

SHARON CITY COUNCIL

Purpose: Regular Council Meeting
Date: Thursday, November 29, 2007
Time: 6:30 P.M.
Location: Sharon Municipal Building Council Chambers

MINUTES

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – PRESENT:

TIME: 6:34 P.M.

Council:

President Hoffman
Mr. Flower
Mr. Heutsche

Mrs. Barborak
Mr. Connelly

News Media:

Attorney Madden - City Solicitor
Mayor Robert J. Lucas
Sharronda Faber – City Clerk

Courtney Anderson - The Herald

Dept. Heads:

Terry Whalen - Fire Chief
Michael J. Menster - Chief of Police
Joseph Fragle - Community Development
Diane Thut – Treasurer
John Cave – Street Dept.

Also Present:

Renee Ivery – Minority Health
Evelyn Morris
Virginia Fette
Harold Fette
David McLaren
Stephen Theiss
David Kepics
Randall Brodka
Patsy Brodka
Lt. Gerald Smith
Brian Kepple

Shirley Donak
Frank Brown
Larry Reeher
Carol Swartz
Bob Fiscus
David U’Halie
Janet Thomas
Mike Donato
Vivian Lininger
Vikki Gruitza

PRESENTATION/DISCUSSION

- 1. Renee Ivery – Minority Health Center – HIV/AIDS Presentation**
Announced that Saturday, December 1, 2007, is World Aids Day. Discussed the worldwide epidemic and presented statistics for the Commonwealth and Mercer County.
- 2. Mayor Lucas – Presented the 2008 Budget to Sharon City Council**
Stated that there is no tax increase; discussed decreased spending in the budget and lower revenues as compared to 2005; discussed cuts in funding to the library and recreation board; discussed increases in health care premiums and changes in personnel.

WORKSHOP

Ordinance #19-07 - Local Services Tax – Attorney Madden explained that this is a change implemented by the State which made changes to the Emergency Services Tax (formerly Occupational Privilege Tax) including changing the name, providing for exemptions and refunds, and imposing collection responsibility on employers.

Resolution #145-07 – Stewart Avenue – Joe Fragle, Executive Director of Community Development, and Mayor Lucas offered remarks on the project. The stated that it was an extremely successful project and commended all involved.

Resolution #152-07 – HHSDR Contract – Bicentennial Park Master Site Plan project – Mr. Flower inquired if HHSDR was the lowest bidder. Mrs. Barborak advised they were, but stated that it was not the only deciding factor.

ORDINANCES

MOTION that Ordinance #19-07 entitled “An Ordinance of the Council of the City of Sharon re-designating the current Emergency and Municipal Services Tax as the Local Services Tax; retaining the rate of \$52.00 annually; defining terms; levying the tax for 2008 and beyond; providing for exemptions and refunds; imposing collection responsibility on employers; providing for the administration of the tax including returns, due dates and application to non-residents; providing for collection and setting penalties” **pass FINAL reading by title.**

Motion: Mr. Flower

Second: Mr. Heutsche

**Vote: Yes - Mr. Heutsche
Yes - Mr. Connelly
Yes - Mr. Flower**

**Yes - Mrs. Barborak
Yes - Mr. Hoffman**

MOTION that Ordinance # 20-07 entitled “An ORDINANCE of the City of Sharon fixing the tax rate for the fiscal year 2008 for general City purposes, the sum of 34.5 mills on each dollar of assessed valuation; and for debt purposes, the sum of 5 mills on each dollar of assessed valuation, or the total of 39.5 mills” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

**Vote: Yes - Mrs. Barborak
Yes - Mr. Heutsche
Yes - Mr. Connelly**

**Yes - Mr. Flower
Yes - Mr. Hoffman**

MOTION that Ordinance # 21-07 entitled “An ORDINANCE of the City of Sharon adopting the

Liquid Fuels budget in the amount of \$375,698.00 for fiscal year 2008” **pass FIRST reading by title.**

Motion: Mr. Heutsche

Second: Mrs. Barborak

**Vote: Yes - Mr. Flower
Yes - Mrs. Barborak
Yes - Mr. Heutsche**

**Yes - Mr. Connelly
Yes - Mr. Hoffman**

MOTION that Ordinance #22 -07 entitled “An ORDINANCE of the City of Sharon adopting the Capital Improvements Budget in the amount of \$336,658.00 for fiscal year 2008” **pass FIRST reading by title.**

Motion: Mr. Heutsche

Second: Mr. Flower

**Vote: Yes - Mr. Connelly
Yes - Mr. Flower
Yes - Mrs. Barborak**

**Yes - Mr. Heutsche
Yes - Mr. Hoffman**

MOTION that Ordinance # 23-07 entitled “An ORDINANCE of the City of Sharon adopting the Community Development Administrative budget for fiscal year 2008 in the amount of \$242,742.00” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

**Vote: Yes - Mrs. Barborak
Yes - Mr. Heutsche
Yes - Mr. Connelly**

**Yes - Mr. Flower
Yes - Mr. Hoffman**

MOTION that Ordinance # 24-07 entitled “An ORDINANCE of the City of Sharon adopting the Community Development Entitlement budget for fiscal year 2008 in the amount of \$766,246.00” **pass FIRST reading by title.**

Motion: Mr. Heutsche

Second: Mr. Flower

**Vote: Yes - Mr. Flower
Yes - Mrs. Barborak
Yes - Mr. Heutsche**

**Yes - Mr. Connelly
Yes - Mr. Hoffman**

MOTION that Ordinance # 25-07 entitled “An ORDINANCE of the City of Sharon establishing and designating the authorized personnel for each of the six (6) administrative codes for 2008” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Heutsche

**Vote: Yes - Mr. Connelly
Yes - Mr. Flower
Yes - Mrs. Barborak**

**Yes - Mr. Heutsche
Yes - Mr. Hoffman**

MOTION that Ordinance # 26-07 entitled “An ORDINANCE of the City of Sharon appropriating specific sums estimated to be required for the specific purposes of City Government during the fiscal

year 2008 in the amount of \$7,688,402.00” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Heutsche

**Vote: Yes - Mr. Heutsche
Yes - Mr. Connelly
Yes - Mr. Flower**

**Yes - Mrs. Barborak
Yes - Mr. Hoffman**

RESOLUTIONS

MOTION that Resolution # 142-07 entitled "A RESOLUTION of the Council of the City of Sharon awarding the 2008 Tax Anticipation Note (TAN) in the amount of \$1,250,000.00 to First National Bank at a fixed interest rate of 4.25%" **be adopted.**

Motion: Mr. Flower

Second: Mr. Connelly

**Vote: Yes - Mrs. Barborak
Yes - Mr. Heutsche
Yes - Mr. Connelly**

**Yes - Mr. Flower
NO - Mr. Hoffman**

CONSENT AGENDA

THE FOLLOWING ITEMS ARE CONSIDERED BY CITY COUNCIL TO BE ROUTINE CITY BUSINESS AND WILL BE ENACTED BY ONE MOTION AND ONE ROLL CALL VOTE. ANY COUNCIL MEMBER, CITY OFFICIAL OR CITIZENS WISHING CLARIFICATION OF AN ITEM MAY ASK A QUESTION BY RAISING THEIR HAND AND IDENTIFYING THE ITEM BEFORE ADOPTION OF THE ITEM.

MOTION that Resolution # 143-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing Change Order No. 2 for David Construction Company for an additional amount of \$3,151.65 changing the Contract amount of \$724,330.50 to \$642,900.00, and adding an additional 12 days extension, thus making the new contract time to be November 26, 2007” **be adopted.**

MOTION that Resolution # 144-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing Payment No. 3 to Winslow Engineering, Inc. in the amount of \$7,655.72 for engineering services in conjunction with the Stewart Avenue Reconstruction Project” **be adopted.**

MOTION that Resolution # 145-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing Payment No. 3 to David Construction Company in the amount of \$304,493.40 for work completed from October 10, 2007 to November 15, 2007 for the Stewart Avenue Reconstruction Project from Budd Street Duferco Steel” **be adopted.**

MOTION that Resolution # 146-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing Payment No. 1 to Butch and McCree Paving in the amount of \$105,819.30 for the 2007 Public Facilities and Street Improvement Project” **be adopted.**

MOTION that Resolution # 147-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing payment to Penn-Ohio Electrical in the amount of \$14,800.00 for the Sharon Downtown Revitalization Phase I Project” **be adopted.**

MOTION that Resolution # 148-07 entitled “ A RESOLUTION of the Council of the City of Sharon authorizing payment to Sereday Trucking, Inc. in the amount of \$57,400.00 for demolition services” **be adopted.**

Resolution #149-07 – Removed from agenda

MOTION that Resolution #150-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to enter into a fixed pricing agreement with First Energy Solutions for the purchase of Electricity” **be adopted.**

MOTION that Resolution #151-07 entitled “A RESOLUTION of the Council of the City of Sharon approving the designation of authorized agents of the Sharon Police and Fire Pension Plans for First National Trust Company” **be adopted.**

MOTION that Resolution #152-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to enter into a contract with HHS DR in an amount not to exceed \$15,200.00 for the Bicentennial Park Master Site Plan project, with funding for the project to be provided by a grant from DCNR and a match from Shenango Riverwatchers” **be adopted.**

MOTION that Resolution #153-07 entitled “A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to sign and execute an intergovernmental agreement to authorize electronic access to DOTGRANT (PennDOT's electronic grants management system) on behalf of the Shenango Valley Shuttle Service” **be adopted.**

MOTION to approve the minutes of the Public Hearing and Regular Council meeting held October 25, 2007, and Special Council Meeting held November 19, 2007” **be adopted.**

MOTION to adopt the items on the Consent Agenda:

Motion: Mrs. Barborak

Second: Mr. Flower

**Vote: Yes - Mrs. Barborak
Yes - Mr. Heutsche
Yes - Mr. Connelly**

**Yes - Mr. Flower
Yes - Mr. Hoffman**

COMMENTS:

NEWS MEDIA:

Courtney Anderson – The Herald – Inquired about the progress for the Bicentennial Park project. Mrs. Barborak advised that they will be developing the master site plan for the project, and that public hearings will be held to present and discuss it. She advised that a grant will pay for the plan to be done. Ms. Anderson inquired why Mr. Hoffman voted no on the TAN note. Mr. Hoffman advised that he was not happy with FNB’s performance and activity with the City last year. Ms. Anderson inquired why revenues appeared to have come in lower than expected. Mayor Lucas advised that it was due to a payment in lieu of taxes that never came in. Ms. Anderson inquired about the cuts to the library budget. Mayor Lucas explained that he recommended cuts to the library subsidy as recommended by the Early Intervention Study, but provided for payments for the loan on the building that houses the library, contract expenses and building maintenance. Mayor Lucas advised that he added money in the budget for a financial consultant for Council so that they will have an “independent set of eyes.” Ms. Anderson inquired about police wages being decreased. Mayor Lucas explained that Chief Burke

retired and new officers were hired at a lower wage. Mayor Lucas also announced that the Fire Department secured a FEMA grant in the amount of \$87,000 for a new fire truck (City responsible for \$82,000). When asked about an increase in the Fire Dept. wages, Mayor Lucas explained that it's due to bringing back the reinstated firefighter's position. Inquired about cuts to recreation board. Mayor Lucas explained that Keystone would be provided gas cutting services and that the City was not happy about the staffing of teachers/aides for the summer program.

CITIZENS:

William McConnell, Jr. – Yahres Dr. – Requested a copy of the budget. Mr. Hoffman advised that extra copies were not made available to the public, however they will be one on public display and posted on the City's website. Mr. McConnell offered to pay for a copy of the budget.

Carol Swartz – Lorain St. – Inquired if the TAN note is something taken out by the City every year. Mayor Lucas advised that it is taken out every year to allow the City to continue to operate until tax money comes in. She inquired if it is paid back every year. Mayor Lucas advised that it is. Ms. Swartz inquired about positive changes in the City. Mayor Lucas explained personnel cuts and changes. Ms. Swartz expressed concern about what is being discussed for the Police Dept. (merger/takeover by Southwest Regional Police Dept.). She stated that the City is trying to build itself and that it needs its own police dept – the City can't outsource everything. Mayor Lucas stated that in the past, citizens of Sharon voted to consolidate. Ms. Swartz commented that what she has read lately in the Herald about the Police Department scares her.

Shirley Donak – Norris Ave. – Discussed a zoning issue concerning a deck recently built. She advised that Frank Smeraglia verified that it was out of compliance and that they have met with the Mayor to address the situation. Mayor Lucas discussed possible solutions including constructing a fence and having a survey done. Mrs. Barborak inquired about zoning requirements for fences. Attorney Madden advised that there are procedures to be followed by City Officials if the deck is found to be non-compliant with zoning laws. He also discussed violations for not having a building permit.

David U'Halie – Discussed recent fires in Sharon and inquired when the burned out buildings would be torn down on Sharpsville Ave. Mr. Fragle advised that they could be torn down as early as the following week.

MAYOR LUCAS:

Stated that he looked forward to finalizing the budget.

MR. FLOWER:

None.

MR. HEUTSCHE:

Inquired about an increase in police patrols in zone 5. Chief Menster advised that they started a week ago and that there have been an increase in arrests, and also discussed working with the Sheriffs office.

MR. CONNELLY

None.

MRS. BARBORAK:

Inquired about delaying the leaf pickup due to weather conditions. Mayor Lucas was to check with Tri-County. Thanked the members of the Beautification Commission for their work on the Bicentennial Park Master Site Plan, and also Beth Zych for her assistance. Discussed complaints from residents about the cable company and not carrying NFL Network. Discussed the City's Residency Requirement, and stated that while she does not agree with it, it is an Ordinance and needs to be enforced. Mr. Hoffman announced that Council will have an executive session following the Council to discuss Personnel Issues related to Mrs. Barborak's concerns.

MR. HOFFMAN:

Announced that there are two council meetings scheduled for December – on the 20th and 27th. He stated that they may cancel the one on Dec. 27th. He stated that the budget hearings will be advertised once set. He stated that the budget presented by Mayor Lucas is now Council's budget and stated that City Council has some difficult decisions to make – it will be a tight budget.

Announced that an Executive Session will be held following the meeting to discuss personnel and contract issues.

ADJOURNMENT:

Meeting adjourned at 8:00 P.M.

Motion: Mr. Heutsche

Second: Mr. Flower

**Vote: Yes - Mr. Flower
Yes - Mrs. Barborak
Yes - Mr. Heutsche**

**Yes - Mr. Connelly
Yes - Mr. Hoffman**

Fred J. Hoffman – Council President

Attest:

Sharronda L. Faber – City Clerk

