the information to Council. He said he was told New Covenant was not exonerated from county taxes.

President Walker said she spoke to President Commissioner Julie Wheeler and was told they did in fact exonerate county taxes for New Covenant.

Michael Walker, resident, said he doesn't want to see Council set a precedence where churches split and then want exoneration. He said Council should establish why they are doing what they are doing, or this could cause havoc for the city.

President Walker said the last time municipal taxes was exonerated for a church was in 2014 and there was a payment in lieu of taxes clause in that agreement.

Manuel Gomez, resident, said this is a tough call. There is a question whether there was a lapse in the 501c3 process. I can see why this would be a concern and you have to be careful to not set a precedence, he stated.

Marie Rohleder, resident, said somebody should have gotten in touch with the county and asked them why this glitch happened.

Bishop Sease said we had our hearing with the county, and we have been determined to be exempt from taxes. At the point they deemed us exempt, there was an outstanding balance that was assessed that couldn't be forgiven by the committee.

There being no further discussion, Resolution No. 127 came up for final passage.

Request for abstention. President Walker said she requests to abstain from voting as she was a member of New Covenant. The motion to approve the abstention requested was approved by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington - 4; Nays - 0.

There being no further discussion, Resolution No. 127 PASSED by the following vote: Yeas - Dennis, Buckingham, Rivera, Washington - 4; Nays - 0; Abstain - Walker - 1.

9. Resolution No. 128 - A Resolution
Implementing Act 57 of 2022 Definitions. ([View](#))
Introduced by: Betsy Buckingham
Originator: Treasurer

Resolution No. 128, A Resolution approving implementation of Act 57 of 2022 definitions, was approved unanimously by consent agenda.

10. Resolution No. 129 - A Resolution
Authorizing the appointment of 13 Probationary Police Officers. ([View](#))
Introduced by: Edquina Washington
Originator: Mayor | Police

Resolution No. 129, Session 2022, A Resolution authorizing the appointment of the following as probationary police officers: Chadd Hines, Steven Cugini, Clayton Loeblein, Nathan Rose, Andrew Thomas, Joe Gallagher, Nelson Reyes, Tony Tran, Cole Zimmerman, Isaac Kissinger, Toby Koenig, Tyler Harris, and Jose Espinosa, was approved unanimously by consent agenda.

11. Resolution No. 130 - A Resolution
Approving various contracts for employee health benefits. ([View](#))
Introduced by: Betsy Buckingham
Originator: Finance

Resolution No. 130, Session 2022, A Resolution approving the following health benefits contracts: Capital Blue Cross for Administrative Services Only (ASO) fees and Stop Loss and Pharmacy Benefit Management reporting data file fees for the years 2022 - 2025; True Rx for Pharmacy Benefit Management for the years 2022 - 2025; EPLS LLC for Prescription Consulting the year 2022; Pareto Underwriting Partners for Stop Loss Insurance the year 2022; and Vision Benefits of America, Inc. for Vision Insurance the years 2022-2024, was approved unanimously by consent agenda.

12. Resolution No. 131 - A Resolution Authorizing an agreement with the York City School District. ([View](#)) (For 2022-2023 crossing guard services)
Introduced by: Betsy Buckingham
Originator: Business Administration

Resolution No. 131, Session 2022, Resolution authorizing an agreement for 2022-2023 school crossing guard services with the York City School District was approved unanimously by consent agenda.

13. Resolution No. 132 - A Resolution Authorizing an agreement with All City Management Services. ([View](#)) (To provide 2022-2023 crossing guard services)
Introduced by: Betsy Buckingham
Originator: Business Administration

Resolution No. 132, Session 2022, A Resolution authorizing an agreement with All City Management Services to provide school crossing guard services for the 2022-2023 school year was approved unanimously by consent agenda.

XI. Requests for Future Meetings: None

XII. Council Comment

Councilwoman Buckingham said this is her first experience going through the budget process. She said hopes next year we can start the process earlier and the hearings held in at least October so that when it's presented to us, it is pretty much complete.

President Walker said she understands we are in difficulty situations, but we have to stick to established timeframes. She said Council appreciates our employees which is why she was in favor of a \$2,500 bonus for employees instead of the \$1,750 proposed by the Mayor.

XIII. Administration Comment

Mayor Helfrich said the employees involved in the budget was also in the process of doing audits, and recovering the data lost from the security breach, and they have done a phenomenal job. The pressure and stress were so high that we were concerned about losing employees. I can assure you that now that we are getting caught up, we will not be facing those conditions next year.

Mayor Helfrich then responded to Ms. Stetler and Ms. Guerri about their comments made during public comment. He said he likes the idea of decals but on the flip side it's a tough responsibility being a landlord but it's your job to get to the grass before it gets high - not us giving you time after the grass is high. He said let's work together to find a better way to be in contact. He said landlords should share the responsibility.

Mayor Helfrich then addressed Mr. Michael Walker and said that the city cannot run at a deficit. We have to balance our budget ever year. We don't profit off of anything, the city loses money every year

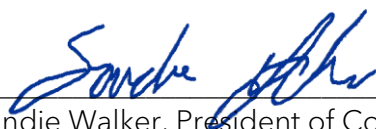
and there is revenue to offset expense.

Mayor Helfrich then handed out an updated ARPA expenditure sheet including 2023 recommendations (Click [here](#) to view handout). He briefly outlined the document. He said we have to stop thinking we are flush with cash. We have a few million dollars left from the ARPA money and the WWTP proceeds have to be held on to for pension and healthcare in the future.

- XIV. Adjournment: The next legislative meeting of Council is scheduled for December 20, 2022 at 6PM in City Council Chambers. There being no further discussion, the December 6, 2022 meeting of Council adjourned at 8:24PM.
- XV. Resumption of Public Comment Period (at the discretion of the presiding officer): None



Dianna L. Thompson, City Clerk



Sandie Walker, President of Council