

Council of the City of York, PA  
Session 2016  
Bill No. 5  
Ordinance No. 5

INTRODUCED BY: **Michael Ray Helfrich**



DATE: **April 5, 2016**

**AN ORDINANCE**

Amending Article 341 INCOME TAX, Subsections 341.04(b)(1), of the York City Codified Ordinances, to correct language to reflect tax imposition of nonresidents pursuant to the Municipal Pension Plan Funding Standard and Recovery Act tax.

WHEREAS, York City Council adopted Bill No. 28, Ordinance No. 26, on October 21, 2014 amending Article 341 "Income Tax" of the York City Codified Ordinances; and

WHEREAS, through a series of legal advertisements, Council notified the public of its intention to adopt a Bill amending Article 341 "Earned Income and Net Profit Tax" of the York City Codified Ordinances to impose a General Purpose Resident Tax of 1% and a Municipal Pension Plan Funding Standard and Recovery Act Tax of 0.25% on earned income and net profits for residents of the City of York and non-residents who engage in any work, business, profession, or activity of any kind within the boundaries of the City of York as granted under the authority of the Local Tax Enabling Act, Act 511 of 1965 (53 P.S. §6913) and the Municipalities Pension Plan Funding Standard and Recovery Act, Act 205 of 1984; and

WHEREAS, a clerical error omitted language in the draft legislation that must be correct to reflect Council's intention to impose said tax on an individual who is not a resident of the taxing authority, as advertised;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, that Subsection 341.04(b)(1) be hereby amended as follows:

**341.04 IMPOSITION OF TAX.**

(a) **General Purpose Resident Tax.** The taxing authority hereby imposes a tax for general revenue purposes at the rate of one percent (1%) under Act 511 on earned income and net profits earned by residents of the Municipality.

(1) **Municipal Pension Plan Funding Standard and Recovery Act Tax.** In addition to the general purpose resident tax levied for general revenue purposes, the taxing authority hereby imposes a special tax for the purpose of raising revenue to defray costs related to the pension plans of the City of York under 53 P.S. §895.101 et seq. at the rate of 0.25% on earned income and net profits of individual residents of the taxing authority.

(b) **General purpose nonresident tax.** The taxing authority hereby imposes a tax for general revenue purposes at the rate of one percent (1%) under Act 511 on earned income and net profits earned by nonresidents from any work, business, profession, or activity of any kind engaged in within the boundaries of the taxing authority, exclusive of domestic servants and Maryland residents.

(1) **Municipal Pension Plan Funding Standard and Recovery Act tax.** In addition to the general purpose nonresident tax levied for general revenue purposes, the taxing authority hereby imposes a special tax for the purpose of raising revenue to defray costs related to the pension plans of the City of York under 53 P.S. §895.101 et seq. at the rate of 0.25% on earned income and net profits of an individual who is not a resident of the taxing authority from any work, business, profession, or activity, of any kind engaged in within the boundaries of the taxing authority.

Bill No. 5, Ordinance No. 5, Session 2016

PASSED FINALLY: **April 19, 2016**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nelson, Hill-Evans - 3

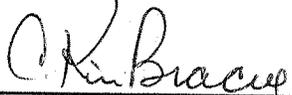
NAYS: None

  
Carol Hill-Evans, President of Council

ATTEST:

  
Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this 20th day of April 2016

Approved:   
\_\_\_\_\_  
Mayor

4/22/16  
\_\_\_\_\_  
Date

Vetoed: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Council of the City of York, PA

Session 2016

Bill No. 6

Ordinance No. 6

INTRODUCED BY: Carol Hill-Evans

DATE: April 5, 2016

AN ORDINANCE

Amending the York City Budget for the year 2015 for the Department of Public Works, Wastewater Treatment Plant budget to increase revenue and expenses in the amount of \$5,789 for other supplies/materials and other contractual services.

WHEREAS, additional funds are required in the Other Supplies/Materials and Other Contractual Services line items to pay for expenses for 2015; and

WHEREAS, more revenue has been received than budgeted in the Sewage Permits line items; and

WHEREAS, the Other Supplies/Materials and Other Contractual Services line items must be increased to cover expenses; and

WHEREAS, the Finance Bureau has reviewed the 2015 Budget and has determined that it must be amended.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that Council hereby approves the 2015 budget amendment of said funds for the Wastewater Treatment Plant of the City of York in accordance with the following schedule:

Account Number	Description	Original Revenue	Revised Expense	Amended Revenue	Amended Expense
61-440-31250-00000	Sewage Permits	\$ 900.00		\$ 6,689.00	
61-440-45300-00002	Other Supplies/Materials		\$ 49,812.00		\$ 55,247.00
61-440-44400-00003	Other Contractual Services		\$103,545.00		\$103,899.00
	<b>Total</b>	<b>\$ 900.00</b>	<b>\$153,357.00</b>	<b>\$ 6,689.00</b>	<b>\$159,146.00</b>

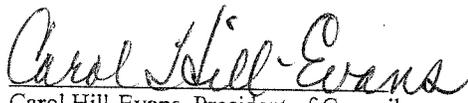
PASSED FINALLY: **April 19, 2016**

BY THE FOLLOWING VOTE:

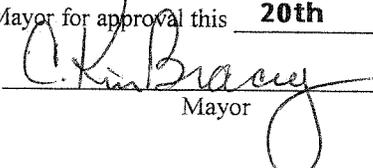
YEAS: Helfrich, Nelson, Hill-Evans - 3

NAYS: None

  
Dianna Thompson-Mitchell, City Clerk

  
Carol Hill-Evans, President of Council

Presented to the Mayor for approval this 20th day of April 2016

Approved:  Mayor 4/22/16 Date

Vetoed: \_\_\_\_\_ Mayor \_\_\_\_\_ Date

Council of the City of York, PA  
Session 2016  
Bill No. 7  
Ordinance No. 7

INTRODUCED BY:  Henry Hay Nixon

DATE: April 5, 2016

**AN ORDINANCE**

Amending the 2016 CDBG and HOME Program budgets to reflect changes resulting from actual funding levels rolled over from 2015 and actual Funding amounts for 2016 allocation.

**WHEREAS**, The Department of Community Development, Bureau of Housing Services, is requesting an amendment to the City Budget for fiscal year 2016 for the CDBG and Home Program; and

**WHEREAS**, the City desires to amend the 2016 City Budget to reflect the changes resulting from actual funding levels rolled over from 2015 and actual allocation amounts for 2016; and

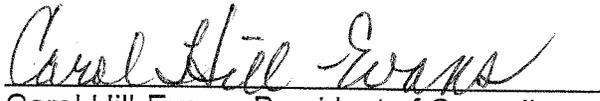
**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of York, Pennsylvania, that the City of York's 2016 City Budget is hereby amended in accordance with the schedule attached hereto.

PASSED FINALLY: April 19, 2016

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nelson, Hill-Evans - 3

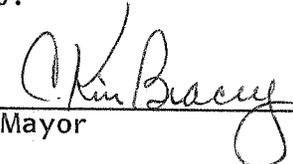
NAYS: None

  
Carol Hill-Evans, President of Council

ATTEST:

Presented to the Mayor for approval this 20th day of April 2016.

  
Dianna L. Thompson-Mitchell, City Clerk

APPROVED  4/22/16  
Mayor Date

VETOED:

Morpheus/Bills-2016/CDBG-HOME-2015-rollover-2016-allocations

\_\_\_\_\_  
Mayor Date

**Session 2016**  
**Bill No. 7**  
**Ordinance No. 7**

Account #	Description	Original Budget		Revised Budget	
		Revenue	Expense	Revenue	Expense
30-414-34030-20214	Cdbg-Entitlement	120,184.48		41,082.35	
30-414-48203-20214	Infrastructure-sidewalk/Paving		120,184.48		41,082.35
30-414-34030-20014	Cdbg-Entitlement	78,372.72		78,376.68	
30-414-48250-20014	Cdbg Admin Reimbursement		78,372.72		78,376.68
30-414-34030-20215	Cdbg-Entitlement	228,387.35		222,197.05	
30-414-48203-20215	Infrastructure-sidewalk/Paving		228,387.35		222,197.05
30-414-34030-20615	Cdbg-Entitlement	49,983.05		19,384.74	
30-414-48042-20615	Subrecipient -YHAP Homebuyers Assist		24,480.92		10,155.63
30-414-48009-20615	Subrecipient - Community first		12,703.81		7,285.14
30-414-48044-20615	Subrecipient -Youth Intern Program		12,798.32		1,943.97
30-414-34030-20015	Cdbg-Entitlement	190,646.00		206,358.00	
30-414-48250-20016	Cdbg Admin Reimbursement		190,646.00		206,358.00
30-414-34030-20015	Cdbg-Entitlement	28,225.81		18,806.66	
30-414-48250-20015	Cdbg Admin Reimbursement		28,225.81		18,806.66
30-414-34030-20316	Cdbg-Entitlement	5,000.00		5,000.00	
30-414-48209-20316	Cdbg-HIV Testing		5,000.00		5,000.00
30-414-34030-20416	Cdbg-Entitlement	0		90,000.00	
30-414-48266-20416	Cdbg-Home Improvement program		0		60,000.00
30-414-48267-20416	Cdbg-Home Improvement program Delivery		0		30,000.00
30-414-34030-20516	Cdbg-Entitlement	123,000.00		123,000.00	
30-414-48205-20516	Cdbg-Acquisition		20,000.00		20,000.00
30-414-48221-20516	Cdbg-Property Stabilization		55,000.00		55,000.00
30-414-48204-20516	Cdbg-Demolition		45,000.00		45,000.00
30-414-48246-20516	Cdbg-Stabilization Program Delivery		1,500.00		1,500.00
30-414-48245-20516	Cdbg-Demolition Program Delivery		1,500.00		1,500.00
30-414-34030-20616	Cdbg-Entitlement	298,354.00		313,354.00	
30-414-48042-20616	Subrecipient -YHAP Homebuyers Assist		48,354.00		48,354.00
30-414-48028-20616	Subrecipient Human Relations		5,000.00		5,000.00
30-414-48009-20616	Subrecipient - Community first		25,000.00		25,000.00
30-414-48003-20616	Subrecipient - Literacy Council		20,000.00		20,000.00
30-414-48044-20616	Subrecipient -Youth Intern Program		50,000.00		50,000.00
30-414-48029-20616	Subrecipient -Youth Intern Program Delivery		0		15,000.00
30-414-48023-20616	Subrecipient -Permits		150,000.00		150,000.00
30-414-34030-21516	Cdbg-Entitlement	300,000.00		300,000.00	
30-414-48205-21516	Section 108		300,000.00		300,000.00

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30-414-34030-20216	Cdbg-Entitlement	301,000.00		231,000.00	
30-414-48203-20216	Cdbg-Infrastructure-sidewalk/Paving		301,000.00		231,000.00
<b>Total</b>		<b>1,723,153.41</b>	<b>1,723,153.41</b>	<b>1,648,559.48</b>	<b>1,648,559.48</b>

**HOME**

31-414-34040-21016	Home-Entitlement	35,580.00		37,434.00	
31-414-48242-21016	HOME Admin.		35,580.00		37,434.00
31-414-34040-20816	Home-Entitlement	266,832.00		283,541.00	
31-414-48217-20816	Homebuyer Assistance Program		266,832.00		283,541.00
31-414-34040-21116	Home-Entitlement	53,367.00		53,367.00	
31-414-48222-21116	Home-CHDO Operating		53,367.00		53,367.00
<b>Total</b>		<b>355,799.00</b>	<b>355,799.00</b>	<b>374,342.00</b>	<b>374,342.00</b>

Council of the City of York, PA  
Session 2016  
Bill No. 8  
Ordinance No. 8

*Sandie Walker*

INTRODUCED BY: **Sandie Walker**

DATE: **April 5, 2016**

**AN ORDINANCE**

Making an appropriation for money not otherwise appropriated in the amount of \$56,026.04 as a carryover from the 2015 Budget to fund the purchase of Other Capital Equipment

**WHEREAS**, the City of York had a 2015 Budget, in the amount of \$205,000.00, for other capital equipment for the Police department, and

**WHEREAS**, the City of York expected the payments for the other capital equipment would be made from the 2015 Budget; and

**WHEREAS**, the City of York 2016 budget does not include an appropriation for 2016 purchases covered by the remaining funds;

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of York, Pennsylvania, that the City of York 2016 Budget is hereby amended as stated below:

Capital Projects Fund-Police Department Account Number 50-500-46170-00000 \$56,026.04

PASSED FINALLY: **April 19, 2016**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nelson, Hill-Evans, 3

NAYS: None

*Carol Hill-Evans*

Carol Hill-Evans, President of Council

ATTEST:

*Dianna L. Thompson-Mitchell*  
Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this 20th day of April 2016

Approved: *Kim Bracey*  
Mayor

Date 4/22/16

Vetoed: \_\_\_\_\_  
Mayor

Date \_\_\_\_\_

Council of the City of York, PA  
Session 2016  
Bill No. 9  
Ordinance No. 9

INTRODUCED BY: **Michael Ray Helfrich** DATE: **April 05, 2016**

  
**AN ORDINANCE**

Amending Article 171 "Firefighter's Pension Fund" of the York City Codified Ordinances to reflect changes resulting from a grievance and interest arbitration award and federal mandates.

**WHEREAS**, The City administers the City of York Paid Firefighters Pension Fund ("Fund"), effective April 1, 1947, as amended and restated effective January 1, 1988; and,

**WHEREAS**, as a result of grievance and interest arbitration awards the Fund document must be amended; and,

**WHEREAS**, the Fund document must be amended to comply with various federal mandates; and,

**WHEREAS**, the City of York Paid Firefighters Pension Fund Board at its February 17, 2016 regular scheduled meeting has approved said amendments and recommends to the City Council said Fund document be amended and restated;

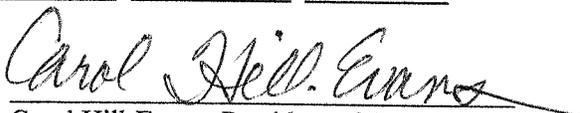
**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of York, Pennsylvania, that Article 171 "Firefighter's Pension Fund" of the Codified Ordinances relating to the City of York Paid Firefighters Pension Fund, effective April 1, 1947, as amended and restated effective January 1, 1988, be hereby amended and restated per the recommendation of the Pension Board as attached hereto and made a part hereof.

**PASSED FINALLY: April 19, 2016**

**BY THE FOLLOWING VOTE:**

**YEAS:** Helfrich Nelson Hill-Evans - 3

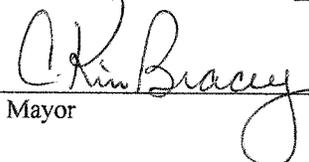
**NAYS:** None

  
Carol Hill-Evans, President of Council

**ATTEST:**

  
Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this 20th day of April 2016.

**APPROVED:**  4/22/16  
Mayor Date

**VEOTED:** \_\_\_\_\_  
Mayor Date

Ord - 9 - 2016

**CITY OF YORK PAID FIREIGHTERS PENSION FUND  
ORIGINALLY EFFECTIVE MARCH 21, 1930  
AS AMENDED AND RESTATED EFFECTIVE FEBRUARY 17, 2016**

The below amendments to the City of York Police Pension Fund have designed by the collective bargaining agreement between the City of York and the International Association of Firefighters local No. 627, the City's actuary advisor, Conrad Segal, and City Staff.

Summary:

1. Table of contents – Added Article XI Deferred Retirement Option Plan
2. Article I – Definitions Article XI §1.8(c) – defines spouse per recent case law.
3. Article I – Definitions Article XI §1.10(e) – adds language defining credit for military service per an arbitration award and language recommended by the City's actuary.
4. Article III – Retirement Benefits §3.2(f) – amending language to allow for an election by a retiree to take a variable rate annual increase or a fixed 2.5% increase; and defines the annual increase for employees hired on or after January 01, 1988.
5. Article V Termination of Employment Benefits §5.1 – Adds language defines the number of service years for vesting.
6. Article VI – Contributions §(D)(2) – Amends the rule for “Special Rule Relating to Time for Written Explanation.”
7. Article VII – Additional Qualification Rules §3 – further clarifies when compensation is to be paid relative to limitation year
8. Article XI – Deferred Retirement Option Plan – New language as per a recent srbitration award.