

Minutes of the Council of the City of Easton, Pa.

September 28, 2016

Easton, Pa
Wednesday
September 28, 2016
6:21 p.m.

City Council met in stated session at the above date and time, at St. Paul's Lutheran Church, 610 W. Berwick Street, Easton Pa. to consider any business that may lawfully be brought before the body.

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

ROLL CALL

Present: Brown, Edinger, Melan, O'Connell, Vulcano, Panto (6)

Absent: Ruggles (1)

Also in attendance were Thomas A. Hess, City Clerk, William Murphy, City Solicitor, Joel Scheer, Assistant City Solicitor, Tony Bassil, City Controller and Luis Campos, City Administrator. There were five (5) other persons present.

APPROVAL OF AGENDA

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

Yeas: Brown, Edinger, Melan, O'Connell, Vulcano, Panto (6)

Nays: None (0)

ACTION ON MINUTES

On motion of Mr. Melan and Mrs. Vulcano the September 14, 2016 Council Meeting minutes, as submitted, were approved by the following vote:

Yeas: Edinger, Melan, O'Connell, Vulcano, Panto, Brown (6)

Nays: None (0)

PUBLIC COMMENT
(Agenda Items Only)

There were no comments or questions from the audience.

CONSENT AGENDA

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On motion of Mrs. Vulcano and Mr. O'Connell the following items were adopted by the following vote:

Bill 35, (Ordinance 5565) Amending Sections in Chapter 507, Stormwater Management, of the Code of the City of Easton, Pa. This Ordinance amended sections in Chapter 507, Stormwater Management of the City's Codes.

Bill 36, (Ordinance 5566) An Ordinance to amend the Code of the City of Easton, Pa., by adding a new Chapter 295, to be entitled Fire Safety Inspection. This Ordinance adds a new Chapter 295, Fire Safety Inspection to the City Codes.

Bill 37, (Ordinance 5567 Amending Sections contained in Chapter 222, Buyer Notification, of the Code of the City of Easton, Pa. This Ordinance amends Sub-Sections contained in Chapter 222, Buyer Notification, of the City's Code.

Bill 38, (Ordinance 5568) Amending Chapter 285, Fees, of the Code of the City of Easton Pa. This Ordinance establishes fees for Fire Safety Inspections.

Resolution 152-2016 authorized the City to apply for a Monroe County Local Share Account Grant for \$400,000 to be used to assist in the planning of an attraction.

Resolutions 153-158 2016, which approved Certificates of Appropriateness for 14 N. 3rd, 49 S. 5th, 427 & 517 Ferry, 101-103 and 154 Northampton Streets.

Yeas: Vulcano, Panto, Brown, Edinger, Melan, O'Connell (6)
Nays: None (0)

REPORTS RECEIVED BY COUNCIL

The following report was received by Council:

- (a) Easton Fire Department Monthly Report for August 2016.

REPORTS OF COMMITTEES

Mr. Brown, Chairman of the Finance Committee, spoke regarding legislation which he would have for later in the meeting, regarding approving the Minimum Municipal Obligations for the PMRS and City managed pension plans.

Mrs. Vulcano, Chairman of the Economic Development Committee, had no report

Mr. O'Connell, Chairman of the Planning Committee, had no report.

Mr. Melan, Chairman of the Public Safety Committee, had no report.

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Dr. Ruggles, Chairman of the Public Works Committee, was absent

Mr. Edinger, Chairman of the Administration Committee, had no report.

Mr. Murphy, City Solicitor reported that before the meeting, Council had met in an Executive Session and had discussed Real Estate and Personnel matters.

Mayor Panto spoke regarding the Fireball Run, upcoming Garlic Fest on Saturday, October 1, 2016 and Sunday, October 2, 2016, reported that he and Mr. Brown would be taking part in the Shiloh Baptist Church Barbershop talk, reported that he and Mr. Melan would be attending the Pennsylvania Municipal League's annual conference in Lancaster, said that Buck hall would be dedicated by Lafayette College on Friday, September 30, 2016. He said that he would like to present the proposed 2017 City Budget to Council on Monday, October 3, 2016 at 5:00 p.m.

CORRESPONDENCE

The following Correspondence was received by Council:

- (a) Palmer & Company, Workers' Compensation Self Insurance Trust Financial Statements for December 31, 2015 – 2014, and the Aggregated Pension Fund Financial Statements and Auditor's Report for the year ended December 31, 2015.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

The next item on the Agenda was a proposed Resolution which would approve a job description for the position of Fire Inspector in the Codes Department.

The following Resolution was introduced by Mr. O'Connell:

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

Yeas: Brown, Edinger, Melan, O'Connell, Vulcano, Panto, Brown (6)

Nays: None (0)

A memorandum, dated September 22, 2016, regarding 2016 PMRS and City managed pension plans was received from Cassandra Williams, Director of Finance. .

The next item on the Agenda was a proposed Resolution which would recognize the Minimum Municipal Obligations for the 2017 City managed pension funds.

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The following Resolution was introduced by Mr. Brown:

160-2016

The above Resolution was adopted on motion of Mr. Brown Mr. O'Connell by the following vote:

Yeas: Edinger, Melan, O'Connell, Vulcano, Panto, Brown (6)

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would recognize the Minimum Municipal Obligations for the PMRS managed pension plans

The following Resolution was introduced by Mr. Brown:

161-2016

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

Yeas: Melan, O'Connell, Vulcano, Panto, Brown, Edinger (6)

Nays: None (0)

A September 22, 2016 e-mail, regarding a City Council Resolution to approve an agreement, was received from Tina Woolverton, Economic Development department.

The next item on the Agenda was a proposed Resolution which would approve a Cooperation Agreement between the City of Easton and the Redevelopment Authority

The following Resolution was introduced by Mr. O'Connell:

162-2016

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

Yeas: O'Connell, Vulcano, Panto, Brown, Edinger, Melan (6)

Nays: None (0)

A September 21, 2016 memorandum, regarding Council Agenda items, was received from David Hopkins.

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The next item on the Agenda was a proposed Resolution which would approve a Winter Traffic Services Supplemental Agreement to the existing Winter Traffic Services Agreement between the City of Easton and the Pa. Department of Transportation.

Then following Resolution was introduced by Mrs. Vulcano:

163-2016

The above Resolution was adopted on motion of Mrs. Vulcano and O'Connell by the following vote:

Yeas: Vulcano, Panto, Brown, .Edinger, Melan, O'Connell (6)

Nays: None (0)

There was a discussion between Council members and Attorney Scheer on a proposed Resolution which would approve a License Agreement for Parking spaces between the City of Easton and the Greater Easton Development Partnership.

Following that discussion Mrs. Vulcano withdrew the proposed Resolution for approving a License Agreement for the use of parking spaces, with the Greater Easton Development Partnership.

PUBLIC COMMENT
(On any item)

There were no comments from the audience.

Mrs. Vulcano asked when Billy's Downtown Diner was going to officially open.

Mayor Panto said that the first floor southern 6,000 square feet location in City Hall is presently under construction at this time and explained what was being done for Farmers Insurance Company spaces, and said that they should be occupying the spaces by the end of October or the beginning of November. He said that he and Mr. Murphy have been meeting, on a regular basis, and have given Mr. Kounoupis another opportunity to lease the space at a higher rate because the construction costs are higher. He said that Mr. Kounoupis has not gotten back with his decision. He said that the amount of money that was initially expected to be for the build out portion, that the City was responsible for, was much higher than was anticipated and therefore the lease payments were not high enough. He said that the City was not going to spend tax payer's dollars on a private enterprise's benefit. He said that the City needed approximately a ten (10) year payback on a piece of real estate. He said that the contract was worth \$2,000,000, because it is a twenty-nine (29) year lease, He said that the City needed a payback for the City's investment of ten (10) years. He said that he and Mr.

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Murphy came up with some good suggestions. He said that this was now the third one. He said that the second one was accepted by Mr. Kounoupis. He said that the City went out to bid and it came in at a quarter of a million dollars over that bid. He said that he has sent Mr. Kounoupis another offer letter and he's going to respond.

Mrs. Vulcano asked how long he had to respond.

Mayor Panto that they will give him fourteen (14) days.

Mr. Melan asked if at some point was the City going to move on because it was an eyesore and the fact that this was the third proposal for Mr. Kounoupis, and it was frustrating.

Mayor Panto said that they would. He said that this was not Mr. Kounoupis' fault. He said that was the fault of government. He said that government has cost money. He said that construction costs were ridiculous. He said that there was no way that 2,000 square foot restaurant, with a patio, should cost \$821,000. He said that the project has been bid three times, hoping for a better bid. He said that the last bid was over \$400 per square foot.

Mr. Melan said that he felt that this has gone on long enough and now it should either be finished or the City should move on.

Mayor Panto asked if he had some way of getting the construction costs lower.

Mr. Melan said that he did not.

Mayor Panto said that the City ran the same risk with a new tenant.

Mr. Melan said that it would cost a lot less if an office went into that space.

Mayor Panto said that it would not. He said that the City was only paying for an office and that Mr. Kounoupis was paying for the restaurant. He said that all of the extra equipment and other things, he needed to pay for and not the City. He said that just the build out of the City's share was \$600,000.

Mr. Melan asked what the build out cost was for Farmers Insurance Company.

Mayor Panto said that it was \$630,000, because the HVAC was already contemplated for. He said that the HVAC was not contemplated for on the Northside of the building. He said that the City would give Mr. Kounoupis another two weeks and at the next meeting Council would have a decision to either sign a lease to approve with Mr. Kounoupis or not. He said that Mr. Kounoupis has not signed one document yet, and if another person came and wanted to lease that space the City would entertain that request. He said that the initially the City did receive a check from Mr. Kounoupis, that was never cashed, for the deposit, which was required by the

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initially lease. He said that this was not Mr. Kounoupis fault but the City did have to get a decision from him on the latest proposal.

ADJOURNMENT

With no further business, the meeting was adjourned at 6:42 p. m. on motion of Mr. Brown and Mr. O'Connell by the following vote:

Yeas: Vulcano, Panto, Brown, Edinger, Melan, O'Connell (6)

Nays: None (0)


Thomas A. Hess
City Clerk



CITY OF EASTON

PENNSYLVANIA

September 23, 2016

MEETING NOTICE

A regular meeting of Easton City Council has been scheduled for Wednesday, September 28, 2016, for the transaction of regular business.

The meeting will be held at St. Paul's Lutherans, located at 610 Berwick Street, Easton, Pa., and will begin at 6:00 p.m.

All meetings of City Council are open to the Public and are accessible to persons with disabilities.


Thomas A. Hess
City Clerk

CITY COUNCIL
AGENDA

Stated Session
Wednesday
September 28, 2016
6:00 P.M.

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. APPROVAL OF AGENDA
6. ACTION ON MINUTES – September 14, 2016 Council Meeting minutes
7. PUBLIC COMMENT (Agenda Items Only)
8. CONSENT AGENDA
 - a. Bill No. 35, Amending sections in Chapter 507, Stormwater Management, of the code of the City of Easton, Pa.
 - b. Bill No. 36, Amending the Code of the City of Easton, Pa. by adding a new Chapter 295 Fire Inspection.
 - c. Bill No. 37, Amending Sections contained in Chapter 222, Buyer Notification.
 - d. Bill No. 38, Amending Chapter 285, Fees, of the Code of the City of Easton, Pa.
 - e. Resolution authorizing application for a grant.
 - f. Resolution approving a Certificate of Appropriateness for 14 N. 3rd Street.
 - g. Resolution approving a Certificate of Appropriateness for 49 S. 5th Street.
 - h. Resolution approving a Certificate of Appropriateness for 427 Ferry Street.
 - i. Resolution approving a Certificate of Appropriateness for 517 Ferry Street.
 - j. Resolution approving a Certificate of Appropriateness for 101-103 Northampton Street.
 - k. Resolution approving a Certificate of Appropriateness for 154 Northampton Street.
9. REPORTS RECEIVED BY COUNCIL
 - a. Easton Fire Department Monthly Report for August 2016.
10. REPORTS OF COMMITTEES
 - (a) Finance (Kenneth Brown)
 - (b) Economic Development (Sandra Vulcano)
 - (c) Planning and Code (David O’Connell)
 - (d) Public Safety (Peter Melan)
 - (e) Public Works (Roger Ruggles)
 - (f) Administration (James Edinger)
 - (g) Report of City Solicitor (Attorney William Murphy)
 - (h) Report of Mayor (Salvatore J. Panto Jr.)

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11. CORRESPONDENCE
 - (a) Palmer & Company – Workers’ Compensation Self Insurance Trust Financial Statements December 31, 2015 – 2014.
 - (b) Palmer & Company – Aggregated Pension Fund Financial Statements and Auditor’s Report for the year ended December 31, 2015.
12. UNFINISHED BUSINESS,
13. NEW BUSINESS
 - (a) Resolution approving the Fire Inspector Job Description.
 - (b) Resolution approving MMO for City Managed Pension Funds
 - (c) Resolution approving MMO for PMRS Pension Fund
 - (d) Resolution approving a Cooperation Agreement w/the Redevelopment Authority.
 - (e) Resolution approving a Winter Traffic Services Supplemental Agreement.
 - (f) Resolution approving a License Agreement with GEDP.
14. PUBLIC COMMENT – (Any Matter)
15. ADJOURNMENT