

SHARON CITY COUNCIL

Purpose: Regular Council Meeting
Date: Thursday, December 17, 2009
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 Donato
Mr. Connelly
Mr. Heutsche
Mr. Flower

Absent: Mr. Messina

Attorney Madden - City Solicitor
City Manager Tom Lavorini
Sharronda Faber – City Clerk

News Media:
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:

Ed Palanski
Stephen Theiss
Ron Maurice
Carol Rombold
John Heutsche

Delores Jisko
Dawnle Scheetz
Dave Kepics
Robert Fiscus

PUBLIC HEARING FOR ORDINANCES

**Public Hearing for Ordinance #15-09, introduced by Mr. Flower November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance fixing the tax rate for the Fiscal Year 2010 at 26.51 Mills.

**Public Hearing for Ordinance #16-09, introduced by Mr. Connelly November 12, 2009 -
SECOND AND FINAL READING**

An Ordinances adopting the Community Development Administrative Budget for the Fiscal Year 2010 as \$302,556.

**Public Hearing for Ordinance #17-09, introduced by Mr. Flower November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance adopting the Community Development Entitlement Budget for Fiscal Year 2010 as \$751,555.

**Public Hearing for Ordinance #18-09, introduced by Mr. Flower November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance adopting the Liquid Fuels Budget for the Fiscal Year 2010 as \$335,150.

**Public Hearing for Ordinance #19-09, introduced by Mr. Heutsche November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance adopting the Capital Improvements Budget for the Fiscal Year 2010 as \$849,317.

**Public Hearing for Ordinance #20-09, introduced by Mr. Flower November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance establishing and designating the authorized personnel for each of the six administrative codes for the year 2010.

**Public Hearing for Ordinance #21-09, introduced by Mr. Flower November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance appropriating specific sums estimated to be required for the specific purposes of City Government, herinafter set forth, during the Fiscal Year 2010, as the sum of \$8,224,539.

**Public Hearing for Ordinance #22-09, introduced by Mr. Connelly November 12, 2009 -
SECOND AND FINAL READING**

An Ordinance 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 \$14,000 for a term of one year.

WORKSHOP

Mr. Heutsche – Commented that this was not the budget he expected. Discussed a request by the Sharon Economic & Community Development Commission for funding. Mr. Fragle advised that he was able to fund \$10,000. Mr. Heutsche inquired about the number of votes needed by Council to pass the budget. Attorney Madden advised that three (3) votes would be necessary to pass.

PUBLIC COMMENTS - AGENDA ITEMS

PUBLIC COMMENTS - ANY ITEM ON THE AGENDA:

Dave Kepics – Ordinance 21-09 – Questioned Council on the proposed budget and asked to clarify the increase in mills and if there are still job cuts being considered. Mr. Donato advised that there would be no tax increase. Mr. Kepics inquired if the jobs will be cut, yet non-union personnel are getting raises? Mr. Donato advised that City Council will be voting on it. Mr. Heutsche commented that he thought the raises were eliminated. Mr. Lavorini confirmed that the Mayor proposed a 3.75% increase for non-union personnel. Mr. Fragle advised that he had spoken with Mr. Connelly and was told that no one would be getting raises. He advised that in his department he took the raises out and laid off one employee. Mr. Heutsche stated that he would not vote for the budget with the raises in it.

ORDINANCES

MOTION that Ordinance #15-09 entitled “An ORDINANCE of the City of Sharon fixing the tax rate for the fiscal year 2010 for general City purposes, the sum of 21.51 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 26.51 mills” **pass FINAL reading by title.**

Motion: Mr. Connelly

Second: Mr. Flower

**Vote: NO - Mr. Heutsche
Yes – Mr. Connelly**

**NO - Mr. Flower
NO - Mr. Donato**

****Failed by 3-1 vote (Reconsidered for re-vote at end of meeting)**

MOTION that Ordinance #16-09 entitled “An ORDINANCE of the City of Sharon adopting the Community Development Administrative budget for fiscal year 2010 in the amount of \$302,556” **pass FINAL reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

**Vote: Yes - Mr. Flower
Yes - Mr. Heutsche**

**Yes - Mr. Connelly
Yes - Mr. Donato**

MOTION that Ordinance #17-09 entitled “An ORDINANCE of the City of Sharon adopting the Community Development Entitlement budget for fiscal year 2010 in the amount of \$751,555” **pass FINAL reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

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

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

MOTION that Ordinance #18-09 entitled “An ORDINANCE of the City of Sharon adopting the Liquid Fuels budget in the amount of \$335,150 for fiscal year 2010” **pass FINAL reading by title.**

Motion: Mr. Connelly

Second: Mr. Flower

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

**NO - Mr. Heutsche
Yes - Mr. Donato**

MOTION that Ordinance #19-09 entitled “An ORDINANCE of the City of Sharon adopting the Capital Improvements Budget in the amount of \$849,317 for fiscal year 2010” **pass FINAL reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

**Vote: NO - Mr. Heutsche
Yes – Mr. Connelly**

**Yes - Mr. Flower
Yes - Mr. Donato**

MOTION that Ordinance #20-09 entitled “An ORDINANCE of the City of Sharon establishing and designating the authorized personnel for each of the six (6) administrative codes for 2010” **pass FINAL reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

**Vote: Yes - Mr. Flower
NO - Mr. Heutsche**

**Yes - Mr. Connelly
NO - Mr. Donato**

****Failed by 2-2 Vote**

MOTION that Ordinance #21-09 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 2010 in the amount of \$8,224,539” **pass FINAL reading by title.**

Motion: Mr. Flower

Second: Mr. Connelly

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

**NO – Mr. Heutsche
NO – Mr. Donato**

****Failed by 3-1 Vote**

MOTION that Ordinance #22-09 entitled “An ORDINANCE of the City of Sharon 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 \$14,000 for a term of one year” **pass FINAL reading by title.**

Motion: Mr. Connelly

Second: Mr. Flower

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

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

RESOLUTIONS

MOTION that Resolution #102-09 entitled "A RESOLUTION of the Council of the City of Sharon approving a loan for the Keystone Blind Association from the Community Development Department Block Grant Funding" **be adopted.**

<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Terms</u>
Keystone Blind Association Attn: Thomas Dill 1230 Stambaugh Ave. Sharon, PA 16146	\$10,000	3%	5 Years

Motion: Mr. Flower

Second: Mr. Heutsche

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

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

MOTION that Resolution #103-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, approving a loan for Lori's Styling Salon from the Community Development Block Grant Funding" **be adopted.**

<u>Borrower</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Terms</u>
Lori Crawford Lori's Styling Salon 1499 East State St. Sharon, PA 16146	\$10,000	3%	5 Years

Motion: Mr. Flower

Second: Mr. Connelly

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

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

***Mr. Heutsche abstained due to the borrower being a client of his.**

MOTION that Resolution #104-09 entitled "A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing and directing the proper City Officials to execute and deliver to the Pennsylvania Department of Environmental Protection the First Modification to Consent Order and Agreement Dated February 25, 2009, which will delete the provision regarding connection limitations" **be adopted.**

Motion: Mr. Connelly

Second: Mr. Flower

**Vote: Yes - Mr. Heutsche
Yes - Mr. Flower**

**Yes - Mr. Connelly
Yes - Mr. Donato**

MOTION that Resolution #105-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing the payment of the City's portion of the 2009 Minimum Municipal Obligation to the Pension Plans to the respective Pension Plans" **be adopted.**

Motion: Mr. Heutsche

Second: Mr. Flower

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

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

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 #106-09 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 #107-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, reappointing Harvey Levitt to the Zoning Board of Appeals for a three (3) year term" **be adopted.**

MOTION that Resolution #108-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, reappointing Dr. Vincent Ciambotti to the Board of Health of the City of Sharon for a five (5) year term" **be adopted.**

MOTION that Resolution #109-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, reappointing Mr. David U'Halie to the Board of Health of the City of Sharon for a five (5) year term" **be adopted.**

MOTION that Resolution #110-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, reappointing Michelle Flower, R.N. to the Board of Health of the City of Sharon for a five (5) year term" **be adopted.**

MOTION that Resolution #111-09 entitled "A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing Payment No. 2 to Drew Excavating, Inc. in the amount of \$9,220.83 for the 2009 CDBG and CDBG-R Public Facilities and Street Improvement Project for Storm Inlet Replacements" **be adopted.**

MOTION to approve the minutes from the November 12, 2009, Regular Council Meeting; November 23, 2009, Public Budget Hearing; December 2, 2009, Special Council Meeting; and December 2, 2009, Public Budget Hearing" **be adopted.**

Motion to approve items on the Consent Agenda:

Motion: Mr. Heutsche

Second: Mr. Flower

**Vote: Yes – Mr. Heutsche
Yes – Mr. Connelly**

**Yes - Mr. Flower
Yes - Mr. Donato**

ITEMS ADDED TO THE AGENDA:

MOTION that Resolution #112-09 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, authorizing and directing that all checks must be signed by not less than two of the following: City Manager, Finance Director or City Treasurer, or in the absence of the City Treasurer, the Deputy Treasurer, effective January 4, 2010” **be adopted.**

Motion: Mr. Heutsche

Second: Mr. Flower

**Vote: Yes - Mr. Flower
Yes – Mr. Heutsche**

**Yes - Mr. Connelly
Yes - Mr. Donato**

MOTION that Resolution #113-09 entitled “A RESOLUTION of the Council of the City of Sharon, Pennsylvania, accepting the low bid for Public Officials Fidelity Bonds from the Mercer County Commissioners for Reinhardt’s Agency, Inc., beginning January 1, 2010, and continuing for four (4) years, and herewith directs the following bonds be posted: City Manager - \$150,000; Treasurer - \$3,000,000; Deputy Treasurer - \$75,000; City Solicitor - \$5,000; and City Clerk - \$2,000” **be adopted.**

Motion: Mr. Heutsche

Second: Mr. Connelly

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

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

Attorney Madden explained that under the Home Rule Charter, if City Council fails to pass the budget by December 28, 2009, then the previous year’s budget would be used (for 2010, the 2009 budget would be used). However, if City Council fails to pass the millage ordinance (15-09), then there will be no money to fund the budget.

MOTION made by Mr. Heutsche to reconsider Ordinance #15-09:

MOTION that Ordinance #15-09 entitled “An ORDINANCE of the City of Sharon fixing the tax rate for the fiscal year 2010 for general City purposes, the sum of 21.51 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 26.51 mills” **pass FINAL reading by title.**

Motion: Mr. Heutsche

Second: Mr. Flower

**Vote: Yes – Mr. Flower
Yes – Mr. Heutsche**

**Yes – Mr. Connelly
Yes - Mr. Donato**

<u>COMMENTS:</u>

NEWS MEDIA:

Courtney Anderson – The Herald – Inquired about what happens now (with the budget) and why some Council members voted against it. Mr. Heutsche stated that he does not believe that raises should be given if they are laying people off. He would rather use the money from the raises to keep positions. Ms. Anderson inquired to Mr. Connelly about approaching the unions about taking pay freezes. Mr. Connelly advised that basically there was discussion with the unions. She inquired about the change in the consent agreement with DEP. Attorney Madden explained that the City is party to the consent order and that it deals with the lifting of EDUs.

CITIZENS:

Dave Kepics – Stated that this year’s budget process was different...Council did not edit the budget publicly. Mr. Heutsche stated that in year’s past they were not presented with a balanced budget. This year they had two different budget hearings and the Mayor worked to get down the tax increase. There was less pressure on Council to make deep cuts – the Mayor balanced the budget.

Dee Jisko – Inquired if the unions were approached about taking a wage freeze in order to save jobs. Mr. Donato advised that a meeting was held but nothing came of it.

Ron Maurice – Inquired if the jobs were still in the budget. Mr. Donato advised that the budget has not been passed yet.

MR. DONATO PRESENTED A PLAQUE TO OUTGOING COUNCIL MAN DARIN FLOWER FOR HIS YEARS OF SERVICE.**MR. HEUTSCHE:**

Stated that it was Darin’s last meeting and thanked him for his service. Stated that Mr. Flower was instrumental in getting him on City Council.

MR. FLOWER:

Thanked the City Clerk and City Solicitor for their help through the years and also acknowledged former Council people – Chris Outrakis, Jennifer Barborak and Fred Hoffman – and present Council people – Frank Connelly, Bob Messina, and Mike Donato. Stated that it has been a privilege to work with them and especially his peer and friend – Vic Heutsche – who he has spent a lot of time with. Expressed his appreciation for all their help. Thanked all City employees for their assistance, and to his family and kids for their support. Thanked City residents for the opportunity to serve them, and stated that it has been a great experience.

MR. CONNELLY:

Extended best wishes to Darin Flower and Mayor Lucas and thanked them for their service.

MR. DONATO:

Thanked Mr. Flower and complimented the Mayor for his last four years of service.

ADJOURNMENT:


Meeting adjourned at 7:10 P.M.

Motion: Mr. Heutsche

Second: Mr. Flower

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

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



Council President

Attest:



City Clerk