

**WARREN CITY COUNCIL  
REGULAR MEETING  
JANUARY 20, 2014 – 7:30 PM**

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**OPENING OF MEETING**

Mayor Cashman presided over the January 20, 2014 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance. Mayor Cashman announced that Council met in Executive Session immediately prior to this meeting in regard to three property matters.

**PROCLAMATION: MARTIN LUTHER KING, JR. DAY**

On behalf of Mayor Cashman, Dr. Ferguson presented a proclamation honoring Dr. Martin Luther King, Jr. and encouraging all citizens to share in reflecting on Dr. King's legacy.

**INTRODUCTION OF INTERN**

Mrs. Freenock introduced Greg Wilson, Penn State University Master's of Public Administration candidate, who will be serving a 15-week internship with the City. This internship is in cooperation with the Pennsylvania State Association of Township Supervisors.

**ROLL CALL**

Members present and responding to roll call were: Mayor Maurice Cashman, Dr. Howard Ferguson, Gregory Fraser, Samuel Harvey, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr. Eric Zavinski, Junior Council member, arrived during the meeting. Mrs. Freenock, Mr. Gustafson, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Ms. Nau, Chief Pascuzzi, Mrs. Risinger, Mr. Sceiford, Ms. Stapleford, and Chief Zydonik of City staff were also in attendance.

**RECOGNITION OF VISITORS**

Mayor Cashman welcomed all visitors. Present were:

- Jeromy Crawl: Appointment to the Street Landscape Committee
- Dan Ristau: Regarding the Downtown
- Pauline Steinmeyer: City resident, 18 Prospect Street
- Barbara Lucia: City resident, 1307 PA Avenue West
- Josh Cotton: Times Observer reporter

Dan Ristau addressed Council and stated his concerns regarding the retail climate within the downtown area. He suggested the formation of a committee to "get things moving" and requested that Council meet with the Warren County Chamber of Business and Industry (WCCBI) regarding downtown businesses. Mr. Ristau noted his appreciation of the work done by Councilman Zavinski regarding holiday decorations in the downtown area.

**APPROVAL OF MINUTES**

Upon motion by Mr. Zavinski and second by Mr. Harvey, the minutes of the December 16, 2013 Regular Meeting were unanimously approved by Council members present.

Upon motion by Mr. Zavinski and second by Mr. Harvey, the minutes of the January 6, 2014 Organizational Meeting were unanimously approved by Council members present.

**CORRESPONDENCE**

There was no correspondence to come before Council.

**COUNCIL UPDATES**

**117 Beaty Street**

(See also 8/19/13, 9/16/13, 11/18/13, and 12/16/13 meeting minutes)

Ms. Stapleford stated that the Building Codes Department could pursue violations under the Property Maintenance Code, which could result in an order to demolish if the violations are not corrected within the specified timeframe. Mr. Gustafson stated that the property owner is typically given thirty days within which to address, or present a plan to address, the violations. He further stated that, in this instance, the notice of violation(s) would be served on representatives of the heir(s) to the property. Mrs. Freenock added that notice would also be published in the newspaper. She further stated that demolition costs are estimated at \$5000 to \$6000, there is an existing municipal lien of approximately \$1800, and the City will likely incur additional expenses for mowing and sidewalk snow removal. At present, the 2013 real estate taxes are in arrears.

**Southside Oil/Gas Well – Timothy Koebley.**

(See also 8/26/13, 9/16/13, 10/21/13, 11/18/13, and 12/16/13 meeting minutes.)

Ms. Stapleford stated that Timothy Koebley did not plug the well within the 30-day time period and, therefore, the Department of Environmental Protection (DEP), required submission of a new permit application. She further stated that the DEP is monitoring this matter. It was stated that Mr. Koebley indicated that the work was not done as there was an issue with the contractor who was to perform the work.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to make the following appointments:

<u>Member</u>	<u>Board/Commission</u>	<u>Term Expiration</u>
Jackie Angove	Parks and Recreation Commission	12/31/17
Dennis Crandall	Parks and Recreation Commission	12/31/17
Todd Ristau	Parks and Recreation Commission	12/31/17
Michael Suppa	Parks and Recreation Commission	Fulfilling term of vacant seat – to 12/31/16
Pat Scutella	Planning Commission	12/31/17
Raymond R. Pring, Jr.	Planning Commission	12/31/17
David Cantrell	Redevelopment Authority	12/31/17
Burt Alexander	Zoning Hearing Board	12/31/17
Richard Campbell	Zoning Hearing Board	12/31/17
Steve Parinella	Zoning Hearing Board Alternate	
Jeromy Crowl	Street Landscape Committee	12/31/17
Mark Eberl	Street Landscape Committee	12/31/17
Angela Dart	Property Maintenance Code Board of Appeals	12/31/17
Jerry Samuelson	Property Maintenance Code Board of Appeals	12/31/16
Harvey Stone	Property Maintenance Code Board of Appeals	12/31/18
Harvey Stone	Joint Uniform Construction Code Board of Appeals	12/31/18

**PROPOSED ZONING ORDINANCE AMENDMENT: ON-LOT PARKING REGULATIONS**

Mr. Hildebrand reported that the City of Warren Zoning Ordinance contains regulations specific to on-lot parking. To bring these regulations up to date, the Planning Commission and City staff

drafted, for Council's consideration, an amendment to the Zoning Ordinance as it pertains to on-lot parking. Mr. Hildebrand noted that prior to enactment of any ordinance which would amend the Zoning Ordinance, it is required that the City of Warren Planning Commission review the proposed regulations and provide any recommendations they may have. It is also required that Council hold a Public Hearing regarding the proposed regulations.

As Council members wished to make a side-by-side comparison of the existing ordinance and proposed amendment, Mayor Cashman asked that this item be deferred to the February 17 Council agenda and that Council members be provided with the current ordinance.

### **PROPOSED ZONING ORDINANCE AMENDMENT: C-1 SINGLE-FAMILY DETACHED DWELLING**

Mr. Hildebrand stated that the City of Warren Zoning Ordinance does not presently contain regulations specific to single-family detached dwellings within the C-1 Central Commercial Zoning District. Therefore, to ensure any future single-family detached dwelling use, the Planning Commission drafted permitted use and special exception language for Council's consideration. The draft language also provides for the return of structures which were originally designed and constructed for residential use and later converted to commercial use to be permitted to return to residential use. Mr. Hildebrand noted that prior to enactment of any ordinance which would amend the Zoning Ordinance, it is required that the City of Warren Planning Commission review the proposed regulations and provide any recommendations they may have. It is also required that Council hold a Public Hearing regarding the proposed regulations.

Mr. Fraser made the motion to return the proposed Zoning Ordinance amendment pertaining to single-family detached dwellings in the Central Commercial Zoning District to the Planning Commission for final review subject to comment that "Buildings originally constructed for residential use may revert to single-family residential use" be made a "Permitted Use" and setting the Public Hearing date for March 17, 2014. The motion was seconded by Dr. Ferguson and carried with six votes in the affirmative and one abstention by Mr. Lewis who cited a conflict due to ownership of a property that could potentially be impacted.

### **CURBSIDE RECYCLING COLLECTION**

(See also 1/06/14 Council minutes)

Mrs. Freenock stated that the potential need to re-open the 2014 budget in regard to recycling collection expenses remains. However, City staff is reviewing options and it is anticipated that a report will be made in February.

### **DEPARTMENT REPORTS – DECEMBER, 2014**

The following reports were presented for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department

### **SEWER USE FEE COLLECTION**

Mr. Lewis inquired as to whether the City may legally require that water and sewer use accounts be in the name of the owner of a rental property. Ms. Stapleford noted that the City bills only for sewer use charges and does not provide water service.

Mr. Lewis made the motion to direct the City Manager to explore opportunities to hold landlords accountable for water and sewer charges. The motion was seconded by Mr. Fraser and carried with five votes in the affirmative and two nay votes cast by Mr. Harvey and Mr. Cashman.

### **ELM STREET PARKING LOT**

Mrs. Freenock stated that City staff has been working toward the sale of the properties known as the Elm Street Parking Lot. She noted that it was found that the survey per the boundary description does not match “what is on the ground” and asked that Council approve a boundary line adjustment to reflect actual conditions.

Mr. Harvey made the motion that the City create a boundary line agreement with those property owners whose properties abut Pennsylvania Avenue and back up to the Elm Street Parking Lot to adjust the legal description to reflect what is “on the ground.” The motion was seconded by Mr. Lewis and carried unanimously.

Mr. Fraser made the motion that the City negotiate with the property owners at WN-587-1164.1, WN-587-11657, WN-587-11691, and WN-587-11699 for easements across WN-587-1191 for purposes of business supply ingress and egress and for possible parking subject to their reimbursing the City for the City’s costs in surveying, agreement development, and recording. The motion was seconded by Mr. Lewis and carried with six votes in the affirmative and one nay vote cast by Mr. Harvey.

Mr. Lewis made the motion to negotiate with the owner of WN-587-1127 to amend an existing License Agreement for a fifteen foot right-of-way by increasing it to a non-exclusive twenty-five foot right-of-way (across the property known as the Elm Street Parking Lot). The motion was seconded by Mr. Kolcharno and carried with six votes in the affirmative and one nay vote cast by Mr. Harvey.

### **APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

Planning Commission	–	November 20, 2013	Regular Meeting
	–	December 18, 2013	Regular Meeting

### **ADJOURNMENT**

There being no further business to come before Council, Mayor Phillips declared the meeting adjourned.