

**WARREN CITY COUNCIL
REGULAR MEETING
MARCH 16, 2015 – 7:30 PM**

PUBLIC HEARING: CODE ADOPTION ORDINANCE

Mrs. Freenock stated that, as required, a Notice of Introduction was published and the proposed Code Adoption Ordinance was made available in the Office of the City Clerk and in the Warren County Law Library as well as on the City of Warren web site. Copies of the Code were made available for review in the Office of the City Clerk and in the Warren County Law Library.

Herman Ristau stated that he has concerns regarding consistency among ordinances. Mrs. Freenock responded that General Code, the company which prepared the Codified Ordinances, will conduct a legal analysis which will detect any such inconsistencies in the Code. Mr. Ristau also questioned whether Council members had read the entire Code Book. Mr. Harvey responded that the Code is a compilation of previously-enacted ordinances and that each ordinance was read and approved by the then-seated Council members.

There being no other citizens wishing to provide comment, Mayor Cashman declared the Public Hearing closed.

OPENING OF MEETING

Mayor Cashman presided over the March 16, 2015 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 matters of litigation and personnel matters.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Gregory Fraser, Howard Ferguson, Samuel Harvey, Richard Kolcharno, John Lewis, James A. Zavinski, Sr., and Robin Thomas, Junior Council Member. Mrs. Freenock, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, 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:

- Herman Ristau, resident: Concerns regarding codified ordinances and placement of snow on the cartway
- Sue King: Representing Matt King BBQ
- Ed King: Representing Matt King BBQ
- Matt King: Matt King BBQ (via conference telephone)
- Terry Hawk: Observing
- Shawn Jones: City Firefighter observing
- Colby Neukem, North Warren resident: Observing
- Josh Cotton: Times Observer Reporter

Herma Ristau addressed Council and spoke of ongoing instances of neighbors on Conewango Place and Franklin Street depositing snow from sidewalks and driveways on the street. Mrs. Freenock indicated that the property owners were previously contacted.

APPROVAL OF MINUTES

Upon motion by Dr. Ferguson and second by Mr. Lewis, the minutes of the February 16, 2015 Regular Meeting were unanimously approved.

CORRESPONDENCE

Council members acknowledged receipt of the following correspondence:

- Paws Along the River Humane Society: Thank you letter
- Warren Area Student Union: Thank you letter

ORDINANCE NO. 1853: ADOPTION OF THE CODE OF ORDINANCES

Mrs. Freenock stated that General Code completed the codification of the City's ordinances and it is required that Council, by ordinance, adopt the Codified Ordinances. Mrs. Freenock further noted that the City also engaged General Code to perform an editorial analysis which will provide an in-depth review of all ordinances to ascertain that they conform with current statutes and that there are no inconsistencies.

Mr. Lewis made the motion to approve the Code Adoption Ordinance. The motion was seconded by Dr. Ferguson and carried unanimously.

LEASE AGREEMENT: MATT KING BBQ *(corrected 4/20/15)*

~~Ms. Nau~~ Mrs. Freenock stated that during the summer of 2014, Matt King operated a takeout food service at the foot of Liberty Street. He operated a few days per week and utilized a portable tent-like structure. As the venture was successful, he now plans to have a mobile structure fabricated and requests that the City lease the same portion of property as was used in 2014 as well as a small adjoining area of Breeze Point Landing as may be necessary to accommodate the structure

Following considerable discussion as to the fee to be charged for use of the property, Mr. Harvey made the motion to approve the agreement between the City of Warren and Matt King BBQ with the lease rate to be set at \$25 per week and Section 5.a "BBQ agrees to reimburse City for all legal costs associated with the preparation and review of this Lease" to be stricken (as the Solicitor agreed to donate her services in the form of a donation to Penn State University). The motion was seconded by Mr. Lewis and carried unanimously.

RESOLUTION NO. 2979: DCNR GRANT APPLICATION

Mr. Hildebrand stated that the City proposes submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources (DCNR). This grant funding will be utilized for the conversion of the Betts Park concession/restroom building into a restroom only building that will be Building Code and ADA compliant. The grant will also fund a memorial for Creola Field, a pavilion, benches, lighting, and walking paths at Betts Park. The total project cost is estimated to be \$150,000. The application requests a grant reimbursement of 50% of the cost. The remaining 50% has been pledged by a local foundation. As part of the application package, it is required that there be a resolution authorizing the Grant Application and Grant Agreement.

Mr. Lewis made the motion to approve the resolution authorizing the Grant Application and Grant Agreement. The motion was seconded by Mr. Zavinski and carried unanimously.

CONTRACTED STREET OPENING RESTORATION

Mr. Holtz stated that the City received three bids for contracted restoration of street openings. The three bids received were from Kingsview Enterprises, Signature Paving & Sealcoating, and Huber Blacktop. The apparent low bidder for the contract was Kingsview Enterprises; however, following review of the bid it was City staff's recommendation to accept the second low bid from Signature Paving & Sealcoating. This recommendation was based on the "Qualifications of Contractors" section of the bid submitted by Kingsview not being sufficiently complete.

In response to Dr. Ferguson's question as to how a bidder would be aware of the required qualifications, Mr. Holtz stated that the qualifications are clearly identified in the bid documents.

Mr. Fraser made the motion to award the contract for contracted street opening restorations to Signature Paving & Sealcoating. The motion was seconded by Mr. Kolcharno and carried unanimously.

ADDITIONAL ALLOCATION FOR STREET PAVING

Mayor Cashman noted that \$200,000 was allocated for street paving within the 2015 Municipal Budget. Mrs. Freenock provided information regarding the projected ending fund balances for 2014 (unaudited) and 2015. It was suggested that an additional \$300,000 be allocated for street paving.

Following discussion, Mr. Zavinski made the motion to authorize the use of \$300,000 of the 2014 ending fund balance for pothole repairs and street paving. The motion was seconded by Mr. Lewis and carried unanimously.

SPEDD TAX ASSESSMENT APPEAL

Mayor Cashman made the motion to approve SPEDD Tax Assessment Appeal Settlements. The motion was seconded by Mr. Lewis and carried unanimously.

2015 ARBOR DAY OBSERVANCE

Mr. Hildebrand indicated that the 2015 Arbor Day Observance will be held at Wetmore Park on April 25. He further noted that the City received a Tree Vitalize PA grant which will fund approximately 150 trees for planting throughout the City. The Street Landscape Committee asks that community volunteers assist in the planting of these trees.

DEPARTMENT REPORTS – FEBRUARY, 2015

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department
- Community & Economic Development

Mr. Holtz noted that the consistent severe winter weather made it difficult to keep streets clear despite overtime shifts and keeping all possible equipment on the road. In response to Mrs. Freenock’s suggestion that alternate side parking might be helpful in keeping roadways clear, Mr. Holtz indicated that he has worked in a community with such a program and that it is beneficial and works well. Council members were asked to indicate their interest in implementing City-wide alternate side parking for the winter months to City staff.

In reference to the Police Department report, Mrs. Freenock noted that the information regarding parking revenues indicates downtown parking is seeing usage despite the severe weather.

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

- | | | | |
|----------------------------|---|------------------|---------------------|
| Street Landscape Committee | – | January 27, 2015 | Regular Meeting |
| Special Events Committee | – | | Event Status Report |

ADJOURNMENT

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