

AGENDA
CITY COUNCIL
THURSDAY, JULY 9, 2020 - 6:30 P.M.

I. OPENING EXERCISES

- A. Pledge of Allegiance and Moment of Silence
- B. Call to Order
- C. Roll Call
- D. Executive Session

1. Attorney Bill Flannery

- E. Approval of Minutes - 06/25/2020

II. ADOPTION OF AGENDA

- A. Acknowledgment of Prepared Agenda
- B. Consideration of Requests to be Heard and Amendments to Agenda

- 1. Requests to be Heard
- 2. Amendments to Agenda

- C. Adoption of Final Agenda

III. PUBLIC COMMENTS AND CORRESPONDENCE

- A. Explanation of Public Comment Procedure
- B. Public Comments
- C. Administration Comments
- D. Receipt of Written Communications - NONE

IV. FISCAL AND CONTRACTUAL TRANSACTIONS

- A. Request Authorization to Bid - NONE
- B. Receipt of Bids:

- 1. 2020 Paving
- 2. 2020 City Demolitions

- C. Acceptance of Bids

V. REPORTS OF OFFICIALS, BUREAUS, COMMISSIONS & CITY COUNCIL INQUIRY

A. Regular Reports:

1. City Planning Commission recommending approval of the request of Kimberly Fischer for preliminary/final subdivision, a reverse subdivision consisting of combing Parcel I.D. No's 03-007100 and 03-188100 into one lot. The lots are currently described as per documents No's. 2006-001637 and 2020-001960. The two parcels are proposed to be combined into one lot with one parcel I.D. number. The property is located generally in the area of 728 Countyline Street in the Third Ward.
2. Lawrence County Planning Department regarding the request of Kimberly Fischer for preliminary/final subdivision, a reverse subdivision consisting of combing Parcel I.D. No's 03-007100 and 03-188100 into one lot. The lots are currently described as per documents No's. 2006-001637 and 2020-001960. The two parcels are proposed to be combined into one lot with one parcel I.D. number. The property is located generally in the area of 728 Countyline Street in the Third Ward.
3. City Planning Commission recommending approval of the Conditional Use Request of Mary O'Connor for day care center at 208 ½ E. Wallace Avenue in the C-1 General Business District of the Second Ward.
4. City Planning Commission recommending approval of the request of Patricia Barber for preliminary/final subdivision, a reverse subdivision consisting of combining Parcel I.D. No's. 05-006200, 05-101600, 05-116400, and 05-116500 into one lot, as well as the adjoining vacated alley. The lots are currently described as per document No.'s 2001-000355 and 2020-000784 as well as Deed Book Volume 696, page 341. The alley has been vacated per Ordinance 8307 adopted 9-26-2019, CB-2019-26. The four parcels, as well as the vacated alley are proposed to be combined into one lot with one parcel I.D. number. The property is located generally in the area of 412 Carl Street in the Fifth Ward.
5. Lawrence County Planning Department regarding the request of Patricia Barber for preliminary/final subdivision, a reverse subdivision consisting of combining Parcel I.D. No's. 05-006200, 05-101600, 05-116400, and 05-116500 into one lot, as well as the adjoining vacated alley. The lots are currently described as per document No.'s 2001-000355 and 2020-000784 as well as Deed Book Volume 696, page 341. The alley has been vacated per Ordinance 8307 adopted 9-26-2019, CB-2019-26. The four parcels, as well as the vacated alley are proposed to be combined into one lot with one parcel I.D. number. The property is located generally in the area of 412 Carl Street in the Fifth Ward.

6. City Planning Commission recommending approval of the Conditional Use Request of Timothy M. Fulkerson/Fulkerson Development LLC for apartment house at 20 South Mercer Street, located in the C-2 Central Business District of the First Ward.

- B. Special Reports - NONE
- C. City Council Reports and Inquiry

VI. RESOLUTIONS

- A. On the Table - NONE
- B. To Be Removed From Table and Acted On - NONE
- C. New Resolutions:

1. R-2020-081 Authorizing the Mayor and City Controller to execute the Bid Acceptance Form accepting the bid made by John Cook, in the amount of \$1,250.00 for Repository Property located at Friendship Street, and having a Parcel ID No. of 08-001900. (Vacant Lot)
2. R-2020-082 Authorizing the Mayor and City Controller to execute the Bid Acceptance Form accepting the bid made by John Cook, in the amount of \$1,200.00 for Repository Property located at Friendship Street, and having a Parcel ID No. of 08-030800. (Vacant Lot)
3. R-2020-083 Authorizing the Mayor and City Controller to enter into an agreement with the Lawrence County Career and Technical Center for the use of a City Police Officer as a Resource Officer for the 2020/2021 school year.
4. R-2020-084 Authorizing the Mayor and City Controller to execute a Cooperation Agreement with the New Castle Area Transit Authority.
5. R-2020-085 Approving the proposed settlement with AT&T and authorizing the appropriate City Officials to execute a Settlement Agreement with AT&T.
6. R-2020-086 Authorizing to settle the matter of Christopher Fabian by way of a full and complete Compromise and Release Agreement, Pennsylvania Bureau of Workers Compensation at Claim No. W100947493.

7. R-2020-087 Approving waiving the City's right to compensation and authorizing temporary construction easements for the New Castle Riverwalk Pedestrian Project for the following City-owned parcels: 04-42-0556E; 04-42-0556A; 02-42-75; 01-42-176, and authorizing the Mayor and/or Council President and any other required City Official to execute written Waivers of Compensation and Temporary Construction Easements for the above parcels.
8. R-2020-088 Approving extending the Proclamation of the Mayor of the City of New Castle declaring the existence of a disaster emergency throughout the City of New Castle through August 28, 2020.
9. R-2020-089 Authorizing the filing of a proposal for Elm Street Program Designation with the Department of Community and Economic Development, Commonwealth of Pennsylvania.
10. R-2020-090 Conditional Use Request of DON Recovery Services, Inc. for Drug and Alcohol Counseling Center (ARTICLE 1322) Ord. 8027 passed 11-29-2012, at 101 S. Mercer Street in the C-2 Central Business District of the Second Ward.

VII. ORDINANCES

A. On the Table:

1. CB2020-15 The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for two lot, lot consolidation Plan No. 2, Lots 180 and 181 Tax/Parcel ID #04-133300 and #04-287100 will be consolidated to form one lot, located generally in the area of the north side of Butler Avenue between Raymond Street and Forest Street, in the Fourth Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Ms. Gavrilie at the 06/25/2020 Council Meeting.)

2. **CB2020-16** The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for four lot, lot consolidation Plan No. 3, Lots #402 and 403 Tax/Parcel ID #03-112700 and #03-112600 will be consolidated to form one lot, Lot#1, located generally in the area of the southeast corner of Countyline Street and Spruce Street; and Lots #2 and 3 Tax/Parcel ID #03-146000 and #03-208200 will be consolidated to form one lot, Lot #2, located generally in the area of the northeast corner of Oak Street and Spruce Street, in the Third Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Mr. Cameron at the 06/25/2020 Council Meeting.)

3. **CB2020-17** The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for four lot, lot consolidation Plan No. 4, Lots #90 and 91 Tax/Parcel ID #05-104200 and #05-030500 will be consolidated to form one lot, Lot #1 located generally in the area of the west side of Hamilton Street and north of Lyndall Street; and Lots #39 and 41 Tax/Parcel ID #05-112400 and #05-121600 will be consolidated to form one lot, Lot #2, located generally in the area of the southwest corner of Lyndall Street and Hamilton Street, in the Fifth Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Ms. Gavriile at the 06/25/2020 Council Meeting.)

4. **CB2020-18** The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for four lot, lot consolidation Plan No. 5, Lots #201 and 203 Tax/Parcel ID 03-000800 and #03-025500 will be consolidated to form one lot, Lot #1, located generally in the area of the east side of Ray Street and north of Court Street; and Lots 263 and 264 Tax/Parcel ID #03-083300 and 03-117000 will be consolidated to form one lot, Lot #2 located generally in the area of the southwest corner of Court Street and Mulberry Street, in the Third Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Mr. Cioppa at the 06/25/2020 Council Meeting.)

5. CB2020-19 Amending and supplementing ARTICLE 155 - Department of Recreation and Parks, subsection (D) subparagraph 2 Private Golf Cart Use and subparagraph 3. Greens Fees clause b of Section 155.02 Recreational Facilities and Maintenance Fees of the Codified Ordinances of the City of New Castle, Pa. (Introduced by Mr. Cameron at the 06/25/2020 Council Meeting.)
6. CB2020-20 Amending and supplementing ARTICLE 505 - Vehicle Removal and Impounding, Section 505.04 - TOWING AND IMPOUND FEES, Subsection (A) of the Codified Ordinances of the City of New Castle, Pa. (Introduced by Ms. Gavrilc at the 06/25/2020 Council Meeting.)

B. For Final Action:

1. CB2020-15 The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for two lot, lot consolidation Plan No. 2, Lots 180 and 181 Tax/Parcel ID #04-133300 and #04-287100 will be consolidated to form one lot, located generally in the area of the north side of Butler Avenue between Raymond Street and Forest Street, in the Fourth Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Ms. Gavrilc at the 06/25/2020 Council Meeting.)
2. CB2020-16 The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for four lot, lot consolidation Plan No. 3, Lots #402 and 403 Tax/Parcel ID #03-112700 and #03-112600 will be consolidated to form one lot, Lot#1, located generally in the area of the southeast corner of Countyline Street and Spruce Street; and Lots #2 and 3 Tax/Parcel ID #03-146000 and #03-208200 will be consolidated to form one lot, Lot #2, located generally in the area of the northeast corner of Oak Street and Spruce Street, in the Third Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Mr. Cameron at the 06/25/2020 Council Meeting.)

3. CB2020-17 The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for four lot, lot consolidation Plan No. 4, Lots #90 and 91 Tax/Parcel ID #05-104200 and #05-030500 will be consolidated to form one lot, Lot #1 located generally in the area of the west side of Hamilton Street and north of Lyndall Street; and Lots #39 and 41 Tax/Parcel ID #05-112400 and #05-121600 will be consolidated to form one lot, Lot #2, located generally in the area of the southwest corner of Lyndall Street and Hamilton Street, in the Fifth Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Ms. Gavriale at the 06/25/2020 Council Meeting.)
4. CB2020-18 The request of DON Enterprises, Inc. Chris Lloyd, CEO for preliminary/final subdivision for four lot, lot consolidation Plan No. 5, Lots #201 and 203 Tax/Parcel ID 03-000800 and #03-025500 will be consolidated to form one lot, Lot #1, located generally in the area of the east side of Ray Street and north of Court Street; and Lots 263 and 264 Tax/Parcel ID #03-083300 and 03-117000 will be consolidated to form one lot, Lot #2 located generally in the area of the southwest corner of Court Street and Mulberry Street, in the Third Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat. (Introduced by Mr. Cioppa at the 06/25/2020 Council Meeting.)
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6. CB2020-20 Amending and supplementing ARTICLE 505 - Vehicle Removal and Impounding, Section 505.04 - TOWING AND IMPOUND FEES, Subsection (A) of the Codified Ordinances of the City of New Castle, Pa. (Introduced by Ms. Gavriale at the 06/25/2020 Council Meeting.)

C. For Introduction:

- 1. CB2020-21** The request of Kimberly Fischer for preliminary/final subdivision, a reverse subdivision consisting of combining Parcel I.D. No's 03-007100 and 03-188100 into one lot. The lots are currently described as per documents No's. 2006-001637 and 2020-001960. The two parcels are proposed to be combined into one lot with one parcel I.D. number. The property is located generally in the area of 728 Countyline Street in the Third Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat.

- 2. CB2020-22** The request of Patricia Barber for preliminary/final subdivision, a reverse subdivision consisting of combining Parcel I.D. No's. 05-006200, 05-101600, 05-116400, and 05-116500 into one lot, as well as the adjoining vacated alley. The lots are currently described as per document No.'s 2001-000355 and 2020-000784 as well as Deed Book Volume 696, page 341. The alley has been vacated per Ordinance 8307 adopted 9-26-2019, CB-2019-26. The four parcels, as well as the vacated alley are proposed to be combined into one lot with one parcel I.D. number. The property is located generally in the area of 412 Carl Street in the Fifth Ward, and authorizing the signature of the Council President to be affixed to the said preliminary/final subdivision plat.

VIII. NEW BUSINESS

IX. ADJOURNMENT