

SHARON CITY COUNCIL

Purpose: Regular Council Meeting
Date: Wednesday, March 27, 2019
Time: 6:30 PM
Location: Sharon Municipal Building Council Chambers

MINUTES

CALL TO ORDER

TIME: 6:37 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

COUNCIL:

President Connelly
 Mr. James - Absent
 Mrs. Saylor

Mr. Lucas
 Mrs. Bundrant

Robert Fiscus, City Manager
 Attorney Madden, City Solicitor
 Daphne Parrish, City Clerk

News Media: **The Herald**

DEPARTMENT HEADS:

Edward Stabile, Chief of Police
 Jason Tomko, Finance Director
 Melissa Phillips, Director of Community Development
 David Tomko, Director of Code Enforcement and Public Works

Swearing in Police Officer Aaron Rodgers

CITY MANAGER'S REPORT

ECS&R – Bob Fiscus explained ECS&R is the company that has been supplying e-waste recycling for the City. ECS&R notified the City of a large rate increase, nearly doubling the current rate. Ongoing discussions have resulted in suspension of curb-side pick-up. A temporary arrangement for March was arranged where ECS&R is to pick-up e-waste items at the City garage, with a \$300 per month surcharge. On the March pick-up day, ECS&R supplied a list of addresses and Street Department employees picked up e-waste items and transported to the garage for pick-up. Mr. Fiscus said Hermitage has a program where items are dropped-off at their City Garage two days per month and Tri-County picks up the items. A similar service would cost the City approximately an additional \$3,600 annually and would require assistance of City employees. Another possibility would be Tri-County, who would charge approximately \$1.50 per month per residence on trash billings, which calculates to a steep rate increase. Mr. Fiscus asked Council to consider options at the April workshop. Dave Tomko will supply data on the cost of using Street Department employees for picking up and transporting items. Mr. Lucas and Mrs. Saylor both requested data on historic usage of the ECS& R program.

Mixed Zoning District in Downtown Sharon – Dave Tomko distributed copies of a proposed Zoning Map. He collaborated with Mercer County Regional Planning Commission (MCRPC), who developed this format to show what applies to each zone. He explained the color coding of the map and the new codes for the overlays. He said the overlays will create opportunities to do business and develop the area near Penn State Shenango. Mr. Tomko recommended Council consider a resolution to pass the zoning plan to Sharon Regional Planning Commission (SRPC) and MCRPC to review the proposed changes for a “new” mixed Zoning District in Downtown Sharon. Once MCRPC and SRPC have reviewed and approved the plan, it would come back to City Council for a required public hearing, and businesses would be able to engage in the process. Finally, there

would be an amendment to the current zoning. Mr. Tomko said a tentative timeline would place the legal ad on April 10 and April 18, 2019; a public hearing on April 29, 2019. A tentative special meeting would be scheduled for the May workshop to adopt the amendments. Attorney Madden asked why this plan is adding three (3) new districts (C-1-A, MU-N, and MU-S) rather than adding overlays. He suggested the plan use existing zoning and overlay the new usages over that. This would prevent re-doing the entire zoning map and result in a simpler way to do it. Attorney Madden suggested he and Dave Tomko meet with MCRPC to discuss this suggestion.

“Reviving Neighborhood Pride” Cleanup Event – April 13. Dave Tomko announced the City-wide clean up scheduled for April 13, 2019. Brian Kepple said approximately 150-200 volunteers are expected, and Penn State Shenango is putting together a group of students to participate. Dumpsters will be located throughout the City and the Street Department will mobilize equipment for heaving lifting. Pre-registrations are being accepted to schedule times and shirt sizes. Lunch will be provided from Hangry Subs, and safety vests and garbage bags will be provided. Mrs. Bundrant said volunteers can also report at the Buhl Club parking lot the day of the event and be disbursed from there. Geno Rossi is collaborating with several school clubs for possible participation.

Melissa Phillips gave an overview of the 2018 CDBG Consolidated Annual Performance and Evaluation Report (CAPER). She reported on the highlights of budgeted and spent fiscal year 2018 CDBG Funds. She said the maximum draw down ratio was not met for the reporting period; however, she has been in contact with HUD. She discussed the challenges faced with modernizing and implementing departmental procedures and policies. She urged anybody with emergency housing needs and income-qualified to contact her office for help.

Bob Fiscus said he was informed today the City is receiving a \$32,000 Blight Study Grant from the DCED. This is Phase II of the Early Intervention.

Brian Kepple updated on the Mapping Initiative. He said we are ready to finish the approximately 500 homes missing from the initial mapping project. Maps have been created and he is looking for volunteers to complete the project.

PUBLIC COMMENTS - AGENDA ITEMS

PUBLIC HEARING FOR ORDINANCES

Public Hearing for Ordinance #01-19, introduced February 20, 2019 - SECOND AND FINAL READING

amending Police Pension Plan disability survivor benefit and updating the provisions associated with the Internal Revenue Code. No Questions or Comments.

Public Hearing for Ordinance #02-19, introduced February 20, 2019 - SECOND AND FINAL READING

amending Firefighters' Pension Plan updating the provisions associated with the Internal Revenue Code. No Questions or Comments.

Public Hearing for Ordinance #03-19, introduced February 20, 2019 - SECOND AND FINAL READING

enacting the International Fire Code of 2015 with amendments as the Sharon Code. No Questions or Comments.

RESOLUTIONS

MOTION that Resolution 22-19 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, to recommend Sharon Regional Planning Commission (SRPC) and the Mercer County Regional Planning Commission (MCRPC) review the proposed changes for a “new” mixed Zoning District in Downtown Sharon” **be adopted.**

Motion: Mrs. Bundrant

Vote: YES Mr. Lucas

_____ Mr. James

YES Mrs. Bundrant

Second: Mrs. Saylor

YES Mrs. Saylor

YES Mr. Connelly

MOTION that Resolution 23-19 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing and directing the City Manager to apply for grants from the Commonwealth of Pennsylvania Department of Community and Economic Development (DCED) and others to obtain funds for studies, surveys, tests, soundings and appraisals of property(ies) in the City deemed appropriate for development of recreational areas to further conduct such studies, tests, surveys, soundings, and appraisals as provided by law and report findings to the City Council” **be adopted.**

Motion: Mr. Lucas

Vote: YES Mrs. Saylor

YES Mr. Lucas

_____ Mr. James

Second: Mrs. Bundrant

YES Mrs. Bundrant

YES Mr. Connelly

MOTION that Resolution 24-19 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing the proper City Officials to submit an application to the Mercer County Commissioners on behalf of the Meszaros Family Charitable Foundation for a Mercer County Unconventional Gas Well Funds Grant, not to exceed \$20,000” **be adopted.**

Motion: Mrs. Bundrant

Vote: YES Mrs. Bundrant

YES Mrs. Saylor

YES Mr. Lucas

Second: Mrs. Saylor

_____ Mr. James

YES Mr. Connelly

MOTION that Resolution 25-19 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing the proper City Officials to sign and execute a Lease Agreement with the North Sharon Volunteer Fire Company for land located on the north side of Thornton Street, Sharon, PA for a term not to exceed five (5) years” **be adopted.**

**Mr. Connelly asked why the term was set for five (5) years. Mr. Lucas said the age of the members of the North Sharon Volunteer Fire Company is a factor and the reason they agreed to a shorter lease commitment. Mr. Fiscus said their Attorney, Mr. Ristvey, confirmed to him this was the reason for the shorter time commitment.

Motion: Mrs. Bundrant

Vote: _____ Mr. James

YES Mrs. Bundrant

YES Mrs. Saylor

Second: Mr. Lucas

YES Mr. Lucas

YES Mr. Connelly

MOTION that Resolution # 30-19 entitled "A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, authorizing appointments for certain Committees, Boards and Authorities" **be adopted.**

Sharon Redevelopment Authority

Bob Wilson (reappointed)

Sharon Industrial Development Authority

Joe Kurtanich (reappointed)

Code of Appeals Board

Amy Smith (reappointed)

David Gloss

Samuel Walker

Vince Nichols

MOTION approving rescheduling the April 17, 2019 Council Meeting to April 24, 2019" **be adopted.**

MOTION approving minutes from the February 6, 2019 Public Hearing, February 6, 2019 Special Council Meeting, February 20, 2019 Regular Council Meeting, and March 6, 2019 Public Hearing **be adopted.**

Motion: Mrs. Bundrant

Vote: YES Mr. Lucas

 Mr. James

YES Mrs. Bundrant

Second: Mr. Lucas

YES Mrs. Saylor

YES Mr. Connelly

COMMENTS:

NEWS MEDIA: None Present.

CITIZENS

Carol Swartz, Lorain Street, thanked Dave Tomko and City employees for picking up the e-waste products and solving this issue.

Chad McCombs, 266 Jefferson Avenue, asked about the status of the house located at 259 Jefferson Avenue. He said the house was up for demolition, Mr. Whalen bought the house, and people moved in. Mr. Fiscus said the Fire Department inspected the home; and an unsafe garage is being taken down. Mr. Fiscus said enforcement has been in place and there is constant communication with the Code Office. Mr. Whalen knows the expectations, and the City expect him to completely comply. Mr. McCombs asked if someone should be there; and is there is a violation of an Ordinance with someone living there prior to an inspection. Mr. McCombs voiced his concern with landlords moving in with no ties to the community, and not taking care of their properties. Dave Tomko said up until today, Mr. Whalen is in total compliance. Mr. Tomko inspected the home when he was notified. The inspection found two issues; one was resolved immediately, the other involved replacing a window in the bathroom and this repair is in process. Mr. Tomko said they finished tearing down the garage today.

Sharon Corbett, 380 Jefferson Avenue asked how long Mr. Whalen was given to bring 259 Jefferson to code and if everyone is held to the same standards. She asked about the back-yard debris and overgrown grass. Dave Tomko said there is a 20-day timeframe and reasonable amounts of time must be given to make repairs. Mr. Fiscus said there is more leverage in this case since it is a rental property; state blight remediation guidelines allow 12 months to bring a home to code, but those 12 months no longer apply once it became occupied. Mrs. Corbett said there are some landlords who maintain houses beautifully; however, if this home is not maintained,

the neighborhood watch will be all over him. The neighbors are proud of the neighborhood and will not let this go.

Mrs. Saylor asked if the rental inspection was not in process until the Code Department approached the landlord; this sounds as if they were blatantly ignoring landlord ordinances. Mr. Fiscus said every circumstance is different and sometimes it takes more pressure to get things done. Mrs. Saylor asked if someone repeatedly ignores the process, do they lose their rental license. Mr. Fiscus said the ordinance gives 20 days' notice before a citation is issued. Mrs. Bundrant asked if this could be changed to a shorter period, and Attorney Madden confirmed it could be changed. Mrs. Bundrant said a rental license should cover the entire property: yard, garage, etc.; and if someone can profit from people living in the home, there should be a level playing field with the neighborhoods. She said back yards should not be able to look like a trash heap and Council needs to look at this.

In connection with this discussion, Dave Tomko passed out a list of Code Zoning Objectives. He said this is an uphill battle and we are 25-30 years behind in getting started. Mr. Lucas recommended Mr. Tomko follow-up all informal conversations with residents with a text or email confirming the conversation, thereby establishing a record of the interaction.

Robert Cunningham, 500 Hawthorne Place, said the issue is with the landlord wanting money coming in and asked if codes should be met prior to someone moving in. Mr. Tomko said this is in the Ordinance. Mr. Cunningham asked if the yard is part of the inspection. Mr. Tomko said individuals know what must be done. Mr. Fiscus told Mr. Cunningham we are all in agreement; unfortunately, not everyone follows rules and enforcement and processes must go into place.

Paul Corbett, 380 Jefferson Avenue, asked if landlords must sign an agreement to rent property in Sharon and whether it is just a piece of paper. Dave Tomko said the Fire Department comes out and does an inspection; landlords are aware before they rent of what they are required to do. However, people do not always do what is required. Mr. Corbett said there should be a penalty for abusing the rental license. Mrs. Bundrant said we need to have a conversation about our policy and enforcement, and what to do about abuse of policy in either an executive session or in public. Mr. Fiscus said this should be a public discussion at a Workshop where we examine our Ordinances and decide if it is what we want to do. He suggested looking at one each month. Mrs. Bundrant said since Mr. Whalen is working within our Ordinances; maybe our Ordinances need changed. Mr. Fiscus said he reached out to PA League of Cities to see what other municipalities are doing. He said what the City of Sharon has done has become a model for others. Mr. Connelly added this has been ongoing for years and is what prompted Council to go tough on the trash Ordinances. Mr. Connelly suggested discussion at the Workshop next week. Mrs. Saylor asked everyone to review the Ordinances and licensure requirements.

Carol Swartz commended Dave Tomko for doing an excellent job and expressed her appreciation.

MRS. BUNDRANT: Mrs. Bundrant told Dave Tomko his work is appreciated and she was sorry this all seems to fall on him; and everyone backs him.

MR. LUCAS: Mr. Lucas said the residents on Dougherty Avenue are pleased with the addition of the street light.

Mr. Lucas said there needs to be a discussion at the April Workshop about the email from PennDOT regarding the Local Road Count Program.

Mr. Lucas said Central Way is a mess and needs to be discussed at the April Workshop

MR. JAMES:

MRS. SAYLOR: Mrs. Saylor reported the Spring Fling fundraiser at the Stey Nevant Library in Farrell will be on April 26, 2019 from 5-8 PM. It is a family-friendly event and tickets are \$10 for adults/\$5 for children. There will be snacks, stories, and face painting, and she has tickets for anyone interested.

MR. CONNELLY: Mr. Connelly noted the date change for the April council meeting from April 20, 2019 to April 27, 2019.

Mr. Connelly asked the status of paving on Pearl Street. Mr. Fiscus reported work was done today toward putting in new catch basins and preparing for the ADA Ramps. Brian Kepple spoke of the underling drainage problems on Pearl Street.

Mr. Connelly spoke about the article in The Herald about the Shenango Valley Animal Shelter and Mercer County Regional Council of Governments. Mr. Connelly listed all the problems and expenses incurred by the Animal Shelter. He said that it took COG one and one-half years to send a bill to the Animal Shelter for repairs. Mr. Connelly said there is no need to belong to COG any more.

ADJOURNMENT

Meeting adjourned at 8:24 P.M.

Motion: Mr. Lucas

Second: Mrs. Bundrant

Vote: YES Mrs. Saylor

YES Mrs. Bundrant

YES Mr. Lucas

YES Mr. Connelly

_____ Mr. James