

SHARON CITY COUNCIL

Purpose: Regular Council Meeting
Date: Thursday, November 13, 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

News Media:

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

Courtney Anderson - The Herald
Jean Starmack - The Vindicator

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:

Larry Reichard
Fred Hoffman
Pam Hrabosky
Robert Beach
Rose Marie Kowalczyk

Stella DiMatteo
Chris Gavin
Kathy Micchia
Joe Micchia
Al Schreckenghost

DISCUSSION

- 1.) Request for amendment to Sharon Zoning Ordinance - Pam Hrabosky**
(Stambaugh Avenue from E. State St. to Shenango Valley Freeway - Request to change to Commercial)
Mrs. Hrabosky explained that she owns property on Stambaugh Avenue and that the property on the other side of Stambaugh is already zoned commercial by variance. She stated that she believes that when businesses move in they tend to take care of their properties. She advised that she has spoken with neighbors and they support the change in zoning. Attorney Madden requested specific measurements of the area she would like rezoned. Mrs. Hrabosky did not have the information. Attorney Madden advised that she needed to get specific information together (how far west and east she is requesting; the distance) and re-present it to the Sharon Planning Commission before it comes back in front of Council for consideration. The request will also need to be reviewed by Mercer Co. Regional Planning Commission.

2.) Vacancy on Sharon Sanitary Authority

Mr. Heutsche stated that he met with Mr. Beach, Commissioner Lechner and Commissioner Bader about Council's recommendation of Mr. Hoffman for the vacancy on the Sharon Sanitary Authority. He advised that the Commissioners will still not consider supporting Mr. Hoffman's appointment. Due to the County's backing of the bonds for the expansion of the Waste Water Treatment Plant, the County has to approve any appointments to the board. Mr. Heutsche advised that three other people have submitted letters of interest, and that they will be given to the Sharon Sanitary Authority for their review and recommendation. Mr. Heutsche also stated that the Commissioners did not provide a valid reason for not approving Mr. Hoffman. He described Mr. Hoffman as very knowledgeable and stated that Mr. Hoffman has a lot of experience not only with the City but with the entire Wastewater Treatment Plant Expansion project. Mr. Flower inquired about the possibility of the Sharon Sanitary Authority re-recommending Mr. Hoffman for the vacancy and then having a stalemate with the County. Mr. Heutsche advised that everyone on Council has a voice and a vote, and they should use them.

PUBLIC HEARING FOR ORDINANCES

Public Hearing for Ordinance #21-08, introduced by Mr. Flower on October 16, 2008 – SECOND AND FINAL READING

An Ordinance authorizing the sale of City Lot No. 3-K-1-10 to the Commonwealth of Pennsylvania for and in consideration of Forty Eight Hundred (\$4,800.00) Dollars.

PUBLIC COMMENTS - AGENDA ITEMS

PUBLIC COMMENTS - ANY ITEM ON THE AGENDA:

None

WORKSHOP

DISCUSSION OF AGENDA ITEMS BY COUNCIL:

D) ORDINANCES

Council, by two signatures, added the following Ordinances:

30-08 - Lease 1000' sq feet of City Building to Sharon Sanitary Authority

31-08 & 32-08 - Expansion of Keystone Opporntnity Zone

Ordinance 22-08 - Change made to Ordinance to change lease to 50 years at \$1.00 for the term of the lease. Mr. Connelly inquired about the 50 year term and stated that he thought that they had agreed on only 20 or 30 years. He also inquired about the responsibility of maintaining the baseball field. Mr. Heutsche stated that he believed that the intention of City Council was to turn the entire property over to the School District and that they would maintain it. Chris Gavin, Sharon City School District Board Member, stated that the School District intends to maintain both the field and the playground. Mr. Connelly inquired about who gives permission for the use of the field. Mr. Gavin advised that the details are still being worked out. Citizen Kathy Micchia inquired about whether such a long lease is a wise idea - what if the City wants to do something else with the property during that time period. Mr. Heutsche stated that the intent is to keep it as a baseball field. Mr. Gavin advised that the School District would work with the City in the event something comes up.

Ordinance 23-08 - Al Schreckenghost - Wengler Ave. - Asked about having Wengler Ave. paved. Stated that Wengler was recently paved and that Wengler is badly in need of repairs and paving. Inquired if Wengler is on the list of streets to be paved. Complained that the taxes continue to go up and the services are not there. Mr. Heutsche requested that Mr. Fragle take a look at Wengler Ave. and consider adding it to the paving list. Mr. Heutsche explained the shortage of money to pave streets and the restrictions on using CDBG funds for paving. Mr. Schreckenghost told Council to look around the City at all the for-sale signs - taxes are too high, and they keep going up. Talked about people on fixed incomes. Mr. Heutsche discussed when City Council lowered taxes a few years ago and that they have not had to increase taxes since. He explained that the Mayor has now presented Council with the budget and that they intend to whittle down some of the expenses and hopefully lower the amount of the proposed tax increase. Stated that the number of employees in the City have been reduced but realize that services also need to be provided to residents (emergency, street - snow removal). Stated that first reading is not final. Pam Hrabosky inquired if anyone from the City is actively encouraging businesses to come to the City (or residents). Mr. Heutsche stated that they have worked to try to bring businesses in. Mayor Lucas stated that the problem with the city is that 30% of assessed value is on non-taxable entities (churches, colleges, hospitals, etc). Stated that there is a bill to provide money to municipalities from a liquor tax that had been enacted for Johnstown which generates \$2-3 million annually. If it passes the City of Sharon would get \$500-600,000 immediately. Mayor Lucas explained that with Home Rule the City could raise the wage tax but must also lower the property tax accordingly and that the net would zero. Mayor Lucas also explained that it was not an easy decision to propose a tax increase and that the budget is still a work in progress. Discussed businesses that are relocating or expanding in Sharon: Crosstex, Shenango Valley Meats, NuBridge (part of Nugent's), and that there is also discussion of developing areas along Stambaugh Ave. with SRHS. Mayor Lucas discussed residential issues by stating that there is a problem with a declining population, and that he is looking into a program to use HUD money to purchase homes and fix them up then lease them to own for families. Mrs. Hrabosky suggested a program to provide tax incentives to buy homes in bad areas. Mayor Lucas advised that they are looking into a similar program. He stated that everything is on hold right now due to the nation's financial crisis.

Ordinances 31-08 & 32-08 - Mr. Larry Reichard thanked City Council for their consideration of extending the KOZ zones in two areas of the City.

II) RESOLUTIONS

Resolutions 109-08 & 110-08 - Attorney Madden clarified some issues with Mr. Fragle.

III) CONSENT AGENDA

Resolution 113-08 - Mrs. Hrabosky inquired about the bidding process for demolitions. Mr. Fragle explained that they only have to go out to bid for amounts over \$25,000 and that they do contact more than one contractor for bids.

MOTION that Ordinance #21-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Pennsylvania, authorizing the sale of City Lot #3-K-1-10 to the Commonwealth of Pennsylvania for and in consideration of Forty Eight Hundred (\$4,800.00) Dollars" **pass FINAL 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 # 22-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Pennsylvania, authorizing the lease of the Jefferson Avenue Playground and Ballfield to the Sharon City School District for and in consideration of One (\$1.00) Dollar for a term of 50 years" **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 # 23-08 entitled "An ORDINANCE of the City of Sharon fixing the tax rate for the fiscal year 2009 for general City purposes, the sum of 38.5 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 43.5 mills" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

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

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

3-2 VOTE

MOTION that Ordinance # 24-08 entitled "An ORDINANCE of the City of Sharon adopting the Community Development Administrative budget for fiscal year 2009 in the amount of \$259,365.00" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

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

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

MOTION that Ordinance # 25-08 entitled "An ORDINANCE of the City of Sharon adopting the Community Development Entitlement budget for fiscal year 2009 in the amount of \$739,550.00"

pass FIRST reading by title.

Motion: Mr. Donato

Second: Mr. Flower

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

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

MOTION that Ordinance # 26-08 entitled “An ORDINANCE of the City of Sharon adopting the Liquid Fuels budget in the amount of \$378,355 for fiscal year 2009” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

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

**NO - Mr. Connelly
Yes - Mr. Heutsche**

4-1 VOTE

MOTION that Ordinance # 27-08 entitled “An ORDINANCE of the City of Sharon adopting the Capital Improvements Budget in the amount of \$1,680,366 for fiscal year 2009” **pass FIRST reading by title.**

Motion: Mr. Donato

Second: Mr. Flower

**Vote: NO - Mr. Connelly
Yes - Mr. Donato
NO - Mr. Messina**

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

3-2 VOTE

MOTION that Ordinance # 28-08 entitled “An ORDINANCE of the City of Sharon establishing and designating the authorized personnel for each of the six (6) administrative codes for 2009” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

**Vote: NO - Mr. Connelly
Yes - Mr. Donato
NO - Mr. Messina**

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

3-2 VOTE

MOTION that Ordinance # 29-08 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 2009 in the amount of \$8,490,386” **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

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

**NO - Mr. Messina
Yes - Mr. Heutsche**

3-2 VOTE

MOTION that Ordinance #30-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Pennsylvania, authorizing the lease of 1000 square feet of the Municipal Building to the City of Sharon Sanitary Authority for office purposes for and in consideration of \$12,000.00 for a term of one year" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Donato

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

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

MOTION that Ordinance #31-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Pennsylvania, extending the term of real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in the City of Sharon designated as a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone or Keystone Opportunity Improvement Zone in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of the City of Sharon, Commonwealth of Pennsylvania, upon certain terms and conditions" **pass FIRST reading by title.**

Motion: Mr. Donato

Second: Mr. Flower

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

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

MOTION that Ordinance #32-08 entitled "An ORDINANCE of the Council of the City of Sharon, County of Mercer, Pennsylvania, extending the term of real property, earned income tax, net profits

mercantile, and business privilege taxes within a specific geographic area in the City of Sharon designated as a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone or Keystone Opportunity Improvement Zone in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of the City of Sharon, Commonwealth of Pennsylvania, upon certain terms and conditions" **pass FIRST reading by title.**

Motion: Mr. Flower

Second: Mr. Messina

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

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

RESOLUTIONS

MOTION that Resolution # 109-08 entitled "A RESOLUTION of the Council of the City of Sharon approving a loan from the Community Development Department Block Grant Funding" **be adopted.**

<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Terms</u>
Saul DePofi D & D Development Co. 1460 East State St., Sharon, PA	\$8,000	3%	5 Years

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 # 110-08 entitled "A RESOLUTION of the Council of the City of Sharon approving a loan from the Community Development Department Block Grant Funding" **be adopted.**

<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Terms</u>
Mark Multari The Gold Mind 122 East State St., Sharon, PA	\$9,000	3%	5 Years

Motion: Mr. Messina

Second: Mr. Connelly

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

**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 #111-08 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 #112-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment #2 to Winslow Engineering in the amount of \$6,231.68 for Engineering Services for the FY 2008 CDBG Public Facilities Street Improvement Project" **be adopted.**

MOTION that Resolution #113-08 entitled "A RESOLUTION of the Council of the City of Sharon authorizing payment to Sereday Trucking, Inc. in the amount of \$12,500 for Demolition Services, with said payment from the 2008 CDBG Entitlement Funds " **be adopted.**

The following homes were demolished:

503 Andrew Street
376 Brooklyn Street
530 Elm Avenue
424 Florence Street

MOTION that Resolution #114-08 entitled "A RESOLUTION of the Council of the City of Sharon approving the Master City Plan as drawn up by HHSDR Architects for the Bicentennial Park Study, with funds to be provided from the City Beautification Line Item 01-450-650" **be adopted.**

MOTION to approve the minutes from the October 16, 2008, Public Hearing and Regular Council Meeting" **be adopted.**

Motion: Mr. Connelly

Second: Mr. Donato

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

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

<u>COMMENTS:</u>

NEWS MEDIA:

Courtney Anderson - The Herald - Inquired to Mr. Messina and Mr. Connelly about their "No" votes for certain Ordinances. Mr. Messina explained that these are tough economic times and they need to

reduce potential tax increase. Mr. Connelly stated that he had three issues: In the Liquid Fuels budget, an increase is requested for higher gas prices, but was never reduced when gas prices dropped. In the Capital Improvements budget, he wants to take a second look at the expenses and they need to be prioritized. He also stated that he had questions on staffing in the complement. Ms. Anderson inquired about the fund balance in the budget ordinance. Mayor Lucas explained the accrued method of accounting and that the money is only there on paper. Ms. Anderson asked for clarification about the prior year's fund balance being \$188,000 and this year showing \$840,000. Mayor Lucas suggested that Ms. Anderson stop in his office on Monday so that he could show her on paper. He advised that when a budget is put together this early, the money might not actually be there. Ms. Anderson inquired if Council sees the tax hike as passing. Mr. Heutsche advised that Council will hold two budget hearings and have second and final reading of the budget ordinances on December 15, 2008. Ms. Anderson commented that she noticed that the projected earned income tax revenue is down. Mayor Lucas stated that Centax does things differently than the City due to changing how payments are done to other municipalities. Ms. Anderson stated that she noticed that Wage Tax Collections are up. Mayor Lucas advised that this is due to Centax's aggressive collection practice. Ms. Anderson inquired about CDBG revenue being higher than last year. Mayor Lucas advised that they have been working with the accountants on the audit and they want to show grants coming in under Capital Improvements (already earmarked for certain projects). He explained that in Community Development they never showed the money coming in and out - it's not really a change, just showing the money coming from Community Development and then expensing it out. Inquired about an increase in the Solicitor's salary. Mayor Lucas advised that it just shows the Community Development portion under his salary. Ms. Anderson inquired about the increase in salary for the Accounts Administrator and clerks in Treasurer's office. Mayor Lucas advised that the tax office reflects more than one person's salary and that the Accounts Administrator's salaries were increased due to going to an eight hour day. Inquired about overtime in Police and Fire departments, with police having an increase of \$2000 and fire having an increase of \$7000. Chief Whalen advised that Council never filled one firefighter's position so overtime was up this year. Inquired if there was a position cut in the code department. Mayor Lucas advised that they took the code and zoning officer and now he will be paid through Community Development - he has been trained in lead-based paint testing; he is moving positions. Inquired about the \$46,000 for Zone 5 patrols. Mayor Lucas advised that in the past Community Development has given money to the Police Dept. for overtime patrols. He believes that they will get more "bang for their buck" if not paying out overtime. Mr. Fragle advised that it was not intended to be paid for overtime. Mayor Lucas advised that the money will be put into salary and the police department can use it however they need to. When asked about the contracts for AFSCME and the firefighters, the Mayor advised that they are not done yet. Inquiry about State Street Improvements / Capital Improvements. Mayor Lucas advised that it shows the grant money coming in (Townscape Project, FEMA, Pine Run, Walking Bridge). Ms. Anderson inquired about the 5 mills of debt service. Mayor Lucas stated that it is used to pay old debt.

CITIZENS:

Stella DiMatteo - Stated that she was advised by an investigator at the District Attorney's office to address City Council about the Sharon Police Dept. not assisting her. Complained that the Chief will not return her calls. Chief Menster addressed her situation and stated that he has met with her on several occasions and even set up a meeting with the District Attorney. Chief Menster also advised that he would set up a meeting with the DA investigator and Ms. DiMatteo at the courthouse. Ms. DiMatteo also discussed a problem with bad motor vehicle accidents at Spencer Avenue & Connelly Boulevard. Chief Menster advised that PennDOT had studied that area and believe that the lights are timed properly.

Al Shreckenghost - Commented about the paving on Wengler Ave. and the water company putting in

new lines. He suggested that the City contact the water company to get them to re-pave. Mr. Heutsche explained that that's how McClure Ave. got paved - the costs were split with the utility companies.

MAYOR LUCAS:

Discussed paving project and ADA Compliance. Stated that the handicapped ramps cost almost \$5,000 per ramp. Announced that they experimented with the paving this year - they used 1" overlay for twelve streets. He stated that otherwise they could have only paved about 4 streets. They will watch and see how well they hold up - he advised Hubbard uses this technique and they are happy with it. Mr. Al Shreckenghost inquired about how New Castle Ave. was paved. Mayor Lucas stated that two sections were repaired with overlay. Bob Beach discussed the need for the handicapped ramps and people they serve. He stated that although it seems expensive, as a society how we treat those less fortunate is a reflection on us.

MR. FLOWER:

Commended the fire department for their work on Lorain St. Asked Mr. Fragle if there was any money for demolition. Stated that if they had demolished the house after the first fire, then maybe the fire department would not have had to be called back two more times and a fireman would not have been injured.

MR. CONNELLY:

Inquired to Mr. Cave about whether they were ready for the snow. Mr. Cave said no, there is only enough salt for two snowfall and he estimates 4-6 weeks to get more salt. Asked about the beet juice. Mr. Cave advised that they will try one time.

MR. DONATO:

None

MR. MESSINA:

Wished the Sharon Tiger Football Team good luck.

MR. HEUTSCHE:

Also wished the Sharon Tiger Football Team good luck. Inquired to the Mayor if there is enough money to pay the TAN note. Mayor Lucas advised that there is enough money and they have already received the bid from FNB for the new TAN note. Inquired about Shenango & Associates and if they received their EDUs. Mayor Lucas advised not yet - officially. Inquired about Brian Bader's involvement and clarified that he is a partner/stock holder. Stated that he wants a letter from the Ethics Commission regarding this. Announced the City of Sharon Light Up Night for Thursday, November 20, 2008.

ADJOURNMENT:

Meeting adjourned at 8:00 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