

**WARREN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 20, 2023 – 7:00 PM**

---

*Corrected 3-20-23*

**OPENING OF MEETING**

Mayor David Wortman presided over the February 20, 2023, regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

**ROLL CALL**

Members present and responding to roll call were: Mayor David Wortman, Maurice Cashman, Danielle Flasher, Philip Gilbert, Wendy McCain, Jared Villella, John Wortman, and Junior Council Member Lydia Balas. Members of City Staff present were Michael Holtz, City Manager; Jessicca Byler, Finance Officer; David Krogler, Fire Chief; Teena Leary, Assistant City Clerk; Randall Rossey, Codes and Planning Director; Joseph Sproveri, Chief of Police; Darren Pike, City Engineer; and Andrea Stapleford, City Solicitor.

**RECOGNITION OF VISITORS**

Mayor Wortman welcomed all visitors. Present were:

- Kelley Coey, PA Senior Housing: Easement Termination (via Zoom)
- Ron McCall, PA Senior Housing: Easement Termination (via Zoom)
- Henry LeMeur: Easement Termination
- Holli LeMeur: Easement Termination
- John Hanna: Easement Termination
- Elizabeth Raible: Observing
- Lisa Burkhouse: Observing
- Randy Burkhouse: Observing
- Steve Hoffman: Observing
- Jane Dunshie: Observing (via Zoom)
- Josh Cotton: Times Observer Reporter
- Andy Close: YourDailyLocal Reporter

**APPROVAL OF THE AGENDA**

Upon motion by Mr. Cashman and second by Mr. Villella, Council members voted unanimously to approve the agenda as presented.

Mrs. McCain made a motion to amend the agenda by removing Item No. 7.j. (Easement Termination) at the request of a resident due to possible implications within the Historic District. There was no second to the motion.

**APPROVAL OF MINUTES**

Upon motion by Mr. J. Wortman and second by Mr. Villella the minutes of the January 16, 2023, regular meeting were unanimously approved.

**CORRESPONDENCE**

There was no correspondence to come before Council.

**RESOLUTION NO. 3217: GARMAN-KEDDIE SUBDIVISION**

Mr. Rossey stated that Alexander Keddie filed a minor subdivision application for the property located at 107 Fourth Avenue (Parcel No. WN-576- 4633) currently owned by Zane Garman. The minor subdivision would divide the existing Garman property into two lots with Garman retaining Lot 1 and Lot 2 being annexed to the Alexander & Lauren Keddie property located at 103 Fourth

Avenue (Parcel No. WN-576-5412). The City Planning Commission reviewed the application at its January 18, 2023, meeting and voted to recommend that it be approved by Council. The staff of the Warren County Planning and Zoning Commission reviewed the subdivision and also recommended Council's approval.

Upon motion by Mr. J. Wortman and second by Mr. Villella, Council members voted unanimously to adopt the resolution approving the Garman-Keddie Minor Subdivision.

**LEASE AGREEMENT: BOB CUMMINS CONSTRUCTION, LLC**

Mr. Holtz stated that PennDOT awarded the contract for construction of the Market Street and Pennsylvania Avenue Roundabout to Bob Cummins Construction, LLC, and the project is expected to break ground during the week of April 3.

Cummins requested that a portion of the area commonly known as the "Clark Street Pump Station Lot" be leased for use as a contractor parking and construction staging area. The portion of the lot which is located along the riverbank is annually leased to Allegheny Outfitters for its use in launching and landing canoes and kayaks. A lease agreement which provides for Cummins' use of the portion of the lot not subject to the Allegheny Outfitters Lease was presented for Council's consideration.

Mr. Villella made the motion to approve the Lease Agreement with Cummins Construction Company, LLC. Upon second by Mr. Cashman, the motion carried with five votes in the affirmative and two nay votes cast by Mr. J. Wortman and Mayor Wortman.

**RESOLUTION NO. 3218: CONDEMNATION ORDER**

Mr. Rossey stated that the Municipality Condemnation Act provides that an authorized official of a municipality may issue a Condemnation Order against a property which is unfit for human habitation or other use or where conditions exist that are dangerous or injurious to the health or safety of the occupants of the dwelling, building, structure, or premises, the occupants of neighboring dwellings, or other residents of the municipality. Condemnation Orders may be recorded in the Office of the Recorder of Deeds and, upon recording, serve as notice to the current owner and prospective purchasers of the property that corrective action must be taken prior to the Order being vacated. The Redevelopment Authority reviewed the Act and requested that Council authorize the Chairman of the Authority to issue Condemnation Orders when warranted.

Mr. J. Wortman made the motion to approve the resolution authorizing the Chairman of the Redevelopment Authority of the City of Warren to issue Condemnation Orders. The motion was seconded by Mr. Gilbert and carried unanimously.

**RESOLUTION NO. 3219: APPLICATION FOR DCNR SPRING 2023 GRANT FUNDING**

Mr. Holtz noted that in 2022 Council authorized submission of two Department of Conservation and Natural Resources (DCNR) Land Acquisition Grant applications and the commitment of \$170,000 in matching funds to be derived from the second tranche of American Rescue Plan funds. The City was not awarded funding under those applications.

The Spring 2023 DCNR Land Acquisition Grant application period is now open. This grant will cover one-half of the appraised value of the property to be acquired plus one-half of certain pre-acquisition costs including legal fees, title insurance, environmental studies, appraisals, and boundary studies.

It was suggested that the City apply for this funding and that it be utilized to purchase the property which lies behind the HIY building and is proposed for development of a walking trail and for the undeveloped portion of the townhomes property at Breeze Point Circle which is proposed for

vehicle/boat trailer parking. It was further suggested that the City's match in the amount of \$172,500 (based on the most recent property appraisal) be derived from the second tranche of American Rescue Plan funds (the funds were deposited into the General Fund).

Mr. Cashman made the motion to adopt the resolution authorizing a Spring 2023 Department of Conservation and Natural Resources Land Acquisition Grant Application and committing \$172,500 for the required matching funds. The motion was seconded by Mr. Gilbert and carried with four votes in the affirmative and three nay votes cast by Mr. J. Wortman, Miss Flasher, and Mrs. McCain.

**RESOLUTION NO. 3220: APPOINTMENT OF MUNICIPAL CLERK**

Mrs. Leary stated that Article V, Section 502, of the Home Rule Charter provides for the appointment of the Municipal Clerk by the Council and Article IV of the Code of the City of Warren allows Council to appoint the City Manager as Municipal Clerk. It was noted that historically, the City Manager has been appointed to serve in this capacity.

Upon motion by Mr. Cashman and second by Mr. Gilbert, Council members voted unanimously to appoint Michael A. Holtz as the Municipal Clerk.

**AGREEMENT: ALLEGHENY OUTFITTERS PARKING LEASE**

Mr. Holtz stated that since 2019, Council has approved an annual lease agreement with Allegheny Outfitters for the use of two City-owned parcels and a portion of a third parcel for the purpose of providing parking for customers, employees, and vendors. One lot is leased for the full year while two of the lots are leased for the period May 1 through October 31. According to its terms, the current lease agreement will expire on April 30, 2023.

Mr. J. Wortman made the motion to approve the parking lease agreement with Allegheny Outfitters with the termination notice for either party to be set at thirty days. The motion was seconded by Mr. Villella and carried unanimously.

**APPOINTMENT: REDEVELOPMENT AUTHORITY**

Mr. Rossey stated that Philip Dellamedaglia submitted an application to fill a vacant seat on the Redevelopment Authority. This appointment will be for a full term expiring on December 31, 2026, and will bring the Authority to a full roster.

Upon motion by Mr. Cashman and second by Miss Flasher, Council members voted unanimously to appoint Philip Dellamedaglia to the Redevelopment Authority for a term expiring on December 31, 2026.

**RESOLUTION NO. 3221: WARREN COUNTY INTERGOVERNMENTAL CO-OP MEMBERSHIP**

Mr. Holtz stated that the former Warren County Council of Governments (COG) recently formalized as the Warren County Intergovernmental Co-Op. The four founding municipalities enacted ordinances which establish the Warren County Intergovernmental Co-Op; all other municipalities interested in membership may join by providing a resolution of the governing body authorizing the municipality's membership. Under the prior organization, the City paid \$1,475.76 in 2022 and it was stated by representatives of the Co-Op that the membership fee would remain the same in 2023.

Mr. Cashman made the motion to adopt the resolution authorizing the City of Warren's membership in the Warren County Intergovernmental Co-Op. The motion was seconded by Miss Flasher and carried with six votes in the affirmative and one nay vote cast by Mr. J. Wortman.

**COMPREHENSIVE PLAN PUBLIC HEARING DATE**

Mr. Rossey indicated that the 45-day Comprehensive Plan public comment period concluded on January 12 and Mackin Engineers and Consulting has since reviewed comments and incorporated them as appropriate.

Mr. Villella made the motion to set 7:00 PM on March 20, 2023, as the time and date for a public hearing in regard to the City of Warren Comprehensive Plan. The motion was seconded by Mrs. McCain and carried unanimously.

**AGREEMENT: EASEMENT TERMINATION**

Mr. Holtz stated that in 2009, designs for the ongoing Streetscape Project included a “bumpout” on the southeast corner of the Pennsylvania Avenue and Liberty Street intersection. To accommodate that plan, the City entered into an easement agreement with Liberty Street East Associates, which was the owner of the property (WN-576-7732) at that time. The City no longer requires the easement and foresees no future need for it.

Pennsylvania Senior Housing Associates, LP, (PSHA) acquired the property and expects to begin construction of a 40-unit senior housing facility later this year. Preliminary plans for the structure require that PSHA has full use of the easement area and, therefore, PSHA requested that the City terminate the easement agreement.

*Hank LeMeur and John Hanna addressed Council and expressed their concerns regarding the PSHA project. (corrected 3-20-23)*

Mr. Cashman made the motion to enter into the agreement terminating the easement agreement pertaining to Tax Parcel No. WN-576-7732. The motion was seconded by Mr. Gilbert and carried with six votes in the affirmative and one nay vote cast by Mrs. McCain.

**WARREN COUNTY LAND BANK**

Mr. Rossey stated that, as detailed by Commissioner Jeff Eggleston at the September, 2023, Council meeting and further discussed at the February 13 Council Work Session, the Warren County Commissioners enacted County Ordinance No. 1-2022 (effective July 27, 2022) which established the Warren County Land Bank. The purpose of the Land Bank is to provide a mechanism which member municipalities may utilize in addressing vacant, abandoned, and tax delinquent properties within their jurisdiction.

Following discussion, Mr. Cashman made the motion to refer the question of the City’s participation in the Warren County Land Bank to the City of Warren Redevelopment Authority for its review and recommendation and to place the matter on a future Council agenda. The motion was seconded by Mr. J. Wortman and carried unanimously.

**RESOLUTION NO. 3222 AND AGREEMENTS: ELECTRIC PROCUREMENT**

Mr. Holtz stated that electric energy rates fluctuate on a daily basis and it is in the City’s best interest to act quickly to lock in a low rate. At the February 20 Council work session, Mayor Wortman outlined a proposal in which the City would establish a rate threshold under which JMI Consultants, an electric supply brokerage firm, would be authorized to execute an order that would lock in the rate to be in place with Dynegy Energy Services East, LLC (current supplier) to become effective at the conclusion of the current energy contract (June 2023).

It was recommended that Council adopt a resolution authorizing agreements to facilitate electric procurement.

Mr. Vilella made the motion to authorize an agreement with JMI Consultants to act on the City's behalf in regard to electric supply rates and authorizing an agreement with Dynegy Systems East, LLC, for the supply of electricity at the brokered rate and authorizing Michael A. Holtz, City Manager, to sign the agreements with JMI Consultants and Dynegy Energy Services East, LLC, in regard to the brokered rates. The motion was seconded by Miss Flasher and carried unanimously.

**MARKETING COMMITTEE UPDATE**

Mr. Vilella provided an overview of the Committee's objectives for 2023 which include communications with the public, connecting businesses to financial and technology resources, and addressing the gateways to the City.

**TRESTLE TO TRESTLE UPDATE**

Mrs. McCain reported that the Trestle to Trestle Committee, a group of citizens/business leaders, resumed monthly meetings in January. The group's current focus is on the proposed bike park, electric vehicle charging stations, and a proposed floating dock.

**DEPARTMENT REPORTS – JANUARY, 2023**

The following reports were presented for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Codes and Planning Department
- Finance Report

**APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	–	December 15, 2022	Regular Meeting
Parks and Recreation Commission	–	December 6, 2022	Regular Meeting
Planning Commission	–	December 21, 2022	Regular Meeting
Redevelopment Authority	–	November 30, 2022	Regular Meeting
Street Landscape Committee	–	November 22, 2022	Regular Meeting

**ADJOURNMENT**

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