

SHARON CITY COUNCIL

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

MINUTES

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - PRESENT:

TIME: P.M.

Council:

President Heutsche
Mr. Connelly
Mr. Donato
Mr. Messina

Not Present: Mr. Flower

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
John Cave - Street Dept.

Also Present:

Lt. Unrue - Fire Dept.
Stephen Theiss
John Martinko
Ann Martinko
Robert Beach
Carol Swartz

DISCUSSION

1.) Resolution #62-08 - Tabled 07/17/08 - Adopting changes to the non-union sick leave and disability benefits policy. Discussion held. Mr. Connelly inquired about the policy. Mayor Lucas explained that it would be the same as what the F.O.P. adopted in their recent contract and clarified how it works. Mr. Heutsche stated that it would be placed on September's agenda for adoption.

PUBLIC HEARING FOR ORDINANCES

Public Hearing for Ordinance #17-08, introduced by Mr. Donato on June 19, 2008 – SECOND AND FINAL READING - Amended agreement

An Ordinance 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 - Hearing held to discuss amended agreement.

Mr. Heutsche explained that a clause was added to the agreement to address layoffs and for termination of the agreement. Mr. Messina inquired about the number of structure fires in Farrell. Chief Whalen responded to his questions. Mr. Beach inquired if there would be additional costs to the City. Chief Whalen advised that there are not additional costs but added that the agreement would address safety issues for both departments.

PUBLIC COMMENTS - AGENDA ITEMS

PUBLIC COMMENTS - ANY ITEM ON THE AGENDA:

Robert Beach - Resolution #62-08 - Requested clarification on union vs. non - union policy. Mr. Heutsche explained that the F.O.P. adopted the short term disability policy in their current collective bargaining agreement, but that the City is negotiating with AFSCME and the Firefighter's union for the policy. Mayor Lucas explained that it was a recommendation of the Early Intervention study to address the City's sick leave policy. Mr. Beach stated that he does not believe that the police officers and firefighters should have the same benefits as other departments, such as the street department, sewer department, etc. due to the risks of the job.

PRESENTATION BY LT. MIKE UNRUE OF THE FIRE DEPARTMENT

Mr. Unrue presented members of Sharon City Council with Fire helmets to honor them for their participation in Butler County's Fire Ops 101 training and demonstration.

WORKSHOP

DISCUSSION OF AGENDA ITEMS BY COUNCIL:

Resolution #67-08 - Conveyance of deed for land at 32-34 Silver Street from the City to the Sharon Redevelopment Authority for \$1.00 - Mr. Heutsche inquired about the plans for the property and expressed concerns about the City "giving away" property. Mayor Lucas advised that the property will be sold to the Lofts project after it has been appraised; it will be sold for fair market value. Mr. Heutsche inquired if this could be done directly without going through the Redevelopment Authority. Attorney Madden advised that the sale could be contingent upon approval by Council, so that Council will still have a say in the sale of the property. Council agreed and so the resolution was changed to make the conveyance of the property from the Redevelopment Authority to another entity subject to Council approval.

Resolution #68-08 - Appointment of Mr. Fred Hoffman to Sharon Sanitary Authority to replace Brian

Beader - Mr. Heutsche explained that all anticipated vacancies for any City Board, Agency, or Commission was advertised in the Sharon Herald at the beginning of the year as well as posted on the City's web site. Mr. Hoffman sent his letter of interest for a position on the Sanitary Authority in February 2008. Mr. Heutsche explained that when Mr. Beader resigned from the Sanitary Authority, the vacancy was again posted on the Home Page of the City's Web Site. Mr. Hoffman's was the only letter of interest received. He cited Mr. Hoffman's numerous qualifications for the position. Mr. Beach commented on Mr. Hoffman's appointment. He also cited Mr. Hoffman's qualifications and his knowledge of the situation with the Wastewater Treatment Plant. Mr. Beach also requested clarification on the approval process by the County Commissioners and what will happen if the Commissioner's do not approve the appointment. Attorney Madden advised that if not approved by the Commissioner's then Council will have to find someone else. Mr. Heutsche advised that the Sanitary Authority voted at their last meeting for Mr. Hoffman's appointment and it passed by unanimous vote except for one.

Resolution #72-08 through 76-08 - Payment authorizations for Community Development for various items through the Beautification Commission. Mr. Beach inquired why all the bills need to go through Council. Mr. Fragle explained that Council approval was needed to pay bills from the DCNR grant. Attorney Madden advised that only one resolution is needed.

Resolution #78-08 - Added at the request of Mayor Lucas and Mr. Fragle - Authorized a Contract with Sharon Paving & Construction Co., Inc in the amount of \$169,595 for 2008 CDBG Public Facilities & Street Improvement Project. Discussion held on streets being paved, which include portions of New Castle Ave., Alderman Ave., New Castle Ave., Charles St., Service Ave., and Davis St.

ORDINANCES

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 FINAL reading by title.**

Motion: Mr. Donato

Second: Mr. Connelly

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

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

RESOLUTIONS

MOTION that Resolution #67-08 entitled "A RESOLUTION of the Council of the City of Sharon

authorizing the proper City Officials to deliver to the Sharon Redevelopment Authority the deed for a parcel of land recorded in Deed Book L, Volume 20, Page 443, conveying property situate at 32-34 Silver Street, for and in consideration of One Dollar (\$1.00), with any resale contingent upon approval by Sharon City Council" **be adopted.**

Motion: Mr. Messina

Second: Mr. Donato

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

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

MOTION that Resolution # 68-08 entitled "A RESOLUTION of the Council of the City of Sharon appointing Mr. Fred Hoffman to fill the unexpired term of Brian Belder on the Sharon Sanitary Authority effective August 21, 2008 through January 1, 2012, with the appointment subject to approval by the Mercer County Commissioners" **be adopted.**

Motion: Mr. Donato

Second: Mr. Messina

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

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

<u>CONSENT AGENDA</u>

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 #69-08 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 #70-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to submit an application to the Department of Community and Economic Development (DCED) a grant in the amount of \$100,000 on behalf of the Vocal Group Hall of Fame Foundation" **be adopted.**

MOTION that Resolution #71-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing a General Fund budget transfer" **be adopted.**

From Acct #

To Acct #

Amount

410.42	410.61	
Vehicle Maintenance	Training & Physicals	\$3,000.00

MOTION that Resolution # 72-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment to Rental Corral #4 in the amount of \$92.50 for Rental Equipment: Pole Pruner, Brick Saw, and Rip Guide for the Sharon Riverfront Park, with funds provided from the DCNR Grant Account No. 95-023-110" **be adopted.**

MOTION that Resolution #73-08 entitled "A RESOLUTION of the Council of the City of Sharon, authorizing payment to Cottage Gardens in the amount of \$114.00 for top soil for the Sharon Riverfront Park, with said payment provided from the DCNR Grant Account No. 95-023-110" **be adopted.**

MOTION that Resolution #74-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment to Barco Products Company in the amount of \$895.05 for the 6' Cassidy Bench for the Sharon Riverfront Park, with payment provided from the DCNR Grant Account No. 95-023-110" **be adopted.**

MOTION that Resolution #75-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment to Cottage Gardens in the amount of \$625.00 for mulch for the Sharon Beautification Commission, with said payment provided from the City Beautification Line Item 01-450-650" **be adopted.**

MOTION that Resolution #76-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment to Beth E. Smith-Zych in the amount of \$639.68 for the Sharon Beautification Commission for 24 Holly Bushes from Lowe's and 6 Serviceberry Trees and Delivery from Kraynak's, with payment provided from the City Beautification Line Item 01-450-650" **be adopted.**

MOTION that Resolution #77-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment to Leroy Saxon in the amount of \$9,090.00 for painting services completed at 540 Spruce Avenue and 317 Malleable St., with payment provided from 2007 Community Development Block Grant Funds" **be adopted.**

MOTION that Resolution #78-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing the proper City Officials to enter into a Contract with Sharon Paving & Construction Company, Inc. in the amount of \$169,595 for the 2008 CDBG Public Facilities and Street Improvement Project" **be adopted.**

Streets recommended to be paved are:

New Castle Avenue	(between Liberty St. & Prindle St.)
Alderman Avenue	(between Liberty St. & Prindle St.)
New Castle Avenue	(between George St. & Quinby St.)
Charles Street	(between Crowder Ave. & 10 th St.)
Service Avenue	(between Glenwood Dr. & Spencer Ave.)
Davis Street	(between S. State Line Rd. & S. Irvine Ave.)

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

Motion: Mr. Connelly

Second: Mr. Donato

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

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

<u>COMMENTS:</u>

NEWS MEDIA:

Courtney Anderson - The Herald - Inquired about the street list for paving. Clarified Resolution #67-08 to sell land to the Redevelopment Authority for the Lofts project. Mr. Heutsche explained that when the Redevelopment Authority sells the property it will be sold for fair market value; the proceeds will help to fund the Redevelopment Authority for future projects. Inquired about the Vocal Group Hall of Fame grant. Mayor Lucas advised that it was for architectural drawings, and that this is a starting point.

CITIZENS:

Carol Swartz - Discussed the recent Beautification Commission meeting; HHSDR had prepared plans which are to be distributed to Council for review. Announced that Patricia Padovich, who has been planting flowers at the City Building, was nominated for an award by the PA Horticultural Society (Philadelphia) and a letter was received stating that the Sharon Beautification project was nominated. Inquired about code issues including burned and vacant buildings. Asked what the sense of having codes or a code office if nothing is being done. Mayor Lucas advised that when he is told about a vacant building being open, the street department is sent to board it up. Ms. Swartz inquired if the City could hire for that. Mayor Lucas advised that there are personnel shortages City-wide and this is part of the reason the City went to Keystone to help cut grass. He advised that code issues are an ongoing problem and that citizens have to call when they see something. Chief Menster advised that recently the police department caught people stripping copper out of a vacant house. He urged residents to call if they see someone coming in or out of a vacant house. He stated that scrap theft is rampant now. Mr. Heutsche stated that the problem is not unique to Sharon - he has seen news in other parts of the country and believes it is due to poor economic conditions. Carol Swartz commented that the City is in deep trouble and that there are not enough employees. Mr. Heutsche stated that the City has held the line on taxes over the past couple years and that there is a need to increase the tax base and attract new businesses. He cited a problem in the police department with manpower.

Bob Beach - Inquired what Home Rule has to do with the hiring freeze. Mr. Heutsche explained that there are pension issues. Prior to the City going to Home Rule it was a Third Class City Optional

Charter. Under Home Rule, the pension plans fall under strictly Third Class City Code. Pension benefits are collectively bargained for and protected by union contracts. While employees hired prior to Home Rule (January 1, 2008) are "grandfathered" in, new hires would not be entitled to the same benefits. The unions and City are currently negotiating the benefits for new hires, and until the pension plans are brought into compliance with Third Class City Code, there is a hiring freeze. Mr. Beach inquired why the union contracts can't just be changed so that the City can hire. Attorney Madden advised that the City is currently negotiating with the unions. Mr. Heutsche advised that the had requested a waiver from the Auditor General's office, but that they are unable to get one. Mr. Beach advised that hiring needs to be done as soon as possible due to safety issues. Mr. Heutsche advised that the City received revised pension language from the pension attorney and that they hope to meet with the F.O.P. soon to discuss it.

Kenny King - Griswold St. - Complained about a neighbor's high grass. He advised that he spoke with Del Williams in the Code office and also emailed the Mayor about it. Inquired why the City is not collecting penalties when people violate the codes. Mayor Lucas advised that the City sends bills to property owners when the City has to cut their grass, but people don't always pay. Inquired about a letter received from Centax about delinquent taxes. Mayor Lucas explained that Centax is trying to collect delinquent taxes; if there is a dispute the problem with with Centax and not with the City. Mr. King inquired about follow-up to a letter he sent about wanting to serve on a board or committee within the City. The City Clerk advised that an email was sent to Mr. King requesting that he specify which board or committee he is interested in serving on. Mayor Lucas advised that he had also responded to Mr. King's email about code issues.

MAYOR LUCAS:

Announced that he will be out of town for the Council meeting in September. Stated that there are limited funds for street paving and that a limited number of streets had to be selected for paving. Discussed that the Lofts project is critical to help build the tax base - and that he hopes it helps to spur expansion at Penn State Shenango. Discussed animal problems with skunks, groundhogs and raccoons. Advised that they will be utilizing a gentleman from Sharpsville to help eradicate the problem. Requested an executive session following the meeting with Council to discuss budget items. Read a letter passed on to him from Chief Menster from an EMT at Shenango Valley Ambulance Service, which cited Officer Geoffrey Ballard for a medical response. Officer Ballard assisted with CPR and helped to save a patient's life. He was commended for his service.

MR. CONNELLY:

Commended the Sharon Beautification Commission and Ms. Swartz for the landscaping and flowers at the City Building.

MR. DONATO:

Also commended the Beautification Commission for their work and gave "kudos" for the Fire Ops training.

MR. MESSINA:

None

MR. HEUTSCHE:

None

ADJOURNMENT:

Meeting adjourned at 7:50 P.M.

Motion: Mr. Donato

Second: Mr. Connelly

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

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

NOTE: EXECUTIVE SESSION HELD FOLLOWING THE MEETING AT THE REQUEST OF THE MAYOR FOR BUDGET ISSUES.

Council President

Attest:

City Clerk