

SHARON CITY COUNCIL

Purpose: Regular Council Meeting
Date: Thursday, June 19, 2008
Time: 6:30 P.M.
Location: Sharon Municipal Building Council Chambers

NOTE: 6:00 P.M. - EXECUTIVE SESSION
Assessment Appeal - Legal Issue

MINUTES

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - PRESENT:

TIME: 6:35 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

Courtney Anderson - The Herald

Dept. Heads:

Terry Whalen - Fire Chief
Diane Thut - Treasurer
John Cave - Street Dept.

Also Present:

Capt. Travis Martwinski
Beth Zych
Carol Swartz
Terri Schell
John Cave
Henrietta King

DISCUSSION

1. **High Grass** - Mr. Heutsche stated that he has been receiving complaints from residents about high grass in the city and also about the quality of work being performed by Keystone workers, particularly around Memorial Field. Mayor Lucas responded by stating that the street department has been working in full force and that Keystone has been very busy cutting grass. He advised that he met with representatives from the State Correctional Facility, who will be providing 5-10 prisoners with a supervisor to help cut grass. Street Dept. Supervisor John Cave advised that they have approximately 250 lots to cut and they have no summer help. Mayor said the problem is too much grass and not enough people to cut it. Mr. Heutsche requested that high visibility areas be taken care of first. City Treasurer Diane Thut advised that Wells Fargo owns 38 properties in the City. Mr. Heutsche stated that he is concerned with the impression the City leaves on people coming into our town. Mr. Heutsche inquired about the status of the street sweeper. Mayor Lucas advised that it won't be back in service until July 1st. He stated that he and the City Mechanic, Ron Maurice, went to Cranberry to pay a

surprise visit to the company making the repairs, only to find out that they were delayed in starting the work. He advised that a street sweeper could be rented for \$2,000/week. He said that when the City's street sweeper is back in service, it will be running twelve (12) hours/day. Mr. Flower inquired whose responsibility it is to cut the grass and trim weeds along the freeway. Mr. Heutsche advised that he thought it was PennDot's responsibility and agreed to contact the supervisor about having it done. Mr. Flower inquired if Wells Fargo takes care of the grass at their properties. Mayor Lucas advised that the City has had to send notices and file liens.

2. Revisions - Downspout Testing Program - Mr. Heutsche advised that he was contacted by a local realtor about problems with the program. He stated that he would like to see the process streamlined and suggested that the City come up with an agreement for local realtors & attorneys so that they could fax a request for the downspout testing and then make payment in person or by mail before the certificate is issued. He would like to see it be a friendlier process and easier for realtors to sell properties. Mayor Lucas advised that the City has five working days to do the test. Attorney Madden pointed out that there may be a problem getting payment if the real estate deal falls through. Mr. Flower inquired about the possibility of getting a credit card machine in the City Building to accept payments. Mayor Lucas advised that the City would incur fees for using the machine, but suggested that a reverse machine may work where the credit card holder incurs the fee and stated that they are looking into it for the payment of taxes as well.

3. Update to Codified Ordinances - The City Clerk explained that the estimate received to do the updates to the codified ordinance book is three times higher than normal. She stated that this is due to the City going to Home Rule, and that there were a lot of additional ordinances that the City had to pass. According to the publisher, they had to edit 167 pages versus 60 pages for the last update. Also, many of the ordinances affect several parts of the existing codified. Council suggested that a cost be requested to only include the 2007 ordinances (not to include any Home Rule material) and maybe do a larger update next year. The City Clerk will contact the Codifier to get the price.

4. Municipal Revenue Services (I-Portal) - Mr. Connelly advised that he was contacted by Jeff Spaulding of Municipal Revenue Services to follow up with his presentation. Mr. Heutsche inquired to City Council about their thoughts of going to this service. Mayor Lucas advised that he is aware of other local school districts that use it, and agreed to contact them to get their opinions and to check other references.

PUBLIC HEARING FOR ORDINANCES

Public Hearing for Ordinance #15-08, introduced by Mr. Flower on June 5, 2008 – SECOND READING

An Ordinance accepting for dedication as a public road, Valley Way, and setting the boundaries thereof.

Public Hearing for Ordinance #16-08, introduced by Mr. Connelly on June 5, 2008 - SECOND READING

An Ordinance to amend the Codified Ordinances of the City of Sharon, Part Ten, 'STREETS, UTILITIES AND PUBLIC SERVICES CODE,' Title Four, 'UTILITIES,' Chapter 1040, 'SEWERS GENERALLY' Section .10, 'PRIVATE DISPOSAL SYSTEMS' to add thereto the requirement that all facilities within 150' of a sewer line be tied in for purposes of disposing of sewage waste.

PUBLIC COMMENTS

John Cave - Street Department Supervisor - reviewed the description of Valley Way provided by Winslow Engineering. Inquired if Valley Way would still run behind the City Garage. Mayor Lucas advised no, that it would be dedicated to run from Phillips Way (Victor Way) to Budd St.

Carol Swartz - Inquired about the I-Portal program. Mayor Lucas explained that it works through a redevelopment authority to collect delinquent taxes (buys delinquent taxes). Ms. Swartz inquired about the location of Valley Way. Mayor Lucas explained its location.

WORKSHOP

DISCUSSION OF AGENDA ITEMS

Ordinance #17-08 - Ms. Swartz inquired about the meaning of the ordinance. Mr. Heutsche advised that the City currently has a mutual aid agreement with Farrell. He explained that this agreement will make the response automated for structure fires only. Chief Whalen advised that it gives more people for initial response and says its a safety issue. Mr. Heutsche inquired if the City Solicitor for Farrell, Steve Mirizio, has reviewed the agreement. Mayor Lucas and Chief Whalen advised that he had and that the City of Farrell is in agreement with it.

Ordinance #18-08 - Mr. Connelly inquired about what determines the time between the first and subsequent offenses. Attorney Madden advised that there is no set time frame. Mr. Heutsche stated that the landlord is required to have a license; if not, they are fined. If the fine is levied and they still do not get a license, then that would constitute a second offense. Mayor Lucas inquired about whether the license is per property or per landlord.

Resolution #48-08 - Mr. Connelly inquired about how the two service departments (police and fire) are conserving gasoline. Mayor Lucas advised the line item is at 60% (should be 42%) and that the City is already buying it in bulk. He advised that police cruisers are being shut off when not in use. Capt. Martwinski advised that the Police Department is hoping to do bicycle patrols for the Small Ships Revue. He also advised that foot patrols are not feasible when the shifts are at a minimum; the officers need to be in cars to respond to calls across the City.

Resolution #51-08 - Mayor Lucas explained that at the end of 2007 there was money remaining in the Beautification Fund that was not rolled over, and was accidentally placed in the Capital Improvement Account. This would move the remaining money back into the Beautification Fund.

Resolution #53-08 - Mr. Connelly inquired if the contract for traffic signal maintenance was bid out. Mayor Lucas explained that since the contract (extension) is under \$25,000, the City does not have to go through the bidding process. He advised that Bruce & Merrilees is a great company and that the contract amount is set; unlike past companies Bruce & Merrilees does not charge anything more than what's allotted in the contract. Ms. Swartz inquired who residents should call if a light is out. Mayor Lucas directed her to call the Mayor's office or the police department.

Added Resolution #55-08 - Councilmen Heutsche and Flower requested that this Resolution be added to the agenda to authorize the City Solicitor to determine if there's grounds to file an appeal of the Parkside Manor Court Decision, and if so to authorize him to file the appeal. Attorney Madden explained that in 2002 Parkside Manor filed a tax assessment appeal and that the case has dragged on for years. He stated that last week Judge Dobson ruled to reduce the assessment retroactive to 2002, which means the City will have to pay \$57,000. The school district will have to pay as well. Mr. Heutsche advised that Council met in executive session prior to the meeting to discuss the appeal decision. Henrietta King inquired if this decision would affect the residents living in the apartments. Mr. Heutsche stated no - they are renters and the owners are the ones responsible for the taxes.

ORDINANCES

MOTION that Ordinance #15-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, accepting for dedication as a public road, Valley Way, and setting the boundaries thereof" **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 #16-08 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 Ten, 'STREETS, UTILITIES AND PUBLIC SERVICES CODE,' Title Four, 'UTILITIES,' Chapter 1040, 'SEWERS GENERALLY' Section .10, 'PRIVATE DISPOSAL SYSTEMS' to add thereto the requirement that all facilities within 150' of a sewer line be tied in for purposes of disposing of sewage waste" **pass FINAL reading by title.**

Motion: Mr. Connelly

Second: Mr. Donato

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

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

MOTION that Ordinance #17-08 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 a cooperative Intergovernmental Agreement between it and the City of Farrell relative to providing joint automatic fire response" **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 #18-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending the Non-Owner Occupied/Rental Licensing Ordinance (Codified Section 829.99) to amend the portion of the penalties section setting fines from a fine of 'up to \$600' to a fine of \$150 for a first offense; a fine of \$250 for a second offense; a fine of \$400 for a third offense; and a fine of \$600 for a fourth or greater numbered offense" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

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

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

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 #48-08 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 that Resolution #49-08 entitled "A RESOLUTION of the Council of the City of Sharon approving the designation of authorized agents of the Sharon Police and Firemen Pension Plans for First National Trust Company, " **be adopted.**

MOTION that Resolution #50-08 entitled "A RESOLUTION of the Council of the City of Sharon re-appointing Michael Calla and Henrietta King to the Sharon Human Relations Commission for five (5) year terms" **be adopted.**

MOTION that Resolution #51-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing a budget transfer in the amount of \$700.00 from the Capital Improvement Account to the General Fund Account (Sharon Beautification Fund)" **be adopted.**

MOTION that Resolution #52-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to enter into a Contract with Leroy Saxon in the amount of \$4,995.00 for the City of Sharon's 2007 Rehabilitation Free Paint Program, with funds for the project provided from 2007 Community Development Block Grant Funds, through the U.S. Department of Housing and Urban Development" **be adopted.**

MOTION that Resolution #53-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to enter into a one (1) year contract extension with Bruce and Merrilees in the amount of \$21,340 for Traffic Signal Maintenance" **be adopted.**

MOTION that Resolution #54-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to enter into a two (2) year Contract with Sprint for mobile phone service for the City in the amount of \$393.71 per month" **be adopted.**

MOTION to approve the minutes from the May 15, 2008, Regular Council Meeting and June 5, 2008, Special Council Meeting" **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 #55-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing the City Solicitor to review the Parkside Manor Court decision and make a determination for an appeal; if it is determined there are grounds for an appeal, then the City Solicitor is authorized to file said appeal" **be adopted.**

Motion: Mr. Flower

Second: Mr. Connelly

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

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

<u>COMMENTS:</u>

NEWS MEDIA:

Courtney Anderson - The Herald - Inquired about the fire department agreement and if it means more overtime. Chief Whalen responded by stating that it would be hard to determine and that the department may have to call out additional firefighters to cover the calls in the City.

CITIZENS:

Carol Swartz - Discussed code issues and the difficulty with getting people to take care of their properties. She stated that there are problems with garbage/junk cars on Irvine Avenue & Budd St. Mayor Lucas advised that he is working on the issue. Inquired about a business buying the old Sheet property on State St. Mayor Lucas advised that it is a gas station/convenience store that will be going in if the deal goes through. Stated that she was sorry to see that no one attended the Sharon Beautification Commission. She invited people to join them in mulching around the City Building on Monday at 6:00 p.m.

Penny Houk - Addressed Council about the Halfway House and requested that they pass an Ordinance to limit where sexual offenders can reside in regard to schools, churches, etc. She advised that Pittsburgh passed an Ordinance that is similar. Mr. Heutsche stated that he understood the concerns and that if the City can do something through legal channels then they will look into enacting an Ordinance. He stated that it won't give the City control over state facilities or be retroactive. He directed the City Solicitor to research the laws. Ms. Houk stated that Grove City also passed an ordinance restricting sexual offenders from within 1000' from churches, schools, etc.

MAYOR LUCAS:

Announced that the Connelly Street Bridge will be open on Tuesday or Wednesday and that PennDOT has already started work on the Budd St. bridge. Reminded everyone about the Small Ships Revue on Friday, June 27, 2008, and the soap box derby race on Saturday, June 28th.

MR. FLOWER:

None

MR. CONNELLY:

Commended the Sharon High School Boys' baseball team for getting to the final four for the state tournament and suggested that they recognize them at the July Council meeting. Requested that residents pitch in to help with the high grass problems. Thanked the fire department for their work on the agreement with Farrell and consolidating services to help both cities.

MR. DONATO:

Congratulated the boys' baseball team. Stated that in regard to the halfway house, if there's anything City Council can do they will - they want to help.

MR. MESSINA:

Congratulated the boys' baseball team. Thanked the Beautification Commission and Patty for the landscaping and flowers at the City Building. Stated that he would like to see something done about the halfway house. Ms. Houk inquired about who keeps track of the number of incidents at the halfway house. Capt. Martwinski stated that he keeps a database and monitors all sex offenders in the City. He advised that its hard to track sexual offenders due to them moving around a lot. He stated that upon release many inmates commit other crimes. Mr. Heutsche advised that residents need to contact their state representatives due to the halfway house being a state facility.

MR. HEUSCHE:

Advised Council that they need to go look at the streets to make a determination for the paving program. Mr. Fragle advised that he needs the list as soon as possible or the paving project will be pushed back too late. Mr. Heutsche requested that Council get their list to Mr. Fragle by Wednesday.

ADJOURNMENT:

Meeting adjourned at 7:55 P.M.

Motion: Mr. Flower

Second: Mr. Messina

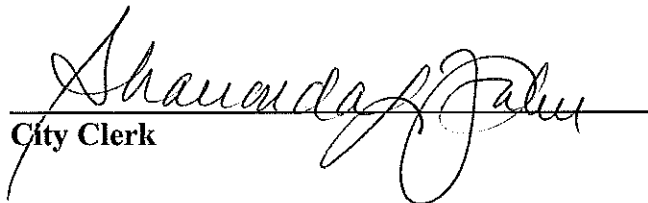
Vote: Yes - Mr. Flower
Yes - Mr. Connelly
Yes - Mr. Messina

Yes - Mr. Donato
Yes - Mr. Heutsche



Council President

Attest:



City Clerk