

Minutes of the Council of the City of Easton, Pa.
September 12, 2012

Easton, Pa
Wednesday
September 12, 2012
6:00 p.m.

City Council met in stated session at the above date and time, in Council Chambers, 6th Floor of City Hall, One South Third Street to consider any business that may lawfully be brought before the body, and to conduct a Public Hearing regarding a request to transfer a Restaurant Liquor License for 42 S. 3rd Street.

The invocation was given by Mayor Panto followed by the Pledge of Allegiance.

ROLL CALL

Present: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto, (until 7:19 p.m., then by phone) (7)
Absent: None (0)

Also in attendance were Thomas Hess, City Clerk, William Murphy, City Solicitor, and Glenn Steckman, City Administrator. There were eleven people present throughout the night.

APPROVAL OF AGENDA

On motion of Mr. Brown and Mrs. Vulcano the Agenda was approved by the following vote

Yeas: Panto, Warren, Warner, Vulcano, Ruggles, Fleck, Brown (7)
Nays: None (0)

ACTION ON MINUTES

On motion of Dr. Ruggles and Dr. Warner the August 22, 2012 Council Meeting minutes were approved as submitted, by the following vote:

Yeas: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)
Nays: None (0)

PUBLIC HEARING
TRANSFER OF A RESTAURANT LIQUOR LICENSE

At 6:39 p.m., Mayor Panto opened the hearing and turned it over to Mrs. Vulcano, Chairman of the Economic Development Committee.

Mrs. Vulcano read the following:

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”This hearing was requested by Mr. Juan Carlos Paredes Gomez, Mesa Restaurant Inc., for an Intermunicipal Transfer of a Retail Restaurant Liquor License from the Township of Washington to 42 S. 3rd Street.

Mr. Gomez is in attendance and will be allowed to address Council on this issue. After he has addressed Council, and has answered any questions that Council may have, the audience will be given a chance to address Council on this issue.”

Mrs. Vulcano called Mr. Gomez forward to address Council.

Mr. Gomez and Director Longenbach came forward and Ms. Longenbach spoke to council regarding why Mr. Gomez, who had sought and received Council’s approval for an Economic Development Liquor License, on June 13, 2012, was now requesting approval for an Intermunicipal Transfer of a Restaurant Liquor License.

Dr. Ruggles asked questions regarding the limitations attached to an Economic Development Liquor License.

Mr. Gomez said that there were limitations placed on an Economic Development Liquor License which there were not on a regular Restaurant Liquor License, and that there was less time needed to obtain the Restaurant Liquor License which would allow him to open the Restaurant sooner.

There were no further questions or comments from Council or the audience.

Mrs. Vulcano read the following:

“Later in the meeting, a Resolution will be introduced and a vote will be taken on this matter.

At 6:44 p.m., Mrs. Vulcano closed the hearing.

CITIZENS RIGHT TO BE HEARD

Ms. Whitney George, a Representative of the Easton Area Neighborhood Center came forward and went over her organization’s request for \$40,000 of 2013 CDBG funds for Case management.

REPORTS RECEIVED BY COUNCIL

The following Reports were received by Council:

- (a) Monthly Fire Report for August 2012.

REPORTS OF COMMITTEES

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Mr. Brown, Chairman of the Finance Committee spoke regarding legislation that he would have for later in the meeting regarding authorizing the incurrence of nonelectorial debt of the City by the issuance of its \$2,000,000 General Obligation Bond, Series of 2012 for the purpose of providing funds to finance Capital Projects and to currently refund the City's outstanding General Obligation Note, and regarding amending the 2012 Salary and Wage Resolution to delete the position of City Accountant from the Department of Finance and to add the position of Revenue and Accounting Manager at a salary of \$60,912 to the Department of Finance.

Mrs. Vulcano, Chairman of the Economic Development Committee spoke regarding legislation that she would have for later in the meeting regarding approving an Agreement of sale for 202 Palmer Street, for approving an application for Pa. State, Department of Community and Economic Development Grant funds, and for approving a Keystone Opportunity Expansion Zone.

Dr. Ruggles, Chairman of the Planning Committee, reported that a Planning Committee meeting would be held on October 9, 2012 and that a proposed Vacant and Nuisance property Ordinance would be discussed.

Mr. Warren, Chairman of the Public Safety Committee, spoke regarding legislation that he would have for later in the meeting regarding authorizing the acceptance of a Northampton County Grant for repairs to the South Side Fire House. He reported that a Public Safety Committee meeting would be held on October 9, 2012 and that a proposed Lazy Double Parking ordinance would be discussed.

Dr. Warner asked Mr. Warren to discuss at the meeting the assignment of a parking space for parking of multiple motorcycles or scooters in one spot so that a single motorcycle or scooter would not take up a whole parking space.

Mayor Panto spoke regarding towing vehicles from private owned parking lots. Mr. Murphy said that the City could not regulate parking on privately owned parking lots.

Mr. Brown also asked Mr. Warren to look into the traffic changes that were passed for W. Grant Street.

Mr. Fleck asked if the 30 waiting period for the Ordinance regulating traffic on Grant Street could be shorten for public safety. Mr. Murphy said that it could not.

Dr. Warner, Chairman of the Public Works Committee spoke regarding legislation that she would have for later in the meeting regarding approving an Extension Agreement with Hei-Low Inc., for development of 418 East Kleinhans Street, and for amending the 2012 Recreation Fund Budget, by increasing Revenues and Expenditures by \$21,600,

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Mr. Fleck, Chairman of the Administration Committee, apologized to Ann Nicodemus for using the word “ladylike” when he responded to her at the last Council meeting regarding the spraying of herbicides on the riverbank.

Dr. Warner reported that the Easton Environmental Advisory Council had met and formed a Sub-Committee regarding the spraying of the herbicides on the riverbank.

Mayor Panto said that Ms. Nicodemus’ presentation was excellent

Mr. Fleck also spoke regarding legislation that he would have for later in the meeting regarding the State spraying herbicides along Rt. 22.

Mayor Panto reported that Director Bradley had gone out to the Karl Sterner Arts Trail, along with a district engineer from PennDOT. He said that trees will be replanted outside of the State’s right-of-way, reported that the State had left the area in disarray, said that a dedication of a trail gate had to be postponed because of the debris left at the site, and the State’s engineer said that they would take care of the site problems.

There was a short discussion on a letter received by Council regarding Prison and College population being counted in the Census, and whether this had any implementations on the City’s voting districts.

Mr. Murphy, City Solicitor reported that before the meeting Council met in Executive Session and had discussed litigations, fire negotiations, and a personnel issue.

Mayor Panto reported that he would have to leave before the end of the meeting because of a speaking engagement, asked Dr. Ruggles to look into drafting a Quality of Life Ordinance, which would give the City the ability to cite persons for Quality of Life violations, and also asked Dr. Ruggles to look into amending the scaffolding and dumpster Ordinances, and also explained why he was making that request. He also spoke regarding FEMA Flood Regulations and asked Dr. Ruggles to work with Director Bradley on this issue which impacts very hard on City projects.

Mr. Brown said that he had observed many homes with indoor furniture on porches and asked if the Codes Department could look into this matter because there was an Ordinance prohibiting this.

Mayor Panto thanked the International Association of Fire Fighters and the City’s negotiation team for working together towards a Labor Contract and not having to send it to Arbitration, and thanked the Codes, Police and Fire Departments for working together to address problems within the City which had resulted in raids and arrests, and for their daily work.

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Mr. Steckman thanked the Fire Negotiation team for working towards an agreed tentative labor agreement.

NOTE: At 7:19 p.m. Mayor Panto physically left the meeting because of a speaking engagement in Bethlehem, did not vote on Bill 32, but then continued to attend the meeting by telephone.

UNFINISHED BUSINESS

Bill No. 32, (Ordinance 5369), Amending the 2012 Recreation Fund Budget was adopted on motion of Dr. Warner and Mr. Brown by the following vote:

Yeas: Brown, Fleck, Ruggles, Vulcano, Warner, Warren (6)
Nays: None (0)

Ordinance 5369 amends the 2012 Recreation Fund Budget by increasing Revenues and Expenditures by \$21, 600.

Bill No. 33, (Ordinance 5370), Authorizing the incurrence of non-electoral debt of the City of Easton by the issuance, of its \$2,000,000 General Obligation bond, Series of 2012 for the purpose of providing funds to finance Capital projects and to currently refund the City's outstanding General Obligation Note, was adopted on motion of Mr. Brown and Dr. Warner by the following vote:

Dr. Ruggles said that Exhibit A was not populated with numbers, and said that the Bank proposal was attached which it was not. He said that he believed that the Bank proposal must be placed with the Ordinance.

Yeas: Fleck, Ruggles, Vulcano, Warner, Warren, Panto, Brown (7)
Nays: None (0)

Ordinance 5370 authorizes the issuance of a \$2,000,000 General Obligation Bond.

Bill No. 34, (Ordinance 5371), Endorsing an Amendment to the Lease Agreement between the Greater Easton Development Partnership and McDonalds Corporation was adopted on motion of Mayor Panto and Dr. Warner by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown, Fleck (7)
Nays: None (0)

Ordinance 5371 endorses an Amendment to the Lease Agreement between the GEDP and McDonalds Corporation.

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Bill No. 35, (Ordinance 5372), Approving an Extension Agreement with Hei-Low, Inc., was adopted on motion of Dr. Warner and Mr. Warren by the following vote:

Yeas: Vulcano, Warner, Warren, Panto, Brown, Fleck, Ruggles (7)
Nays: None (0)

Ordinance 5372 approves an Extension Agreement with Hei-Low Inc., for development of the property at 418 East Kleinhans Street.

Bill 36, (Ordinance 5373), Amending the 2012 General Fund Budget was adopted on motion of Mayor Panto and Dr. Ruggles by the following vote:

Yeas: Warner, Warren, Panto, Brown, Fleck, Ruggles, Vulcano (7)
Nays: None (0)

Ordinance 5373 increases Revenues and Expenditures by \$100,000 in the General Fund Budget.

Bill 37, (Ordinance 5374), Approving a Lease Agreement between the Greater Easton Development Partnership and Binney and Smith, LLC was adopted on motion of Mayor Panto and Dr. Warner by the following vote:

Yeas: Warren, Panto, Brown, Fleck, Ruggles, Vulcano, Warner (7)
Nays: None (0)

Ordinance 5374 approves a Lease Agreement between the Greater Easton Development Partnership and Binney and Smith LLC for the property at 30 Centre Square and authorizes a loan in the amount of \$200,000 from the City to the Greater Easton Development Partnership to be used toward the replacement of the HVAC System in the building.

CORRESPONDENCE

The following correspondence was received by Council:

- (a) Joan Chelsen and Raisa Furman, Than-You Letters regarding Police Department in the annual Sports for Health Camp.

NEW BUSINESS

A September 6, 2012 e-mail regarding an Agreement of Sale for 202 Palmer Street was received from Gretchen Longenbach, Director of Economic Development.

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Bill 38, Approving an Agreement of Sale between the City of Easton and the Redevelopment Authority of Easton, was introduced by Mrs. Vulcano and ordered processed for adoption.

This Bill would approve an Agreement of Sale for 202 Palmer Street.

An August 29, 2012 letter regarding a request for an Intermunicipal Transfer of a Retail Restaurant Liquor was received from Mr. Juan Carlos Paredes Gomez.

The next item on the Agenda was a proposed Resolution which would approve the Intermunicipal Transfer of a Retail Liquor License.

The following Resolution was introduced by Mrs. Vulcano:

126-2012

The above Resolution was adopted on motion of Mrs. Vulcano and Mr. Warren by the following vote:

Yeas: Brown, Fleck, Ruggles, Vulcano, Warner, Warren, Panto (7)

Nays: None (0)

A September 4, 2012 e-mail, regarding a Northampton County Grant was received from Fire Chief John Bast.

The next item on the Agenda was a proposed Resolution which would authorize the acceptance of a Northampton County Grant to be used for improvements to the South Side Fire Station.

The following Resolution was introduced by Mr. Warren

127-2012

The above Resolution was adopted on motion of Mr. Warren and Dr. Warner by the following vote:

Yeas: Fleck, Ruggles, Vulcano, Warner, Warren, Panto, Brown (7)

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would authorize the filing of an application for funds with the DCED.

The following Resolution was introduced by Mrs. Vulcano:

128-2012

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The above Resolution was adopted on motion of Mrs. Vulcano and Mr. Warren by the following vote:

Yeas: Ruggles, Vulcano, Warner, Warren, Panto, Brown, Fleck (7)
Nays: None (0)

The next item on the Agenda was a proposed Resolution which would encourage the government of the Commonwealth of Pennsylvania to stop clearing of trees along Rt 22, and to stop the use of herbicides in the City of Easton with notification to the City.

The following Resolution was introduced by Mr. Fleck:

129-2012

The above Resolution was amended in the following manner on motion of Mr. Fleck and Mrs. Vulcano by the following vote:

By adding the following to the above Resolution –“Be it further resolved that Council strongly encourages the Commonwealth of Pennsylvania or the Pennsylvania Department of Transportation to respond within thirty (30) days.”

Yeas: Ruggles, Fleck, Brown, Panto, Warren, Warner, Vulcano (7)
Nays: None (0)

The above amended Resolution was adopted on motion of Mr. Fleck and Dr. Warner by the following vote:

Yeas: Vulcano, Warner, Warren, Panto, Brown, Fleck, Ruggles (7)
Nays: None (0)

A September 7, 2012 e-mail regarding a KOEZ Resolution was received from Gretchen Longenbach, Director of Economic Development.

The next item on the Agenda was a proposed Resolution which would approve a proposed new Keystone Opportunity Expansion Zone for the City.

The following Resolution was introduced by Mrs. Vulcano:

139-2012

The above Resolution was adopted on motion of Mrs. Vulcano and Mr. Fleck by the following vote:

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Yeas: Warner, Warren, Panto, Brown, Fleck, Ruggles, Vulcano (7)
Nays: None (0)

A September 7, 2012 memorandum, regarding a proposed change to the Salary and Wage Resolution was received from Chris Heagele, Director of Finance.

The next item on the Agenda was a proposed Resolution which would delete the position of City Accountant and the salary for that position and add the position of Revenue and Accounting Manager with a salary of \$60,912 in the Finance Department.

The following Resolution was introduced by Mr. Brown:

131-2012

Dr. Ruggles asked a question regarding the designation as a Certified Public Accountant being preferred for this position in the Job Description, because he did not read anything in the description that would require a CPA.

Mr. Brown said that the designation was only preferred and not a requirement.

Mr. Steckman said that it also gave the City someone that could do a complete preparation of the City's statements for auditing purposes, and further explained why.

Mr. Fleck asked if the CPA title was required of the City's Finance Director.

Mr. Steckman said that it was not.

The above Resolution was adopted on motion of Mr. Brown and Mr. Fleck by the following vote:

Yeas: Warren, Panto, Brown, Fleck, Ruggles, Vulcano, Warner (7)
Nays: None (0)

At 7:31 p.m. a recess was taken to allow the Solicitor and the City Clerk time to draw up a proposed Resolution.

At 7:41 p.m., the meeting was called back to order.

The next item on the Agenda was a proposed Resolution which would accept the Contract Terms between the IAFF, Local 713 and to authorize the City Administrator to pursue a Contract Agreement based on the said terms.

The following Resolution was introduced by Mr. Fleck:

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132-2012

The above Resolution was adopted on motion of Mr. Fleck and Dr. Warner by the following vote:

Yeas: Warren, Warner, Vulcano, Ruggles, Fleck, Brown (6)

Nays: None (0)

CITIZENS RIGHT TO BE HEARD

There was a discussion on changing the September 25, 2012 Council meeting to Monday September 24, 2012.

The City Clerk was directed to check with St. Pauls Lutheran Church to see if Council could meet on the 24th rather than on the 25th, and if they could the meeting would be changed to September 24, 2012.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:44 p.m. on the motion of Dr. Warner and Mr. Warren by the following vote:

Yeas: Warren, Warner, Vulcano, Ruggles, Fleck, Brown (6)

Nays: None (0)

Thomas A. Hess, City Clerk