

# SHARON CITY COUNCIL

**Purpose:** Regular Council Meeting  
**Date:** Thursday, December 27, 2007  
**Time:** 6:30 P.M.  
**Location:** Sharon Municipal Building Council Chambers

## MINUTES

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL – PRESENT:

TIME: 6:30 P.M.

### Council:

President Hoffman  
Mr. Flower  
Mr. Heutsche

Mrs. Barborak  
Mr. Connelly

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### News Media:

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

Courtney Anderson - The Herald  
Lauri Cioffi - The Vindicator  
Joe Biro - WPIC

### Dept. Heads:

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

### Also Present:

Phil Scrimenti – Governor’s Center for Local Gov’t Services  
Frank Brown  
Travis P. Martwinski  
Noel Moss  
Carol Swartz  
Jeff Calvin  
Joe Daverio  
Ray & Carol Dunham  
Janet Thomas  
Mike Donato  
Brian Kepple  
Vikki Gruitza

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## PROCLAMATION

Sharon City Council and Mayor Robert J. Lucas – Presentation of a Proclamation from the City of Sharon honoring **Philip Scrimenti, Local Government Policy Specialist, from the Department of Community & Economic Development**, for his assistance with the grant from the Commonwealth for the Early Intervention Study and participation in the downtown revitalization program and the City’s Home Rule Commission. Mr. Scrimenti thanked the City Officials for their proclamation and discussed work with the City and challenges faced; cited City Officials for their commitment and enthusiasm.

Mr. Hoffman opened the floor to any questions or comments concerning the agenda before acting on the agenda items. He explained that City Council made some changes to the budget and asked Mr. Heutsche to explain. Mr. Heutsche explained the changes made to be able to provide a subsidy for the Library in the amount of \$60,000 plus an additional \$42,000 previously budgeted for various service contracts related to the building. Council also allocated \$10,000 to the Sharon Recreation Board. Mr. Connelly discussed the personnel ordinance and voiced his opposition to adding a position in the Fire Department at the expense of cutting an employees' job in the Community Development Dept. He also stated that he hates to add a new position if they're not absolutely sure they can maintain it over the next year. He expressed concern over money flow and the ability to fund a new position. Mr. Connelly inquired about the position in Community Development that is being cut. Mr. Fragle explained that the Rehab Specialist position was cut to half-time in the proposed budget presented to Council, but that by mutual agreement, Mrs. Zych will be laid off after December 31, 2007. He stated that he is looking to realign his department.

## ORDINANCES

**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 FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mrs. Barborak**

**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 FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mr. Connelly**

**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 \$437,232.00 for fiscal year 2008" **pass FINAL reading by title.**

**Motion: Mr. Flower**

**Second: Mrs. Barborak**

**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 FINAL reading by title.**

**Motion: Mr. Flower**

**Second: Mr. Heutsche**

**Vote: Yes - Mrs. Barborak  
Yes - Mr. Heutsche  
NO - Mr. Connelly**

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

**PASSED BY 4-1 VOTE**

**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 FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mrs. Barborak**

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

**NO - Mr. Connelly  
Yes - Mr. Hoffman**

**PASSED BY 4-1 VOTE**

**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 FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mr. Flower**

**MOTION** made by Mr. Connelly to amend personnel complement to remove one (1) Firefighter position, seconded by Mrs. Barborak.

**Vote: Yes - Mr. Connelly  
NO - Mr. Flower  
NO - Mrs. Barborak**

**NO - Mr. Heutsche  
NO - Mr. Hoffman**

**Amendment voted down 4-1.**

**Vote (on original motion):**

**Yes – Mr. Flower  
NO – Mr. Connelly  
Yes – Mrs. Barborak**

**Yes – Mr. Heutsche  
Yes – Mr. Hoffman**

**PASSED BY 4-1 VOTE**

**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 \$7,520,149.00” **pass FINAL reading by title.**

**Motion: Mr. Flower**

**Second: Mrs. Barborak**

**Vote: Yes - Mr. Heutsche  
NO - Mr. Connelly  
Yes - Mr. Flower**

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

**PASSED BY 4-1 VOTE**

**MOTION** that Ordinance # 27-07 entitled “An Ordinance of the Council of the City of Sharon amending the Codified Ordinances of the City of Sharon, Part Two – “Administration Code,” Title Six – “Administration” to repeal the following Chapters:” **pass FINAL reading by title.**

- a) Chapter 222 “Mayor” effective the first Monday in January, 2010
- b) Chapter 224 “City Solicitor” effective the first Monday in January, 2008
- c) Chapter 226 “City Clerk” effective the first Monday in January, 2008
- d) Chapter 228 “City Treasurer” effective the first Monday in January, 2012
- e) Chapter 232 “City Controller” effective the first Monday in January, 2010
- f) Chapter 234 “City Assessor” effective the first Monday in January, 2008

**Motion: Mr. Flower**

**Second: Mrs. Barborak**

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

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

**MOTION** that Ordinance # 28-07 entitled “An ORDINANCE of the City of Sharon adopting rules for the conduct of Council meetings” **pass FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mr. Connelly**

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

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

**MOTION** that Ordinance # 29-07 entitled “An ORDINANCE of the City of Sharon amending the Codified Ordinances of the City of Sharon, Part Two – “Administration Code,” Title Six – “Administration,” Chapter 230 – “Tax Collection” to substitute Tax Collector for Treasurer effective the first Monday in January 2012” **pass FINAL 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 #30-07 entitled “An ORDINANCE of the Council of the City of Sharon

approving a three-year Contract between the City of Sharon and the Rose of Sharon Lodge No. 3 - Fraternal Order of Police” **pass FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mr. Flower**

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

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

**MOTION** that Ordinance #31-07 entitled “An ORDINANCE of the Council of the City of Sharon authorizing the incurring of Lease Rental Indebtedness by the guaranty of the debt service on a bond of the City of Sharon Sanitary Authority in a principal amount of Fifteen Million Dollars (\$15,000,000); covenanting to pay, and pledging unlimited taxing power for the payment of the bond under the guaranty; authorizing filings of required documents with the Department of Community and Economic Development; ratifying actions of Officers and directing other actions; and making other covenants in respect of the guaranty” **pass FIRST and FINAL reading by title.**

**Motion: Mr. Heutsche**

**Second: Mr. Flower**

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

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

**MOTION** that Ordinance #32-07 entitled “An ORDINANCE of the Council of the City of Sharon adopting an Employee Participation Plan for all Non-Union Administrative, Technical and Clerical Employees, and Elected Officials, requiring a payroll deduction of \$25 per pay to be applied by the City toward the premium expense incurred in providing health care coverage” **pass FIRST reading by title.**

**Motion: Mr. Heutsche**

**Second: Mr. Flower**

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

**NO - Mr. Connelly  
Yes - Mr. Hoffman**

**PASSED BY 4-1 VOTE**

**RESOLUTIONS**



Hoffman advised that Council was able to take some money from their budget, cut some money from Fire Dept. Overtime, and some was taken from sick leave surplus.

**Courtney Anderson** – The Herald – Inquired why City Council decided to fund the library. Mr. Hoffman explained that according to the Early Intervention recommendations, Mayor Lucas was to cut funding to the Library entirely. He stated that it was a joint effort by Council and the Mayor to fund the Library. He explained that no one wanted to stop funding. Ms. Anderson inquired if the funding from the City would be enough for the Library to receive their state subsidy. Mr. Heutsche advised that the Library should still be eligible for the state subsidy. Inquired if the Townscape Project is a new grant. The Mayor advised that the City has had it for three years. She inquired about why Mr. Connelly voted no for the Home Rule Transition Committee. Mr. Connelly explained that he did not feel that Mr. Biro would bring enough of a contribution to the committee, and that he opposed the Home Rule Charter through the entire campaign. Ms. Anderson inquired to Mr. Biro if he feels that it would be a conflict of interest as a news media. Mr. Hoffman stated that Mr. Biro is also a citizen and stepped up to the plate for the committee. He stated that Mr. Biro sent a letter of interest and advised that he is very knowledgeable of Home Rule Charter law. Mr. Hoffman advised that he hopes that personality conflicts can be overcome on the transition committee. The goal is to make the transition as smooth as possible. He stated that the City is moving in a positive direction. He also expressed his surprise that Mr. Moss, the author of the Home Rule Charter, was not on the transition committee. Mr. Hoffman also advised that when the first meeting of the Home Rule Charter Commission occurs, they will be under the direction of City Council and the City Solicitor, and that they will also fall under Sunshine Laws due to there being a majority of Council on the transition committee (3 members). Ms. Anderson inquired to Frank Connelly about his “no” vote for the Ordinance requiring non-union employee contributions for health care. Mr. Connelly advised that there was not enough contributions being given by other departments (unions) and that it was a matter of principle. Ms. Anderson inquired about the FOP Contract. Mr. Hoffman advised that the FOP had ratified the Contract 12/19/07 and that adjustments were made to the budget to fund the Contract. Ms. Anderson also inquired why Mr. Connelly voted “no” for the personnel complement. Mr. Connelly advised that he did not agree with the position being eliminated in Community Development and with Beth Zych being laid off. Mr. Connelly also stated that the Fire Dept. seems to have an abundance of grant money to cover their equipment, and that the department seems to be running fine with current staffing levels. Ms. Anderson inquired to the Mayor about the \$330,000 surplus. Mayor Lucas advised that the surplus amount is \$288,000.

**Joe Biro** – WPIC – Inquired if the Library can rely on the City in the future to continue funding it. Mr. Heutsche advised that City Officials would like to continue funding it. On appointment to the Home Rule Charter Transition Committee, he stated that he wants to be a part of the process which he believes will monitor activity of Home Rule. He advised that he is a reporter but also a citizen and a native. He stated that it is not a governing body but rather a committee. When asked if his employer would support his involvement, Mr. Biro stated that his employer encourages community service.

#### **CITIZENS:**

**Carol Swartz** – Lorain St. – Inquired about the number of letters received from citizens interested in serving on the Home Rule Charter Transition Committee. Mr. Hoffman advised that Council did not solicit for letters, but that two were received: one from Firefighter Bob Fiscus and one from Joe Biro.

#### **MAYOR LUCAS:**

Offered his compliments to the Police Department for settling a fair contract. Discussed library funding questions and explained that the City building the building that houses the library in 1970, and will have to increase revenues to continue with subsidy to the library. He stated that he believes there

is a need for a true “community” library. As far as the cut in Community Development, Mayor Lucas advised that the City will utilize a current employee to do the work when needed. Mayor Lucas addressed Mr. Connelly on his objection to the non-uniform contributions to health care and the fact that he takes the City’s healthcare. Mayor Lucas advised that he (Mr. Connelly) can’t have it both ways. Expressed his appreciation to Mrs. Barborak for her service to the City and to Mr. Hoffman for all of his years of service and dedication to the City.

**MR. FLOWER:**

Congratulated Mr. Hoffman and Mrs. Barborak for completing their service on Council and expressed gratitude for their dedication. He acknowledged Mrs. Barborak’s contributions to the Sharon Beautification Commission and described Mr. Hoffman as an asset to the community and a dedicated public servant.

**MR. HEUTSCHE:**

Thanked Mrs. Barborak for bringing a lot of new ideas to the City and for forming the Beautification Commission. Stated that he considers Mr. Hoffman his friend and thanked him for his service and wished him luck. Stated that this Council lowered property taxes by 3 mills and kept them down for three years – said was indicative that they were good as a collective body.

**MR. CONNELLY:**

Stated that Mr. Moss chose not to be on the transition committee (in response to Mr. Hoffman’s comments earlier) and announced that a year prior he had offered to give up his salary for hospitalization (in response to the Mayor’s comments). Offered his thanks to Mr. Hoffman for his years of service.

**MRS. BARBORAK:**

Thanked Council, the Mayor and citizens and wished Mr. Donato and Mr. Messina good luck.

**MR. HOFFMAN:**

Expressed his appreciation to Mr. Scrimenti for his assistance to the City. Discussed his appointment in October 1992 and the changes that the have occurred over the years. He said that the City has gone through tough times, and has seen a lot of hard work and tremendous progress over the past two years. He said the City is headed in the right direction. He described the City as a community of 16,000 residents held together by a group of dedicated employees.

**ADJOURNMENT:**

**Meeting adjourned at 7:40 P.M.**

**Motion: Mr. Heutsche**

**Second: Mr. Flower**

**Vote: Yes - Mr. Flower**

**Yes - Mr. Connelly**

**Yes - Mrs. Barborak**

**Yes - Mr. Hoffman**

**Yes - Mr. Heutsche**

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**COUNCIL PRESIDENT**

**ATTEST:**

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**CITY CLERK**