

SHARON CITY COUNCIL

Purpose: Regular Council Meeting
Date: Thursday, February 21, 2008
Time: 6:30 P.M.
Location: Sharon Municipal Building Council Chambers

MINUTES

NOTE: EXECUTIVE SESSION HELD PRIOR TO COUNCIL MEETING TO DISCUSS A LITIGATION ISSUE

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – PRESENT:

TIME: 7:00 P.M.

Council:

President Heutsche
Mr. Flower
Mr. Connelly

Mr. Donato
Mr. Messina

News Media:

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

The Herald

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:

Lt. Gerald Smith
Larry Reeher
Jeff Calvin
Frank Brown
Tom Ristvey

Carol Swartz
Ron Maurice
Vikki Gruitza
Rol Curry
Matt Syler

PUBLIC HEARINGS FOR ORDINANCES

Public Hearing for Ordinance #01-08, introduced by Mr. Flower on January 17, 2008

An ORDINANCE of the Council of the City of Sharon amending the Codified Ordinances of the City of Sharon, Part Two, "Administration Code," Title Two, "General Provisions," Chapter 209, "General Fee Schedule," Section .04, "Schedule," to add thereto a fee for issuance of Tax Certification or copy of tax bills.

Tax Certification (1-3 year certificate)	\$15.00
Tax Bill Duplicate	\$1.00 per tax card

Public Hearing for Ordinance #10-08

An ORDINANCE of the Council of the City of Sharon authorizing the incurring of Lease Rental Indebtedness for the benefit of the City of Sharon Sanitary Authority in the presently estimated amount of \$3,300,000 and summarized as follows:

Article 1 defines certain terms, including the Guaranty Agreement and the Project. The Project consists generally of the design and construction of a new wastewater treatment plant.

Article 2 authorizes the incurrence of lease rental indebtedness by the execution of a Guaranty with the Authority.

Article 3 provides for the private sale by negotiation of Bonds of the Authority and sets forth certain directions for settlement.

PUBLIC COMMENTS ON AGENDA ITEMS:

Public comments:

None.

ORDINANCES

MOTION that Ordinance #01-08 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 Two, “General Provisions,” Chapter 209, “General Fee Schedule,” Section .04, “Schedule,” to add thereto a fee for issuance of Tax Certification or copy of tax bills” **pass FINAL reading by title.**

Tax certification (1-3 year certificate) \$15.00

Tax Bill Duplicate \$1.00 per tax card

Motion: Mr. Flower

Second: Mr. Connelly

Vote: Yes - Mr. Connelly

Yes - Mr. Flower

Yes - Mr. Donato

Yes - Mr. Heutsche

Yes - Mr. Messina

MOTION that Ordinance #02-08 entitled “An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending the Codified Ordinances of the City of Sharon, Part Two, “Administration Code,” Title Six, “Administration,” Chapter 210 “Council,” Chapter 220 “Administration in General,” and Chapter 236 “Department of Accounts and Finance” to repeal same effective immediately” **pass FIRST reading by title.**

Motion: Mr. Messina

Second: Mr. Connelly

Vote: Yes- Mr. Flower

Yes - Mr. Messina

Yes - Mr. Connelly

Yes - Mr. Heutsche

Yes - Mr. Donato

MOTION that Ordinance #03-08 entitled “An ORDINANCE of the Council of the City of Sharon,

County of Mercer, Commonwealth of Pennsylvania, amending the Codified Ordinances of the City of Sharon, Part Two, "Administration Code," Title Two "General Provisions" Chapter 202 "Codified Ordinances" Section 04 "Definitions and Interpretation" to add thereto a definition for "Home Rule Charter" **pass FIRST reading by title.**

Motion: Mr. Donato

Second: Mr. Flower

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

**Yes - Mr. Donato
Yes - Mr. Heutsche**

MOTION that Ordinance #04-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, adopting rules requiring all agencies, boards, and commissions subject to appointment by City Council to forward to the City Clerk notices of all pending meetings and the posting of same on the City's web site" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Messina

**Vote: Yes - Mr. Donato
Yes - Mr. Messina
Yes - Mr. Flower**

**Yes - Mr. Connelly
Yes - Mr. Heutsche**

MOTION that Ordinance #05-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending the Codified Ordinances of the City of Sharon, Part Two, "Administration Code," Title Eight "Authorities Boards and Commissions" to provide, in accordance with Section 1503 of the Home Rule Charter, that all appointments to Authorities, Boards and Commissions shall be made by Council" **pass FIRST reading by title.**

Motion: Mr. Donato

Second: Mr. Messina

**Vote: Yes - Mr. Connelly
Yes - Mr. Donato
Yes - Mr. Messina**

**Yes - Mr. Flower
Yes - Mr. Heutsche**

MOTION that Ordinance #06-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending the Codified Ordinances of the City of Sharon, Part Two, "Administration Code," Title Eight "Authorities Boards and Commissions" Chapter 254 "Business Labor and Industry Advisory Board" Section .02 "Removal of Board Member" to provide for removal by Council" **pass FIRST reading by title.**

Motion: Mr. Connelly

Second: Mr. Flower

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

**Yes - Mr. Messina
Yes - Mr. Heutsche**

MOTION that Ordinance #07-08 entitled "An ORDINANCE of the Council of the City of Sharon,

County of Mercer, Commonwealth of Pennsylvania, 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 FIRST reading by title.**

Motion: Mr. Donato

Second: Mr. Connelly

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

**Yes - Mr. Donato
Yes - Mr. Heutsche**

MOTION that Ordinance #08-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending the Codified Ordinances of the City of Sharon, Part Two, "Administration Code," Title Six, "Administration," to remove all references to the "Mayor" and to substitute therefore "City Manager" effective the first Monday in January 2010" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

**Vote: Yes - Mr. Donato
Yes - Mr. Messina
Yes - Mr. Flower**

**Yes - Mr. Connelly
Yes - Mr. Heutsche**

MOTION that Ordinance #09-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending the Codified Ordinances of the City of Sharon, Part Two, "Administration Code," Title Four, "Legislation," Chapter 212, "Ordinances Resolutions and Contracts" Section 212.01 "Contracts," to set forth formal requirements when the charter requires bidding" **pass FIRST reading by title.**

Motion: Mr. Messina

Second: Mr. Donato

**Vote: Yes - Mr. Connelly
Yes - Mr. Donato
Yes - Mr. Messina**

**Yes - Mr. Flower
Yes - Mr. Heutsche**

MOTION that Ordinance #10-08 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 note of the City of Sharon Sanitary Authority in a principal amount not to exceed Three Million Three

Hundred Thousand Dollars (\$3,300,000); covenanting to pay, and pledging unlimited taxing power for the payment of the note 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. Flower

Second: Mr. Connelly

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

**Yes - Mr. Messina
Yes - Mr. Heutsche**

MOTION that Ordinance #11-08 entitled “An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, designating and directing the Mayor of the City to perform those duties and assume those responsibilities required of the City Manager in Section 502 of the Sharon Home Rule Charter until the earlier of the first Monday in January 2010, or a vacancy in that office” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

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

**Yes - Mr. Donato
Yes - Mr. Heutsche**

MOTION that Ordinance #12-08 entitled “An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, designating, pursuant to Section 311 of the Sharon Home Rule Charter, the procedures to be followed for the filling of Council vacancies” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

**Vote: Yes - Mr. Donato
Yes - Mr. Messina
Yes - Mr. Flower**

**Yes - Mr. Connelly
Yes - Mr. Heutsche**

RESOLUTIONS

MOTION that Resolution #09-08 entitled "A RESOLUTION of the Council of the City of Sharon,

Mercer County, Pennsylvania, authorizing, in accordance with Section 915 of the Home Rule Charter, the Mayor and Finance Director, or in the absence of a Finance Director, the Controller or Treasurer, to pay the bills on Schedule 'A' " **be adopted.**

Motion: Mr. Connelly

Second: Mr. Messina

**Vote: Yes - Mr. Connelly
Yes - Mr. Donato
Yes - Mr. Messina**

**Yes - Mr. Flower
Yes - Mr. Heutsche**

MOTION that Resolution #10-08 entitled "A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, accepting the resignation of David Coxson and Monica Gera from the Sharon Beautification Commission" **be adopted.**

Motion: Mr. Flower

Second: Mr. Donato

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

**Yes - Mr. Messina
Yes - Mr. Heutsche**

MOTION that Resolution #11-08 entitled "A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, appointing Jennifer Barborak and Beth Zych to the Sharon Beautification Commission" **be adopted.**

Motion: Mr. Donato

Second: Mr. Flower

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

**Yes - Mr. Donato
Yes - Mr. Heutsche**

MOTION that Resolution #12-08 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to enter into a Contract with Winslow Engineering, Inc. for Design Services for the PA DEP Growing Greener II Project, Pine Run Restoration, with funds provided from a grant received by the City" **be adopted**

Design Phase	\$15,000
Construction Phase	\$7,500 - \$8,500

Motion: Mr. Connelly

Second: Mr. Flower

**Vote: Yes - Mr. Donato
Yes - Mr. Messina
Yes - Mr. Flower**

**Yes - Mr. Connelly
Yes - Mr. Heutsche**

Note: Council authorized a change to the agenda: Resolution 13-08 was removed and Resolution 13-08-A and Resolution 13-08-B were added.

MOTION that Resolution #13-08-A entitled "A RESOLUTION of the Council of the City of Sharon,

Pennsylvania, authorizing the lease purchase of twelve (12) 2008 Chevrolet Impala cruisers (including necessary emergency equipment and graphics) at a cost not to exceed \$277,000 under the State Municipal Lease Purchase Option program” **be adopted.**

Motion: Mr. Flower

Second: Mr. Donato

**Vote: Yes - Mr. Connelly
Yes - Mr. Donato
Yes - Mr. Messina**

**Yes - Mr. Flower
Yes - Mr. Heutsche**

MOTION that Resolution #13-08-B entitled “A RESOLUTION of the Council of the City of Sharon authorizing the execution and delivery of a Master Equipment Lease-Purchase Agreement with National City Commercial Capital Company, LLC, as Lessor, and separate Lease Schedules thereto and Escrow Agreement for the acquisition, purchase, financing and leasing of certain equipment within the terms herein provided; authorizing the execution and delivery of other documents required in connection therewith; and authorizing all other actions necessary to the consummation of the transactions contemplated by this Resolution” **be adopted.**

Motion: Mr. Flower

Second: Mr. Messina

**Vote: Yes – Mr. Flower
Yes – Mr. Messina
Yes – Mr. Connelly**

**Yes – Mr. Donato
Yes – Mr. Heutsche**

NOTE: The amount for Resolution #14-08 was changed due to two deletions (decals and coating for hopper). Mr. Connelly inquired about where the funding would be coming from. Mayor Lucas advised that it is either from Liquid Fuels or Community Development (street proj.).

MOTION that Resolution #14-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to enter into an agreement with Golden Equipment Co., Inc. in the amount of \$31,731.10 for repair work to the City's street sweeper” **be adopted.**

Motion: Mr. Donato

Second: Mr. Flower

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

**Yes - Mr. Messina
Yes - Mr. Heutsche**

MOTION that Resolution #15-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the purchase of Bulk Postage from the USPS by the City Treasurer for an amount not to exceed \$3,000.00 for the purpose of mailing the 2008 City and County Real Estate Tax Cards” **be adopted.**

Motion: Mr. Flower

Second: Mr. Connelly

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

**Yes - Mr. Donato
Yes - Mr. Heutsche**

Note: Change made to Resolution #16-08 – per City Solicitor William Madden, Section 309 of the Home Rule Charter prohibits Council or any appointed official to serve on any of the City’s boards, agencies or commissions.

MOTION that Resolution #16-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing Council appointments to certain boards, commissions and agencies” **be adopted.**

Frank Connelly - Mercer County Regional Planning Commission
Michael Donato - Police Pension Fund Commission
Victor Heutsche - MCRCOG Executive Board
Darin Flower - Shenango Valley Animal Shelter
Frank Connelly - MCRCOG Recreation Board

Motion: Mr. Flower

Second: Mr. Donato

**Vote: Yes - Mr. Donato
Yes - Mr. Messina
Yes - Mr. Flower**

**Yes - Mr. Connelly
Yes - Mr. Heutsche**

MOTION that Resolution #17-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing and directing the Council President to sign Agreements with the Pennsylvania Department of Transportation for the Shenango Valley Shuttle Service on its behalf and authorizing and directing the City Clerk to attest the same” **be adopted.**

Motion: Mr. Flower

Second: Mr. Donato

**Vote: Yes – Mr. Donato
Yes – Mr. Flower
Yes – Mr. Messina**

**Yes – Mr. Connelly
Yes – Mr. Heutsche**

MOTION to approve the minutes from the January 17, 2008, Regular Council Meeting” **be adopted.**

Motion: Mr. Connelly

Second: Mr. Messina

**Vote: Yes - Mr. Connelly
Yes - Mr. Donato
Yes - Mr. Messina**

**Yes - Mr. Flower
Yes - Mr. Heutsche**

COMMENTS:

NEWS MEDIA:

The Herald – Inquired about clarification for police cruiser lease amount and annual payment. Clarified amount for street sweeper.

CITIZENS:

Rol Curry – Inquired about the police cruiser lease payment and if the payment amount is negotiable. Lt. Smith explained the financing.

Carol Swartz – Asked if City Council would consider going back to the original format for their meetings (combined workshops/meetings). Mr. Heutsche advised that Council would discuss it.

Tom Ristvey – Asked if Council was going to discuss rental service fees for licensing rental properties. Mayor Lucas advised that Council will review his proposed fee schedule and will hold discussion at March’s Council Meeting. Mr. Ristvey stated that five years ago Council implemented the licensing fee and said that \$3.00 would cover the paperwork and complained that now they are discussing \$50.00 for the cost or having an independent inspector do the inspection, who in turn will charge the landlords a high fee. Mr. Heutsche stated that he understood his concerns and that they are discussing “self-certification” to alleviate further financial burdens on landlords. He recognized that there are some good landlords, but that there are also some “slum lords.” He stated that Council is trying to find a way to make it fair. He stated that Council will discuss it further at the March workshop.

MAYOR LUCAS:

Requested that Council review his proposed fee schedule for next month’s Council meeting. Announced that there is an opening in the Street Dept. due to a retirement. The City will be using Mercer County Career Link if they need to replace (due to bumping rights in AFSCME union, may not need to replace). He also stated that the position required a CDL.

MR. FLOWER:

None

MR. CONNELLY:

None

MR. DONATO:

None

MR. MESSINA:

None

MR. HEUSCHE:

None

ADJOURNMENT:

Meeting adjourned at 7:40 P.M.

Motion: Mr. Flower

Second: Mr. Donato

**Vote: Yes - Mr. Messina
Yes - Mr. Flower
Yes - Mr. Donato**

**Yes - Mr. Connelly
Yes - Mr. Heutsche**

Council President

Attest:

City Clerk

