

**WARREN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 21, 2022 – 7:00 PM**

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**OPENING OF MEETING**

Mayor Wortman presided over the February 21, 2022, regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

**EXECUTIVE SESSION ANNOUNCEMENT**

Mayor Wortman announced that Council met in executive session immediately prior to this meeting for the purpose of discussing real property matters pertaining to the acquisition of property for the Riverfront Redevelopment Project.

**COMMUNITY RECOGNITIONS**

Mayor Wortman read a proclamation in memory of David W. Winans, 12-year member of Warren Borough Council, and Gretchen G. Winans, 12-year member of the City Street Landscape Committee.

Mayor Wortman presented a proclamation honoring the Warren Area High School Competitive Spirit Team for earning fifth place in the 2022 Pennsylvania State Championship. Each member of the team was presented with a commemorative certificate. The following team members were present:

Wendy Carrington	Melissa Feaster	Ryleigh Ecklund	Rachel Christy
Abigail Kent	Ella Bouchard	Elena Brocklehurst	Lauren Shattuck
Anne Carrington	Jayna Philips	Madelyn Flannery	Hailey Graham
Nevaeh Seekins	Madelyn Herzog	Emily Sudul	Hannah Lockamy
Emma Carlson	Olivia Goss	Jayden Slack	Jaelyn Mohney
Addison Downer			

**ROLL CALL**

Members present and responding to roll call were: Mayor David Wortman, Maurice Cashman, Philip Gilbert, Wendy McCain, Joe Michaels, Jared Vilella, and John Wortman (via Zoom). Members of City Staff present were Nancy Freenock, City Manager (via Zoom); Jessicca Byler, Acting Finance Officer; Michael Holtz, DPW Director; David Krogler, Fire Chief; Teena Leary, Assistant City Clerk; Randall Rossey, Codes and Planning Director; Joseph Sproveri, Chief of Police; and Andrea Stapleford, City Solicitor.

**RECOGNITION OF VISITORS**

Mayor Wortman welcomed all visitors. Present were:

Kim Mong (via Zoom): Pickleball	Doug James (via Zoom): Pickleball
Marianne Malloy (via Zoom)	Lynn Espin (via Zoom) : Pickleball
Douglas Walters (via Zoom)	John Marti (via Zoom): Pickleball
Cindy Fiscus (via Zoom)	Jim Fiscus (via Zoom)
Maurine Moore: Pickleball	Katie Prindle: Pickleball (Kiantone)
Nicole Phillips: Pickleball	Zach Sturdevant: Pickleball
Dawn Pavlock: Pickleball	Brian Haines: Pickleball
Walt Miller: Pickleball	Henry Dahl: Observing
Piper VanOrd: Observing	Andy Close: YourDailyLocal Reporter
Josh Cotton: Times Observer Reporter	
Rose Clark: Northern Pa Regional College	

## **APPROVAL OF THE AGENDA**

Mr. Cashman made the motion to approve the agenda. The motion was seconded by Mr. Gilbert and carried unanimously.

Mr. Cashman made the motion to amend the agenda by adding a request to the Planning Commission to review the Historic District Boundaries. The motion was seconded by Mr. J. Wortman and carried unanimously.

## **APPROVAL OF MINUTES**

Mr. Cashman made the motion to approve the January 17, 2022, regular meeting minutes subject to verification of the Council member who seconded the motion to amend the motion regarding the long-term parking lease with HIY, Inc. and as amended (below). The motion was seconded by Mr. Gilbert and carried with six votes in the affirmative and one nay vote cast by Mrs. McCain. *Following the meeting, the Assistant City Clerk confirmed that Mr. J. Wortman seconded the motion regarding the HIY, Inc. long-term parking lease and the January 17, 2022, minutes were corrected.*

Mrs. McCain made the motion to amend the January 17, 2022 regular meeting minutes to include that Michael Lyon also submitted an application to serve on the Redevelopment Authority (RDA); however, it was the third application received and it was stated that Mr. Lyon will be afforded the opportunity to be considered for a vacant seat on another board or commission. The motion was seconded by Mr. Gilbert and carried unanimously.

Mr. Cashman made the motion to approve the January 31, 2022, special meeting minutes. The motion was seconded by Mr. Gilbert.

Mrs. McCain made the motion to amend the January 31, 2022, special meeting minutes by adding language stating Mrs. McCain's opposition to the acquisition and/or easement for land behind the HIY, Inc. Building, RACP funding for the GeoThermal Well System, and loan financing as stated in a prepared statement read in her absence from the meeting. The motion was seconded by Mr. Gilbert. Following this motion there was discussion as to the admissibility of prepared statements in the absence of a Council member.

Mr. J. Wortman made the motion to table approval of the January 31, 2022, special meeting minutes pending receipt of the Solicitor's opinion regarding the submission of prepared comments on behalf of an absent Council member. The motion was seconded by Mr. Villella and carried with five votes in the affirmative and two nay votes cast by Mrs. McCain and Mr. Gilbert.

Mr. Cashman made the motion to approve the minutes of the February 7, 2022, special meeting. The motion was seconded by Mr. Gilbert and carried with five votes in the affirmative and three nay votes cast by Mrs. McCain, Mr. Gilbert, and Mayor Wortman.

Mrs. McCain made the motion to amend Paragraph 2 under "Ordinance No. 1959: Local Government Unit Debt Act Filing" to state that Mrs. McCain requested an amendment to the ordinance in regard to the useful life of the parking garage (February 7, 2022, special meeting minutes). The motion was seconded by Mr. Gilbert and failed with two votes in the affirmative and five nay votes cast by Mr. J. Wortman, Mr. Villella, Mr. Michaels, Mr. Cashman, and Mayor Wortman.

## **CORRESPONDENCE**

Council members acknowledged receipt of a letter from Marlene Sandberg regarding the possibility of new Pickleball Courts being constructed at Betts Park.

**NORTHERN PENNSYLVANIA REGIONAL COLLEGE PRESENTATION**

Rose Clark, Community Engagement Specialist for the Northern Pennsylvania Regional College, addressed Council. Ms. Clark provided updates on the college and its offerings in Warren and throughout the region. She noted that specialized training may be provided for workforce development.

**REQUEST FOR PICKLEBALL COURTS AT BETTS PARK**

Kim Mong addressed Council on behalf of the Warren Pickleball Club (WPC). Ms. Mong outlined their proposal to construct four pickleball courts at Betts Park with an option to construct two additional courts. Ms. Mong stated that the WPC is prepared to conduct fundraising activities to fund the courts. Members of City Staff noted that, depending on the funding sources, it may be required that the project be put to bid and, if so, activities under the contract would be subject to prevailing wages.

Ms. Mong advocated for management of the courts to be handled by the WPC. She indicated that the WPC would conduct classes, skills drills, and Round Robins. Mrs. Freenock suggested that these activities be handled via the City's Special Events Process; it was stressed that facilities located on public grounds must be open to the general public. Mrs. Freenock also indicated that City Staff recently met with the Betts Foundation regarding this proposal and is awaiting its statement as to whether such use of the park land would be supported.

Mayor Wortman stated that conversations between the City and WPC should continue prior to Council taking any formal action regarding the WPC's request.

**RESOLUTION NO. 3172: AFFIRMATION OF CONTRIBUTION TO TRANSIT AUTHORITY**

Mrs. Byler stated that the City is one of many organizations from which the Transit Authority of Warren County (TAWC) seeks funding. The City's contribution is utilized as matching funds in regard to State funding. As part of the State funding application, it is necessary for TAWC to submit a City resolution affirming the amount of the contribution to TAWC as provided for in the 2022 Municipal Budget and further affirming that the contribution will be provided prior to the June 30, 2023, close of the State Fiscal Year.

Upon motion by Mr. Gilbert and second by Mr. Cashman, Council members voted unanimously to approve the resolution affirming the City's 2022 contribution to the Transit Authority of Warren County.

Mayor Wortman requested that a representative of TAWC be invited to provide an informational presentation as to the services it provides.

**ENGINEERING SERVICES AGREEMENT**

Mr. Holtz stated that the City recently advertised a notice for Request for Qualifications (RFQ) for professional engineering services for street improvement projects utilizing Federal Community Development Block Grant (CDBG) funds for a three (3) year period. Qualification statements were received from Mackin, Remington & Vernick Engineers, Greenman-Pedersen, Inc., E&M Engineers and Surveyors PC, The EADS Group, and Stiffler McGraw. After a thorough review of the submissions, City Staff recommended the award of a contract to Greenman-Pedersen, Inc.

Mr. J. Wortman made the motion to develop and execute an Engineering Services Agreement Contract with Greenman-Pedersen, Inc. for services performed in relation to Community Development Block Grant (CDBG) projects. The motion was seconded by Mr. Villella and carried unanimously.

**ORDINANCE NO. 1960: SEWER BILLING DUE DATES**

Mrs. Byler stated that Sections 380-14 and 380-22 of the City Code are redundant and it was brought to Staff’s attention that the sewer billing due dates provided for in each are inconsistent. To comply with PA Municipal Service (PAMS) billing cycles, the payment due date is to be twenty-one days after the billing date as it appears on the billing statement and charges become past due if not paid on, or before the second day following the due date. These due dates were established by City Ordinance No. 1933 and should have been reflected in Sections 380-14 and 380-22; however, only Section 380-22 was properly amended.

It was recommended that Sections 380-14, 380-15, and 380-22 of the City Code be consolidated into one section to be identified as Section 380-14.

Mr. Cashman made the motion to adopt the ordinance amending Chapter 380 of the Code of the City of Warren as it pertains to sewer use billing due dates. The motion was seconded by Mr. Villella and carried unanimously.

**RESOLUTIONS: SHARE GRANT FUNDING APPLICATIONS**

Mrs. Leary stated that, at the February 7, 2022, special meeting, Council authorized the preparation of Local Share Account Statewide Grant Fund applications and established the priority level for each of the six projects. It is required that an application and accompanying resolution be submitted for each proposed funding use. Based on Council’s action at the February 7 meeting, resolutions were prepared for the following project funding applications.

Warren Parking Garage Rehabilitation Project	\$ 1,000,000
Mulberry Park Stormwater and Park Improvement Project	\$ 1,000,000
Emergency Operations Center and Training Facility	\$ 1,000,000
Riverfront Redevelopment Project	\$ 1,000,000
Betts Park All-Season Building Project	\$ 1,000,000

**Resolution No. 3173: Warren Parking Garage Rehabilitation Project**

Motion by Mr. Cashman, second by Mr. Gilbert, carried unanimously.

**Resolution No. 3174: Mulberry Park Stormwater & Park Improvement Project**

Motion by Mr. Cashman, second by Mr. Gilbert, carried unanimously.

**Resolution No. 3175: Emergency Operations Center and Training Facility**

Motion by Mr. Cashman, second by Mr. Gilbert, carried unanimously.

**Resolution No. 3176: Riverfront Redevelopment Project**

Motion by Mr. Cashman, second by Mr. Gilbert, carried unanimously.

**Resolution No. 3177: Betts Park All-Season Building Project**

Motion by Mr. Cashman, second by Mr. Gilbert, carried unanimously.

**CONTINGENCY FUND EXPENDITURES**

Mr. Holtz stated that, at the December 20, 2021, regular meeting, Council approved the 2022 Municipal Budget which includes a Contingency Fund in the amount of \$120,000 with \$20,000 of that amount being dedicated to a new Police Impound Lot.

The following proposed expenditures from the Contingency Fund were presented for Council's Consideration:

1.	IMPLAN Software	Using an extensive data base, the software models the expected economic impact of growth, changes, or a specific event/project. This would be a valuable aid in preparing grant applications which often require economic forecasting. This will first be utilized in preparing the Build Back Better grant application.	\$1,250
2.	AEGIS	Riverfront Environmental Review: Required for the Build Back Better Grant Application	\$3,000
3.	Greenman-Pedersen	Engineering fees related to the Build Back Better Grant Application	\$20,000
4.	Riverfront property appraisal	Appraisal of the property between the HIY, Inc. building and Allegheny Riverfront	\$3,000
5.	Larson•Karle Architects	Fire Station elevator and Betts Park all-season building design	\$7,500
6.	Local Share Grants	Application fees Engineering costs relative to the applications	600 10,000
7.	LGUDA Filing	Solicitor fees, publication costs, DCED filing fee, overnight mailing fee	2,990
	Proposed amount to be expended from the Contingency Fund		\$48,340

Upon motion by Mr. Cashman and second by Mr. Gilbert, Council members voted unanimously to authorize the listed expenditures from the Contingency Fund in the total amount of \$48,340.00.

**RECESS:** At 8:50 PM, Council took a brief recess and reconvened.

**RESOLUTION NO. 3178: ALLOCATING FUNDS – ALLEGHENY RIVERFRONT PROJECT**

Mrs. Leary stated that, by way of Resolution No. 3151 adopted August 16, 2021, Council approved the allocation of \$1,000,000 in RACP funds for the construction of a boat launch adjacent to Breeze Point Landing. The RACP funding requires a dollar-for-dollar match; the resolution provided for the use of American Rescue Plan Funds (ARP); however, guidelines for the use of such funds were not complete at that time. Mrs. Freenock stated that the ARP guidelines have been finalized and it would be advantageous for the City to place ARP funds received into the General Fund; this would lessen reporting requirements and remove expenditure restrictions.

The Pennsylvania Wilds Center for Entrepreneurship's application to the Economic Development Agency (EDA) for Build Back Better (BBB) funding was selected as a semi-finalist and the Center must now file a complete grant application by March 15, 2022. The Center's application includes funding for six projects within its thirteen-county tourism region; one of which is the City's Allegheny Riverfront Redevelopment Project.

The total ask for the City's project is \$9,250,000 for which the City must provide matching funds in the minimum amount of \$1,850,000. It was proposed that the matching funds be comprised of \$500,000 in General Fund monies and an allocation of \$1,500,000 in RACP funds. It was stated that the provision of matching funds in excess of the minimum amount often aids in achieving a favorable review of the application and the granting of funds.

Mr. J. Wortman made the motion to approve the resolution rescinding Resolution No. 3151 and allocating funding for the required matching funds for the Build Back Better grant application for the Allegheny Riverfront Redevelopment Project. The motion was seconded by Mr. Gilbert and carried unanimously.

### **APPOINTMENT TO THE ZONING HEARING BOARD**

Mrs. Leary indicated that Mark Eberl is a member of the Zoning Hearing Board and serves as its chair. Mr. Eberl stated that he wishes to continue as a member of the Board under a new appointment for a term of four years.

Upon motion by Mr. Cashman and second by Mr. Gilbert, Council members voted unanimously to appoint Mark Eberl to a new four-year term on the Zoning Hearing Board.

### **MARKETING COMMITTEE REPORT**

Mr. Villella provided Council members with a handout which summarized the Committee's activities to date and provided an overview of its objectives and priorities for the coming months.

### **PROPOSED AGREEMENT: UTILITY RELOCATION – MANHOLE COVERS**

Mr. Holtz stated that PennDOT intends to move forward with construction of a roundabout at the intersection of Market Street and Pennsylvania Avenue West. Should this project proceed as planned, it will be necessary for two (2) manhole covers to be adjusted. PennDOT requested that the City enter into an agreement under which the City would provide the necessary materials for the manhole adjustment and PennDOT would provide the labor. Such an agreement would allow the City to be certain that the materials meet the City's specifications and the City would not be responsible for labor costs that would be incurred if the City was to perform the work.

It was noted that the terms of the proposed agreement are specific to construction of a roundabout; therefore, if PennDOT should halt its plans for a roundabout, the agreement would be void.

Mr. Gilbert made the motion to approve the proposed PennDOT Utility Relocation Agreement regarding the relocation of two manholes within the Market Street and Pennsylvania Avenue West PennDOT Roundabout project area. The motion was seconded by Mr. Cashman. *See following motion.*

Mr. J. Wortman made the motion to postpone consideration of the PennDOT Utility Relocation Agreement until the City is in receipt of the Transportation Secretary's response to Council's request to halt the Market Street/Pennsylvania Avenue West Roundabout Project. The motion was seconded by Mr. Michaels and carried with four votes in the affirmative and three nay votes cast by Mrs. McCain, Mr. Gilbert, and Mr. Cashman.

### **REVIEW OF HISTORIC DISTRICT BOUNDARIES**

Mr. Cashman made the motion to ask the Planning Commission to review the Historic District Boundaries and make a recommendation(s) regarding the boundaries, if deemed appropriate. The motion was seconded by Mr. Michaels and, following discussion, carried with six votes in the affirmative and one nay vote cast by Mrs. McCain.

Mrs. Freenock indicated that the Hudson Companies/PA Senior Housing Associates have encountered an issue regarding the use of Federal funds (as contemplated in their funding package) to demolish a contributing structure within an historic district. It was noted that the subject building is in decay and cannot reasonably be rehabilitated. The property is on the southernmost edge of the Historic District; therefore, it was suggested that consideration be given to adjusting the District boundary.

**DEPARTMENT REPORTS – JANUARY, 2022**

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Codes and Planning Department
- Finance Report – 2021 Fourth Quarter

**APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	–	December 16, 2021	Regular Meeting
Parks and Recreation Commission	–	December 7, 2021	Regular Meeting
Planning Commission	–	December 15, 2021	Regular Meeting
Redevelopment Authority	–	September 22, 2021	Regular Meeting
Street Landscape Committee	–	November 23, 2021	Regular Meeting

**ADJOURNMENT**

There being no further business to come before Council and upon motion by Mr. Villella and second by Mr. Gilbert, Mayor Wortman declared the meeting adjourned.