

**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**

Council Chambers  
Wednesday, October 16, 2024

**CALL TO ORDER AT 5:31 PM**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

**Council:**

**President Bundrant**  
 **Mr. Sizer**  
 **Mr. Koerth**

**Mr. Galaska**  
 **Ms. Heard – via Phone**

**Robert Fiscus, City Manager - Excused**  
 **Attorney Brett Stedman, City Solicitor**  
 **Daphne Parrish, City Clerk**

**News Media:**  
 **The Herald**

**Department Heads:**

**Jason Tomko, Finance Director**  
 **Edward Stabile, Chief of Police**  
 **John Lenkey, Director of Code Enforcement**  
 **Mark Settle, Public Works Director**

**CITY MANAGER’S REPORT**

- Change Order #GC-3 Huntington Demo Project – Jason Tomko said there is approximately \$15,000 available from the local shares grant awarded two years ago. The change order request is in the amount of \$14,000 and replaces deteriorated sidewalks along the parking lot by the riverbank.

**PUBLIC COMMENTS - AGENDA ITEMS**

No public comments or questions.

**PUBLIC HEARING FOR ORDINANCES**

~~**Public Hearing for Ordinance #13-24, introduced September 18, 2024 – SECOND AND FINAL READING,**~~  
~~amending and restating the City’s Police and Firefighters’ Pension Plan Ordinances **TABLED**~~

Mrs. Bundrant said Ordinance #13-24 is tabled for this meeting in order to allow extra time for the unions to review Ordinances.

**Public Hearing for Ordinance #14-24, introduced September 18, 2024 – SECOND AND FINAL READING,**  
amending Chapter 464 of the Sharon Code of Ordinances, providing for an exemption from weight restrictions

**Public Hearing for Ordinance #15-24, introduced September 18, 2024 – SECOND AND FINAL READING,**  
providing for the vacating and abandoning of a public alley running generally east and west between South Myers Avenue and White Avenue

No public comments or questions regarding Ordinances.

## ORDINANCES

~~**MOTION** that Ordinance #13-24 entitled “An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending and restating the Ordinances governing the City’s Police and Firefighters’ Pension Plans to update the plans in accordance with prevailing law, to eliminate redundant or outdated provisions in the Plans, and to implement other changes as necessary” Pass FINAL reading by title.~~

**TABLED**

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_  
**Vote:** Mr. Koerth \_\_\_\_\_ Ms. Heard  
          Mr. Sizer \_\_\_\_\_ Mrs. Bundrant  
          Mr. Galaska \_\_\_\_\_

**MOTION** that Ordinance #14-24 entitled “An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, amending Chapter 464 of the Sharon Code of Ordinances regarding commercial and heavy trucks, providing for exemptions to obtaining permits for overweight vehicles where appropriate; providing for the denial of overweight permits when such permission would substantially damage the road or infrastructure; and ensuring compliance with the provisions of the motor vehicle code” Pass FINAL reading by title.

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

**MOTION** that Ordinance #15-24 entitled “An ORDINANCE of the Council of the City of Sharon, County of Mercer, Commonwealth of Pennsylvania, vacating the unnamed alley beginning off South Myers Avenue eastbound and continuing southbound between South Myers Avenue and White Avenue to the intersection of Glenwood Drive” Pass FINAL reading by title.

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

## RESOLUTIONS

**MOTION** that Resolution #77-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, Pennsylvania, authorizing the Finance Director to open one bank account: Other Post-Employment Benefits” be adopted.

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

**MOTION** that Resolution #78-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, Pennsylvania, adopting the Memorandum of Understanding outlining policies and procedures between the Sharon Police Department and the Sharon City School District” be adopted.

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

**MOTION** that Resolution #79-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, Pennsylvania, authorizing utilizing the Capital Reserve Fund to amend one (1) previously awarded Sharon Revitalization and Investment Grant; amount not to exceed \$50,000” be adopted.

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

**MOTION** that Resolution #80-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, Pennsylvania, authorizing the proper City Officials to approve Change Order GC-3 to the Huntington Bank Parking Lot and Penn Avenue Project; total amount of change order not to exceed \$14,000” **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 #82-24 entitled “A RESOLUTION of the Council of the City of Sharon, Mercer County, Pennsylvania, Pennsylvania, authorizing entering into an agreement with the County of Mercer and the Sharon City School District related to cost sharing for the MPT of Sharon property tax appeal” **be adopted.**

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

**Second:** Mr. Koerth  
YES Mr. Koerth  
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 #81-24 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** approving minutes from September 18, 2024, Council Meeting, **be adopted.**

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

**Second:** Mr. Galaska  
YES Ms. Heard  
YES Mrs. Bundrant

## COMMENTS

**CITY MANAGER:**

**NEWS MEDIA:** No comment.

**MR. SIZER:** No comment.

**MR. KOERTH:** No comment.

**MR. GALASKA:** No comment.

**MS. HEARD:** No comment.

**MRS. BUNDRANT:** No comment.

**CITIZENS:**

- Stephen Sherman, Mercer County Controller; Mr. Sherman introduced himself to Council. Mercer County instituted a new program called the Fraud Prevention Initiative and Mr. Sherman’s goal is to leave literature for Council as they are closest to the community. The goal is to defend fraudulent attempts against the County, which obviously is tax dollars. Over the past eight months there has been an uptick in fraud attempts. One was an attempt to wash a check in the amount of \$37,000. The Controller’s Office is the primary office for accounting

and auditing and is staging to defend against fraud. This program was started and incorporated into the audit programs to actively defend against fraud attempts. Statistically, most US organizations could lose up to 7% of their annual income; for Mercer County this would translate to about \$2.1 million. He distributed information showing ways to prevent suspected fraud (see attached). Mrs. Bundrant thanked Mr. Sherman.

- Sam Walker 1354 Heinz Avenue; Mr. Walker repeated his advice from a prior meeting for Council to utilize the PA law entitled “Actions Against Owners of Properties with Serious Code Violations” in an effort to dissuade property owners from failing to follow code and to be more efficient in the application and use of CDBG funds for demolitions. Recently his neighborhood became afflicted by a property owner that does not live on the property and parked an RV on the street in violation of City Ordinances; proper steps were taken, and the RV was moved to the back of the property. When it was removed from the street, the owner parked it in the adjacent driveway and displayed threatening and obnoxious signs on the front of it; one was a flag of a hand signal and the other was an FAFO flag symbol (F\*\*\* Around and Find Out). With the removal of the RV to the rear of the property he continued expressing his first amendment rights by posting signs in the front yard of the property. The signs exceeded the size allowed under City Ordinances, the Code Department enforced the Code, and the signs were taken down. His response to this was placing two toilets filled with various plantings, removing the FAFO flag, and knocking the other flag on the ground, creating rubbish and litter. This individual is in the process of buying the adjacent property and has placed a sign there as if he already owns the property, which exceeds the square footage in size allowed; also, it is not displayed beyond 2’ from the sidewalk. Mr. Walker requested the offending business sign, rubbish, and litter be cleaned up. If the state law regarding scattering rubbish and litter can be applied, the penalties are more severe than the City’s Ordinance, and that would be appreciated. Mrs. Bundrant thanked Mr. Walker and said this information will be passed on to the Code Department.
- Mike Rahn, 1415 Heinz Avenue; Mr. Rahn said he lives next to the house described by Mr. Walker. His grandchildren visit multiple times a week and with Halloween upcoming, he thinks the signs, which are addressed to a police officer, are inappropriate. The owner called the Police Department when someone destroyed the sign that he had directed to an officer of the City. Mr. Rahn asked what can be done; there is no benefit to this person owning these properties and doing what he is doing in this town. Attorney Stedman said although he does not have Council’s permission to say it, he does not think they will object to him stating the City’s position on people not behaving as civilized, reasonable citizens. As Mr. Walker said, what makes our country great but can be used to our detriment is the First Amendment. If an individual is violating an objective standard such as a sign too large, or rubbish, those are enforceable. What cannot be enforced is content of speech; as repulsive as one may find it, it is protected under the First Amendment. There is a lot of this throughout your neighborhood, the city, and the country. People are putting signs up that objectively one can look at it and say it just isn’t right. However, regardless of who it is directed to, as long as it is not overtly threatening to another person, it is protected speech. Mr. Rahn asked about their rights as property owners, and if they want to sell their property, and this is in everybody’s face. It is frustrating for everyone on the street. Mr. Rahn’s wife made the man aware of her displeasure at what he was doing, and his response was “thank your neighbor”. This is a nice, quiet neighborhood, this man bought several properties, and everything changed. Attorney Stedman promised to the extent that as fairly and uniformly as any other citizen would have the Ordinances of the City enforced against them, or for their benefit, we will do so. Mr. Walker said the phrase FAFO is posted on the Anti-Defamation League website, being a threatening expression and one that is a great concern to them as it is one used by the radical group called The Proud Boy in their political and unlawful activities against the USA. Mr. Walker said that while much of what Attorney Stedman said is true, he wanted to bring attention to the Anti-Defamation League website where he found this reference; he would consider this a threatening sign in its content. Over a number of years this individual has exercised his right to own real estate but does so without the responsibility that comes with doing so. He empties a property by placing the contents on the street and fails to coordinate with Tri County for pickup. The items are on the curbside for a week or two at a time. Mr. Walker suggested the City advise him of the Ordinance. Attorney Stedman advised Mr. Walker to report Code violations and anything unlawful as far as particular conduct so it can be addressed accordingly. Mr. Walker said Mr. Rahn’s interaction combined with the posted signs rises to the effect of a summary offense of harassment against Mrs. Rahn. Mr. Walker said on September 26, 2022, at 2:00 PM this gentleman, along with another property owner, was on his front porch, dancing around and criticizing Mr. Walker for the fact that he had code enforce a damaged sidewalk on a property on Heinz Avenue which they owned. These two men frightened Mrs. Walker and gave her concern for her physical well-being. When they repaired the sidewalk, they put in the wet concrete the words “Brandon n Sam”. Mr. Walker said it seems if the behavior is not dealt with, it worsens. Mrs. Bundrant said when a call comes in, the Code Department addresses it, and as discussed at these meetings, she asked for people to call when they see something. She thanked Mr. Walker.

- Debby Pickens, 629 Sherman Avenue; Ms. Pickens asked if there is any way the city can control how many houses these people can buy. Mrs. Bundrant said no. Ms. Pickens said the individual she has discussed in the past bought another home near her, and one of his workers allowed her to go inside the home. She does not see how it can be fixed. Mrs. Bundrant said the only way is if there is a conviction for a code violation that is current. Ms. Pickens thanked Brian Kepple for coming up when she called Code. Mrs. Bundrant said several years ago we went to the County because we repeatedly asked for land bank authority, and they gave us some tools to use; but there is always a way to get around it. Unfortunately, some of the property owners will have someone else purchase the property for them and then take it over. Attorney Stedman said when there is a code violation, Code will enforce it.

<b>ADJOURNMENT</b>
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**Meeting adjourned at 6:00 PM**