

# SHARON CITY COUNCIL

**Purpose:** Regular Council Meeting  
**Date:** Thursday, April 17, 2008  
**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 Heutsche  
Mr. Flower  
Mr. Connelly

Mr. Donato  
Mr. Messina

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### 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  
Diane Thut – Treasurer  
Joseph Fragle - Community Development

### Also Present:

Frank Brown  
Jeff Calvin  
Vikki Gruitza

Larry Reeher  
Carol Swartz  
Lt. Gerald Smith

## DISCUSSION

### **1. Daytime Curfew – Police Chief Michael Menster**

Discussed an issue with juveniles and the police department having no recourse for kids not being in school. The school district can address the problem, but not the police department. Chief Menster requested that City Council consider passing a “Daytime Curfew” ordinance and presented them with samples from other municipalities. He clarified that it would create a curfew during school hours, and that if a child is supposed to be in school and is not (with some exceptions) then the Police Dept. will be able to file a criminal citation. Council to consider for the next meeting.

## PUBLIC HEARING FOR ORDINANCES

**Public Hearing for Ordinance #13-08, introduced by Mr. Donato on March 20, 2008 – Second Reading:  
Read by City Clerk:**

An Ordinance to authorize the City of Sharon to enter into cooperative Intergovernmental Agreements between it and the City of Hermitage, and it and the Borough of Sharpsville, the Township of South Pymatuning, the Upper Shenango Valley Pollution Control Authority and the County of Trumbull relative to providing administration of the City's Industrial Pretreatment Program.

No comments/question on public hearing.

## PUBLIC COMMENTS ON AGENDA ITEMS

**Public comments:**

None.

## WORKSHOP

### DISCUSSION OF AGENDA ITEMS

**Ord. 14-08** – Update to General Fee Schedule – As requested by Mayor Lucas. Mr. Heutsche reviewed the changes and stated that the section pertaining to rental property may change. Mr. Flower clarified the charge for rental inspections per building/unit. Mayor Lucas stated that he reviewed Council suggestions and discussed that there is currently no charge for rental inspections. Mr. Heutsche advised that Council will review the proposed Ordinance but may make some changes prior to second reading. He stated that their intent is not to put an economic burden on good landlords. Mayor Lucas advised that the permits are renewed every 2 years. Chief Whalen advised that the Borough of Sharpsville charges \$45.00/unit and that an outside agency performs their inspections. Mayor Lucas stated that he will look into what other municipalities are charging. Mr. Flower discussed looking at rental license fees for landlords as an option. Mr. Connelly inquired about the number of inspections per year. Chief Whalen stated that there are approximately 2,500 rental units in the City of Sharon and that there are 400+ landlords.

**Res. #31-08** – Discussion held about the Sharon Recreation Board. Attorney Madden clarified that members of City Council cannot serve on a City board, agency or commission. However, he approved having Council appoint a non-voting representative. Council decided to appoint a non-voting representative to the Sharon Recreation Board. Mr. Donato accepted the appointment.

**Res #33-08** – Mr. Connelly inquired if any of the vehicles run. Lt. Smith discussed the condition of all the vehicles and that he plans to advertise in the paper to solicit bids. Attorney Madden advised that he needs to identify where the vehicles are available for inspection and where people can obtain a list of the vehicles. Mayor Lucas discussed the high cost of legal advertising in the local paper, and inquired about utilizing the web site. Attorney Madden advised that a smaller legal notice can be published which would direct people to the web site for more extensive information.

**Res. #34-08** – Mr. Heutsche explained that Mr. Roberts has been doing an internship with the City and working on its computers. He recommended paying him a stipend for his work. Mayor Lucas advised that he has put in 300 hours. The money will have to be paid out of Council's budget.

**Res. #35-08** – Mr. Heutsche stated that this resolution was in response to Mr. Kudrich's presentation last month to do the City's web site. He thanked Mr. Patt for all of his time and work. He stated that now that the City is under Home Rule and due to the new requirements, a contractual relationship should be put in place for the web site.

**Res. #36-08** – Chief Whalen discussed the grant application. Courtney Anderson from the Herald inquired what the money would be used for. Chief Whalen explained that it would be used for the purchase of a new pumper truck. He stated that the cost is approx. \$400,000 and that they are currently using a 1998 model. Mr. Connelly inquired about the required match – Chief Whalen advised the City is required to pay 5%, or approx. \$18-20,000.

**Res. #37-08** – Mr. Fragle discussed purchasing equipment to have a certified City employee (Mr. Smeraglia) do the lead based paint testing in-house. He advised that it is expensive to have the testing done by an outside company, and that the equipment will pay for itself after 10 homes. Courtney Anderson of the Herald inquired how many homes/year the City tests. Mr. Fragle advised approx. 30-40/year.

**Res. #38-08** – Attorney Madden advised that this Resolution will bring the City in compliance with the Act 537 Plan, and that it is a precursor to DEP accepting the consent order and change of completion date. The completion date is changed to 2009.

**The workshop ended at 7:10 p.m.**

**MAYOR LUCAS PRESENTED MR. CHUCK HERRON OF MUNICIPAL SERVICES FOR A PRESENTATION:**

Mr. Herron discussed the City's delinquent Real Estate taxes and the collection process by the County. He discussed the I-Portal program, which works with a local redevelopment authority to purchase delinquent tax liens from the City (I-Portal will provide the funds to the redevelopment authority) and the City would get 90% up front. As an example, he stated that the City has \$90,000 in delinquent taxes waiting for collection at the County level, and the City does not usually see its money for 3-4 years. With I-Portal, the City would get 90% up front (approx. \$81,000). The cost for the program is 5% (to manage program). He advised that a public agency would always be in charge of the delinquencies, and that the City cannot do it itself. Mayor Lucas advised that he would like to participate in this program and use the money for the purchase of a new fire truck (interest on the money would make the payments on a lease). Attorney Madden inquired about the current interest rate charged by the bank for financing. Mr. Herron advised that it is 6% (for the redevelopment authority).

## ORDINANCES

**MOTION** that Ordinance #13-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, authorizing the City of Sharon to enter into cooperative Intergovernmental Agreements between it and the City of Hermitage, and it and the Borough of Sharpsville, the Township of South Pymatuning, the Upper Shenango Valley Pollution Control Authority and the County of Trumbull relative to providing administration of the City's Industrial Pretreatment program" **pass 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 #14-08 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 209, "GENERAL FEE SCHEDULE," Section .04, "SCHEDULE," to change the fee for certain enumerated services or materials supplied" **pass FIRST reading by title.**

**Motion: Mr. Donato**

**Second: Mr. Messina**

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

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

## RESOLUTIONS

**MOTION** that Resolution #30-08 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. Flower**

**Second: Mr. Donato**

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

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

**MOTION** that Resolution #31-08 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing appointments to certain boards and commissions” **be adopted.**

- Chris Levitt – Code of Appeals Board**  
Appointment eff. 4/17/08
- Gary Mertz – Sharon Planning Commission**  
Reappointment eff. 4/17/08 – 4 year term
- Stephen Theiss – Mercer Co. Regional Planning Commission**  
Reappointment eff. 5/1/08 – 2 year term
- James Mondok – Sharon Beautification Commission**  
Reappointment eff. 4/19/08 – 1 year term
- Curt Bastide – Zoning Board of Appeals**  
Reappointment eff. 5/26/08 – 3 year term
- Victor Heutsche – Shenango Valley Enterprise Zone Board**  
Reappointment eff. 6/30/08
- Karen M. Connelly – Sharon Board of Health**  
Appointment eff. 4/17/08 – 5 year term
- Michael Donato – Sharon Recreation Board**  
Non-Voting Member – Appointment eff. 4/17/08

**Motion: Mr. Messina**

**Second: Mr. Flower**

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

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

**MOTION** that Resolution #32-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the sale of surplus out-of-service municipal vehicles (per Resolution #134-07) to the highest bidders” **be adopted.**

- 1984 GMC Dump Truck - \$735.00  
High bid: Ronald Padenich, Hermitage, PA
- 1995 Ford Crown Victoria - \$420.00  
High bid: Crash Brothers, Sharon, PA
- 1998 Ford Crown Victoria - \$559.00  
High bid: Crash Brothers, Sharon, PA
- 1999 Ford Taurus - \$536.00  
High bid: Sharon Auto Wrecking, Mercer, PA
- 1999 Ford Taurus - \$753.00  
High bid: Sharon Auto Wrecking, Mercer, PA

**Motion: Mr. Connelly**

**Second: Mr. Donato**

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

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

**MOTION** that Resolution #33-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to secure bids for the sale of surplus out-of-service police and code vehicles, with the City reserving the right to reject any bid that does not meet appraised or fair market value” **be adopted.**

**Police Department**

1. **2004 Chevrolet Impala**  
80,000 miles / VIN # 2G1WF55K749349807
2. **2004 Chevrolet Impala**  
80,000 miles / VIN # 2G1WF55K749338621
3. **2004 Chevrolet Impala**  
80,000 miles / VIN # 2G1WF55K749349175
4. **2004 Chevrolet Impala**  
80,000 miles / VIN # 2G1WF55K749345525
5. **2004 Chevrolet Impala**  
80,000 miles / VIN # 2G1WF55K749351063
6. **2001 Chevrolet Impala**  
85,000 miles / VIN # 2G1WF55K319361271
7. **2001 Chevrolet Impala**  
85,000 miles / VIN # 2G1WF55K319361689

**Code Department**

1. **1997 Dodge Neon**  
60,000 miles / VIN # 3P3ES47Y0VT567015

**Motion: Mr. Flower**

**Second: Mr. Donato**

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

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

**MOTION** that Resolution #34-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing payment in the amount of \$250.00 to Matthew Roberts for work performed on the City’s computer system under an internship through Penn State-Shenango” **be adopted.**

**Motion: Mr. Donato**

**Second: Mr. Connelly**

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

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

**MOTION** that Resolution #35-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to enter into a one-year Contract with Mercer County Regional Council of Governments for an amount of up to \$415.00 for Web Hosting & Design Services and Email Hosting Services” **be adopted.**

**Motion: Mr. Flower**

**Second: Mr. Connelly**

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

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

**MOTION** that Resolution #36-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to execute an application for a Federal Emergency Management Agency (FEMA) grant for 2008, which requires a five percent (5%) matching funds from the City of Sharon” **be adopted.**

**Motion: Mr. Donato**

**Second: Mr. Connelly**

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

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

**MOTION** that Resolution #37-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the Community Development Department to purchase a Reconditioned LPA-1 Lead Paint Spectrum Analyzer Package and Analytical Software Package from RMD Instruments, LLC, 44 Hunt Street, Watertown, MA, in an amount not to exceed \$14,595 for the Sharon Rehab Program Lead Based Paint Inspections, with funds to be provided from the Rehab Line Item” **be adopted.**

**Motion: Mr. Flower**

**Second: Mr. Connelly**

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

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

**MOTION** that Resolution #38-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to file an Application for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania, for Phase II of the Technology Upgrade Project for Operations in the amount of \$50,500” **be adopted.**

**Motion: Mr. Donato**

**Second: Mr. Connelly**

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

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

**MOTION** that Resolution #39-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, amending Section VII, ‘Project Schedule’ of its 537 Plan Update Revision dated September 30, 2005, to provide for the Completion of Construction of the sewage treatment plant and the Connelly Boulevard Siphon and achieve NPDES compliance by August 31, 2009” **be adopted.**

**Motion: Mr. Flower**

**Second: Mr. Donato**

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

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

**MOTION** that Resolution #40-08 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the proper City Officials to deliver to the Sharon Redevelopment Authority a deed conveying property situate at 287 First Avenue, for and in consideration of One Dollar (\$1.00)” **be adopted.**

**Motion: Mr. Flower**

**Second: Mr. Connelly**

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

**Yes – Mr. Connelly  
Yes – Mr. Heutsce**

**MOTION** to approve the minutes from the March 20, 2008, Regular Council Meeting” **be adopted.**

**Motion: Mr. Flower**

**Second: Mr. Donato**

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

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

<b><u>COMMENTS:</u></b>
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**NEWS MEDIA:**  
None

**CITIZENS:**  
None

**MAYOR LUCAS:**

Requested an executive session following the Council meeting to discuss a contract issue. Announced that at a recent Sharon Beautification meeting with HHS DR & Shenango Valley Riverwatchers, they decided to remove the trees along State Street and replace them with planters instead. He said the funding will come from a grant secured by former Mayor Ryan. He also advised that the lighting on State Street will mimic the lighting on Shenango Ave.

**MR. FLOWER:**

Announced that the River Watchers is holding a clean-up on Saturday for downtown Sharon. They will meet in the Reyers parking lot.

**MR. CONNELLY:**

Inquired about the status of the City’s street sweeper. Mayor Lucas advised that they are waiting for it to come back from being repaired and that when it does, it will be running 12 hours/day.

**MR. DONATO:**

Inquired when the Shenango Ave. project would be completed. Mayor Lucas discussed the “punch list” of about 18 items for completion.

**MR. MESSINA:**

**None**

**MR. HEUTSCHE:**

Inquired to Mayor Lucas about whether he was able to reach CENTAX officials. Mayor Lucas advised that he had not. Mr. Heutsche discussed numerous complaints recently about not being able to reach them by phone and for CENTAX only having one person in the tax office on April 15<sup>th</sup> from 10:00 am to 2:00 pm. He also advised that he spoke with Tresa Templeton from Sharon City School District, who advised that she was also having a problem reaching CENTAX. Mr. Heutsche called for a face-to-face meeting with CENTAX officials to find a resolution to the complaints against them. Mayor Lucas discussed a meeting with the school district and CENTAX due to collections being down. He advised that a report provided by CENTAX is only of money being sent; it does not show details (what collected, what paid out). Mr. Heutsche stated that if they continue to get no response from CENTAX, they will have City Solicitor Madden attempt to contact them. Mr. Donato and Mr. Connelly inquired if they are meeting the terms of their contract. Mr. Heutsche, on another matter, discussed participation in the upcoming Memorial Day parade by City Officials.

**ADJOURNMENT:**


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

**Motion: Mr. Flower**

**Second: Mr. Donato**

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

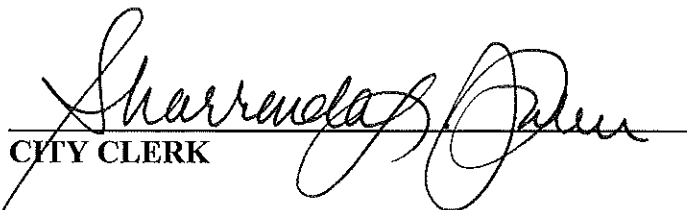
**Yes - Mr. Connelly  
Yes - Mr. Heutsche**



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**COUNCIL PRESIDENT**

**ATTEST:**



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**CITY CLERK**