

BUREAU OF COUNCIL
Molly Bundrant, President
Carl Sizer, Vice President
David Koerth
Taylor Galaska
Sonja M. Heard



Robert Fiscus, City Manager
Brett Stedman, City Solicitor
Daphne Parrish, City Clerk

SHARON CITY COUNCIL
COUNCIL MEETING MINUTES
CALL TO ORDER AT 5:30 PM
PLEDGE OF ALLEGIANCE
ROLL CALL

Council Chambers
Wednesday, March 20, 2024, at 5:30 PM

Council:

<input checked="" type="checkbox"/> President Bundrant	<input checked="" type="checkbox"/> Mr. Galaska
<input checked="" type="checkbox"/> Mr. Sizer	<input checked="" type="checkbox"/> Ms. Heard
<input checked="" type="checkbox"/> Mr. Koerth	

<input checked="" type="checkbox"/> Robert Fiscus, City Manager	<u>News Media:</u>
<input checked="" type="checkbox"/> Attorney Brett Stedman, City Solicitor	<input type="checkbox"/> The Herald-
<input checked="" type="checkbox"/> Daphne Parrish, City Clerk	

Department Heads:

<input checked="" type="checkbox"/> Jason Tomko, Finance Director
<input checked="" type="checkbox"/> Edward Stabile, Chief of Police
<input type="checkbox"/> David Tomko, Director of Code Enforcement
<input type="checkbox"/> Mark Settle, Public Works Director

CITY MANAGER'S REPORT

- Code Appeals Fee – Mr. Fiscus said there is a fee in the current fee structure named “Rental Code Appeals Fee”. We need to add or amend it to be a General Code Appeals Fee, which is \$600. Attorney Stedman said the new Ordinance will create a new fee for all appeals under the Code Appeals Board provision of the Ordinance. Mr. Fiscus said this is a conservative fee amount, the actual cost is somewhat higher than \$600, and this will bring it closer to break-even.
- Rental License Ordinance – Mr. Fiscus said Attorney Stedman, the Fire Department, and the Rental Inspection staff have worked diligently to update the Rental License Ordinance. There are areas in the old Ordinance that are conflicting and as sections were amended, it became difficult to understand the proper action to be taken. The new Ordinance is simpler, it will provide better service to the property owners and residents who live at the properties, and it is enforceable by the Code and Fire Officials administering it. The Ordinance is available to be reviewed and there will be a Public Hearing in two (2) weeks. The first reading will be held today, a Public Hearing will be held on April 3, 2024, followed by the second reading on April 3, 2024.
- Bid Results 2022 Green Light Go – Mr. Fiscus said the bid for this grant funded project is \$343,000.
- Supplement #3 East State Street Project – Mr. Fiscus said PennDOT is requiring one more easement, so an amendment is needed for this grant funded project.
- Letter of Understanding – Motor Carrier Enforcement – Chief Stabile said this is a standard Letter of Understanding outlining our requirements to maintain Officer Fosler’s certification as a motor carrier enforcement officer.
- Conciliation Agreement – HUD – Attorney Stedman said a complaint was made against the City and other municipalities in the Shenango Valley by a group home operator regarding our obligation to enforce the Uniform Construction Code under Pennsylvania Law. They opposed the requirement that group homes have certain sprinkler facilities. This is basically an agreement that says in the event that PA, through the UCC, should ever change the requirement that sprinkler facilities must be installed, the City would follow that lead and also not require them to be installed. As the State sets the UCC, we are obligated to follow that anyway. It further provides for clarification in our Zoning Ordinance ensuring that group homes be treated as single family dwellings, as required by federal law. Mr. Stedman said he is confident the Ordinance already does this; they requested clarification, and we will be obliged to do that.

PUBLIC COMMENTS - AGENDA ITEMS

No comments.

ORDINANCES

MOTION that Ordinance #01-24 entitled “An ORDINANCE of the Council of the City of Sharon, Mercer County, Pennsylvania, amending Chapter 464 of the Sharon Code of Ordinances regarding commercial and heavy trucks, clarifying the roads which shall be subject to a weight limit of five tons; providing for an updated fee for an oversized vehicle permit; and updating and modernizing the fines for violation of the Chapter” **Pass FIRST reading by title.**

Motion: Mr. Koerth
Vote: YES Ms. Heard
YES Mr. Koerth
YES Mr. Sizer

Second: Mr. Sizer
YES Mr. Galaska
YES Mrs. Bundrant

MOTION that Ordinance #02-24 entitled “An ORDINANCE of the Council of the City of Sharon, Mercer County, Pennsylvania, requiring any owner, agent, lessor, landlord or other person who rents, leases, sublets, assigns a lease or lets space be occupied by another or others as a dwelling or dwelling unit to first apply for a license to use the property for such purpose; further requiring that such person first apply for a license with the proper official of the City of Sharon, requiring that Non-Owner Occupied Properties (NOOP) receive orderly inspections to protect the health, safety and welfare of persons in the City of Sharon; providing for the reporting of all such properties and their occupants; and further providing for the issuance of policies related to the regulatory structure” **Pass FIRST reading by title.**

Motion: Ms. Heard
Vote: YES Mr. Galaska
YES Ms. Heard
YES Mr. Koerth

Second: Mr. Sizer
YES Mr. Sizer
YES Mrs. Bundrant

MOTION that Ordinance #03-24 entitled “An ORDINANCE of the Council of the City of Sharon, Mercer County, Pennsylvania, amending Chapter 209 of the Sharon Code of Ordinances to clarify and provide for the fee for appeals to the Sharon Code Appeals Board” **Pass FIRST reading by title.**

Motion: Mr. Koerth
Vote: YES Mr. Sizer
YES Mr. Galaska
YES Ms. Heard

Second: Mr. Sizer
YES Mr. Koerth
YES Mrs. Bundrant

RESOLUTIONS

MOTION that Resolution #20-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing utilizing ARPA funds to extend the Downtown Development Director and Downtown Events Coordinator positions through March 30, 2024; amount not to exceed \$7,896.40” **be adopted.**

Motion: Mr. Sizer
Vote: YES Mr. Koerth
YES Mr. Sizer
YES Mr. Galaska

Second: Mr. Koerth
YES Ms. Heard
YES Mrs. Bundrant

MOTION that Resolution #21-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing utilizing ARPA funds for Social Media and Public Relations services for the period March 31, 2024, through June 30, 2024; amount not to exceed \$3,900” **be adopted.**

Motion: Mr. Sizer
Vote: YES Ms. Heard
YES Mr. Koerth
YES Mr. Sizer

Second: Mr. Koerth
YES Mr. Galaska
YES Mrs. Bundrant

MOTION that Resolution #22-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, accepting the proposal for engineering services from WallacePancher Group for the Sharon Catch Basin Replacement Project; amount not to exceed \$12,190” **be adopted.**

Motion: Mr. Sizer
Vote: YES Mr. Galaska
YES Ms. Heard
YES Mr. Koerth

Second: Mr. Koerth
YES Mr. Sizer
YES Mrs. Bundrant

MOTION that Resolution #23-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, awarding the City of Sharon Highland Road Pavement Repairs bid to J&T Paving, Inc.; amount of contract not to exceed \$39,767” **be adopted.**

Motion: Mr. Koerth
Vote: YES Mr. Sizer
YES Mr. Galaska
YES Ms. Heard

Second: Ms. Heard
YES Mr. Koerth
YES Mrs. Bundrant

MOTION that Resolution #24-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, accepting Supplement #3 – Right of Way Survey proposal from Herbert, Rowland & Grubic, Inc., for additional engineering services requested by PennDOT for the East State Street Multimodal Project; revised contract amount not to exceed \$67,500” **be adopted.**

Motion: Mr. Koerth
Vote: YES Mr. Koerth
YES Mr. Sizer
YES Mr. Galaska

Second: Mr. Sizer
YES Ms. Heard
YES Mrs. Bundrant

MOTION that Resolution #25-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing the proper city officials to apply for a Greenways, Trails, and Recreation Program Grant; amount not to exceed \$250,000” **be adopted.**

Motion: Ms. Heard
Vote: YES Ms. Heard
YES Mr. Koerth
YES Mr. Sizer

Second: Mr. Sizer
YES Mr. Galaska
YES Mrs. Bundrant

MOTION that Resolution #26-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, awarding the 2022 Green Light Go – West State Street and Irvine Avenue Traffic Signals Project bid to Bruce and Merrilees; amount not to exceed \$343,275.43” **be adopted.**

Motion: Mr. Sizer
Vote: YES Mr. Galaska
YES Ms. Heard
YES Mr. Koerth

Second: Mr. Koerth
YES Mr. Sizer
YES Mrs. Bundrant

~~**MOTION** that Resolution #29-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing utilizing American Rescue Plan Act funds to award ___ Sharon Revitalization and Investment Grants; total amount of awards not to exceed \$___ and ___ Start Up Cost and New Restaurant Grants; total amount of awards not to exceed \$___” **be adopted.**~~

~~**Motion:** _____ **Second:** _____
Vote: _____ Mr. Sizer _____ Mr. Koerth
_____ Mr. Galaska _____ Mrs. Bundrant
_____ Ms. Heard~~

**Mrs. Bundrant said this Resolution is being tabled until next meeting because information for these grants was received too late to be included on the Agenda.

MOTION that Resolution #30-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, adopting the Letter of Understanding between the Pennsylvania State Police and the City of Sharon Police Department regarding participation in the Motor Carrier Enforcement Program” **be adopted.**

Motion: Mr. Koerth
Vote: YES Mr. Koerth
YES Mr. Sizer
YES Mr. Galaska

Second: Mr. Sizer
YES Ms. Heard
YES Mrs. Bundrant

MOTION that Resolution #31-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, approving a Conciliation Agreement with the U.S. Department of Housing and Urban Development” **be adopted.**

Motion: Mr. Sizer
Vote: YES Ms. Heard
YES Mr. Koerth
YES Mr. Sizer

Second: Mr. Koerth
YES Mr. Galaska
YES Mrs. Bundrant

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 CITIZEN 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 #28-24 entitled “A RESOLUTION of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, authorizing, in accordance with Section 915 of the Home Rule Charter, The City Manager and Financial Officer to pay bills on attached Schedule “A” **be adopted.**

MOTION that Resolution #27-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing appointments for certain Committees, Boards and Commissions” **be adopted.**

- Sharon Recreation Commission
 - Daniel Bell
- Sharon Beautification Commission
 - Daniel Bell
- Sharon Board of Health
 - Dr. Stanislav Bysenko

MOTION approving minutes from the February 21, 2024, Council Meeting, **be adopted.**

Motion: Mr. Koerth
Vote: YES Mr. Galaska
YES Ms. Heard
YES Mr. Koerth

Second: Mr. Sizer
YES Mr. Sizer
YES Mrs. Bundrant

COMMENTS

CITY MANAGER:

Mr. Fiscus thanked Courtney and Sherris for all of their hard work to make the St. Patrick’s Day Parade a success. They have done a great job. We are nearing the end of the contract with them, and they have made huge contributions to Sharon and the eco-system created Downtown is because of their successes. He would like to celebrate their successes with them at the end of the next Council Meeting.

NEWS MEDIA:

MR. SIZER: None.

MR. KOERTH: None.

MR. GALASKA: None.

MS. HEARD: None.

MRS. BUNDRANT: None.

CITIZENS:

- Judy Henderson, 1010 Sherman Avenue; Ms. Henderson said the issue with the camper parked on French/Sherman has been solved. On behalf of herself and other residents, she thanked Council, Mr. Tomko, Mr. Kepple, Mr. Rossi, and the Police Department for resolving this problem.
- Mary Ann Phillips, 1339 Kimberly Road; Ms. Phillips asked who audits the ARPA Grants. Jason Tomko said Mark Turnley, CPA, is the City's outside, independent auditor and is responsible for auditing the grants.

Ms. Phillips cited the recent conflicting articles/news stories about the Shenango Inn and asked what was happening. She said there is another broken window and a storm door in the rear of the building that appears to be broken. Mr. Fiscus said he recently spoke to Mr. Yanko, the owner, who said the project would not be moving forward, as the funding was not there, the banking system is no longer viable, interest rates are much higher, and the business model no longer works. Mr. Yanko floated several options but made no formal proposal. In a later phone call, Mr. Yanko said the other options are no longer working and he would not be making a formal proposal and is looking for a buyer. Mr. Fiscus relayed this information in an interview with a news reporter. Shortly afterward, Mr. Yanko again called and said he had great news, he found financing, and the project would be moving forward. Mr. Fiscus said the article mentioned Mr. Yanko would need money from the City. As the City is nearing the end of programming the ARPA money, Mr. Fiscus is uncertain that he would be in a position to recommend Council fund this project under the current conditions. Ms. Phillips said Mr. Yanko is looking for \$1 million in ARPA Funds. Mr. Fiscus said an amount that size was never discussed for the Shenango Inn. Mr. Fiscus said the City will continue with Code Enforcement following legislation that is in place. Ms. Phillips asked about the time limit of this project and could it go on forever. Mr. Fiscus said timelines exist for things such as broken windows, unsafe, unsecured building conditions. He said a code officer is not at the building on a daily basis and asked that issues be reported to Code or the non-emergency 911 number. Mrs. Bundrant said she shares in the frustration about the property. Mrs. Phillips asked if Mr. Yanko receives notification when notices are posted on the building. Mr. Fiscus said Mr. Yanko does receive notification and has been responsive when he receives those notices.

ADJOURNMENT

Meeting adjourned at 5:55 PM