

**WARREN CITY COUNCIL
REGULAR MEETING
MARCH 16, 2020 – 7:00 PM** *corrected 4/20/2020*

OPENING OF MEETING

Mayor Cashman presided over the March 16, 2020 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 Maurice Cashman, Gregory Fraser, Paul Giannini, Philip Gilbert, John Wortman, and Christian Zavinski. James A. Zavinski, Sr. was absent. Members of City Staff present were Nancy Freenock, City Manager; Brandon Deppen, Chief of Police; Michael Holtz, DPW Director; Teena Leary, Assistant City Clerk; Rodney Wren, Fire Chief; Terry Williams, Director of Codes, Permits, and Recreation Services; Chad Yuriscic, City Engineer; and Andrea Stapleford, City Solicitor.

APPROVAL OF MINUTES

Upon motion by Mr. Fraser and second by Mr. Gilbert, the minutes of the February 17, 2020 Regular Meeting were unanimously approved among Council members present.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Dave Basnak, of EmergyCare
- Jeff Eggleston, Warren County Commissioner regarding the COVID-19 pandemic
- Steven Blume: Observing
- Douglas Hearn: Observing
- Barbara Lucia: Pennsylvania American Water Company notice regarding shut-offs
- Pam Lewis: Observing
- Pauline Steinmeyer: Observing
- Josh Cotton: Times Observer Reporter

Barbara Lucia noted the recent notice from the Pennsylvania American Water Company stating that (due to the COVID-19 pandemic) there is presently a moratorium on water service shut-offs. She inquired whether the same would be true of sewer user accounts. Mr. Holtz indicated that there will not be water shut-offs in regard to delinquent sewer user accounts during the pandemic and that service will be restored to accounts which are currently shut-off.

CORRESPONDENCE

There was no correspondence to come before Council.

PENNSYLVANIA AVENUE AND MARKET STREET INTERSECTION

(See 1/20/2020 Council minutes)

Mayor Cashman reminded Council members that the City would be required to reimburse PennDOT for certain costs should Council vote to reverse its decision regarding installation of a roundabout and instead opt for a signalized intersection.

Mr. C. Zavinski made the motion to rescind Resolution No. 3088 pertaining to the construction of a roundabout at the intersection of Pennsylvania Avenue and Market Street. The motion was seconded by Mr. Wortman. Following discussion, the vote resulted in a tie vote with three affirmative votes, three nay votes cast by Mr. Fraser, Mr. Gilbert, and Mayor Cashman, and one member absent; therefore, the motion failed.

ORDINANCE NO. 1944: CABLE FRANCHISE

Mrs. Williams stated that Ordinance No. 1573, known as the City of Warren Cable Television Ordinance was enacted in 1993 for the purpose of regulating cable franchises within the City. Since that time, there have been significant changes in cable technology and the laws and regulations governing the cable industry.

The City contracted the Cohen Law Firm, which specializes in cable and telecommunications law, to assist the City in drafting a new ordinance which is reflective of current regulations, technology, and the existing franchise agreement between the City and Atlantic Broadband, LLC. The ordinance establishes the City's authority in awarding and renewing cable franchises and creates a uniform process for application by cable operators for a cable franchise.

During discussion, Mr. Wortman expressed his concerns as to whether the extent of the ordinance might hinder existing/new businesses.

Upon motion by Mr. Fraser and second by Mr. Gilbert the ordinance (with typographical corrections) was approved with five votes in the affirmative and one nay vote cast by Mr. Wortman.

ORDINANCE NO. 1945: AMENDING WEIGHT LIMITS ON CERTAIN STREETS

Chief Deppen stated that Greenman-Pedersen (City Engineer) recently conducted core sampling on a number of the City's streets to determine the weight load that they can withstand. The study was part of an effort to ensure that streets are appropriately posted in regard to commercial truck traffic. As a result of the study, it was recommended that the weight limit on certain streets be amended with some being increased and some being decreased. It was noted that the Police Department obtained scales and has appropriately-trained personnel for enforcement of posted weight limits on City streets.

Upon motion by Mr. Wortman and second by Mr. Fraser, Council members present voted unanimously to approve the ordinance amending the weight limits on certain streets.

BID AWARD: CONTRACTED IMPROVEMENTS FOR 2020 AND 2021

Mr. Holtz stated that every two years the City lets bids for Contracted Improvements which include municipal sidewalk replacement, storm inlet (catch basin) and manhole installation, sewer installation, and concrete/brick street repairs.

Upon motion by Mr. Fraser and second by Mr. C. Zavinski, Council members present voted unanimously to award Contracted Improvements contracts for 2020 and 2021 as follows:

1. John Anderson Construction for Items 1, 2, 3, and 4
 2. R. Patti Concrete Excavating for Item 7
 3. Huber Blacktop Company for Items 8 and 9
 4. Great Lakes Tree Service for Items 10, 11, and 12
- No bids were submitted for Items 5 and 6

BID AWARD: MOWING OF CITY-OWNED PROPERTIES

Mr. Holtz stated that the City advertised for bids for the contracted mowing of City-owned properties. Curtis Contracting and Services of Tiona submitted the sole bid which was in the amount of \$2,840 per mowing.

Upon motion by Mr. Fraser and second by Mr. Wortman, Council members present voted unanimously to award the 2020-2021 Contracted Mowing Contract to Curtis Contracting Services.

DISPOSITION OF FIRE DEPARTMENT SURPLUS PROPERTY

Chief Wren stated that the Fire Department is in the process of reconfiguring two rooms on the second floor of the Fire Station to accommodate dedicated education and fitness training rooms. The YMCA previously donated eight pieces of used exercise equipment to the Department. After sixteen years of continued use, the equipment has become worn and outdated. Therefore, personnel are seeking funding opportunities to purchase new exercise equipment that is appropriate to the fitness training needs of the Department.

Other departments within the City indicated that they have no need for the equipment; therefore, it was requested that Council authorize the disposition of the eight apparatus in a manner permitted by the City Code.

Upon motion by Mr. C. Zavinski and second by Mr. Fraser, Council members present voted unanimously to authorize the disposition of the surplus Fire Department fitness training apparatus.

APPOINTMENT TO THE BOARD OF HEALTH

Upon motion by Mr. Wortman and second by Mr. C. Zavinski, Council members present voted unanimously to appoint Robert Raible to a new term (expiring on March 31, 2025) on the Board of Health.

APPOINTMENTS TO THE REDEVELOPMENT AUTHORITY

Mrs. Williams stated that one member of the Redevelopment Authority resigned as he has moved out of the City. A second member will be leaving the Authority as of April 1 as he, too, will be moving.

Upon motion by Mr. Fraser and second by Mr. Gilbert, Council members present voted unanimously to approve the following appointments to the City Redevelopment Authority:

1. Melinda Saunders to fulfill a term expiring on 12/31/23 with the appointment to be effective immediately.
2. Wendy McCain to fulfill a term expiring on 12/31/22 with the appointment to be effective 4/01/20.

AMBULANCE BILLING SERVICES

Chief Wren stated that the City presently contracts with Ambulance Reimbursement Systems (ARS) for patient billing and collections regarding Fire Department Emergency Medical Services. ARS operates on a flat rate system; therefore, the company receives payment regardless of its rate of collections.

Quick Med Claims, LLC, (QMC) operates under an "incentive based" program whereby the City would not make payment to QMC for its services until the amount due is collected from the patient/insurer and remitted to the City. It was recommended that the agreement with ARS be terminated in accord with its terms and that the City enter into an agreement with QMC for Emergency Medical Services patient billing and collections.

Mrs. Freenock noted that the indemnification language to be included in the QMC agreement is under review by the City Solicitor and asked for approval of the agreement pending Mrs. Stapleford's approval.

Following discussion, Mr. Fraser made the motion to table action on the proposed agreement with Quick Med Claims and the proposed termination of the agreement with Ambulance

Reimbursement Systems. The motion was seconded by Mr. Wortman and carried unanimously among the Council members present.

LACY PLAYGROUND IMPROVEMENT PROJECT: AUTHORIZATION TO AWARD CONTRACT

Mr. Holtz stated that the City received approval from the Department of Conservation and Natural Resources (DCNR) to proceed with the letting of bids for the Lacy Playground Improvement Project which is slated for construction in 2020. It was noted that it may not be advisable for Council to meet in public session in the coming weeks due to the COVID-19 pandemic. Under the Sunshine Act, any vote of Council must be in a public forum; however, this could result in the timing of a Council vote on the award of a contract for the project being delayed.

Grants obtained by private groups in support of the project will expire in 2020. Therefore, it was suggested that Council authorize the City Manager to award the contract to the lowest responsible bidder contingent on the bid amount being within the project budget. Such action would allow the project to proceed as planned with completion anticipated by the close of the 2020 construction season.

Mr. C. Zavinski made the motion to authorize the City Manager to sign the Lacy Playground Improvement Project contract contingent upon there being no Council meeting held in April and the bid being within the budgeted project amount. The motion was seconded by Mr. Fraser and carried ~~unanimously among the Council members present.~~ *with four votes in the affirmative and two nay votes cast by Mr. Wortman and Mayor Cashman. Corrected 4-20-20.*

RESOLUTION NO. 3115: SUPPORT OF COUNTY EMERGENCY DECLARATION

Chief Deppen stated that the City is working closely with Warren County and the Emergency Management Agency as information regarding the current outbreak of COVID-19 becomes available. He noted that it is important that Council and the public be aware that well-qualified emergency management personnel are cooperating across agencies and that a sound response plan is in place. The agencies will continue to monitor data.

Warren County Commissioner Ben Kafferlin requested that the City issue a Resolution of Support for any Emergency Declaration(s) that the County may issue.

In addition, to facilitate cooperation among agencies, it is necessary that the City enter into a Temporary Municipal Police Agreement which will allow for the provision of Mutual Police Aid across jurisdictional lines.

Upon motion by Mr. Wortman and second by Mr. Fraser, Council members present voted unanimously to approve the resolution in support of the County Emergency Declaration.

Mr. Wortman made the motion to authorize the Chief of Police to sign the Temporary Municipal Police Cooperative Agreement. The motion was seconded by Mr. Fraser. During discussion, concerns were noted in regard to certain language in the agreement; therefore, Mr. Wortman withdrew his motion and Mr. Fraser withdrew his second to the motion.

Mr. Wortman noted his appreciation for the work being done by City Staff. Mrs. Freenock stated that Chiefs Deppen and Wren have provided leadership in establishing and taking proactive measures.

PARKING REVIEW COMMITTEE

Mr. Wortman stated his intent to make a motion at the next regular Council meeting to amend or rescind the parking ordinance enacted at the January 20, 2020 Council meeting (No. 1943).

Mayor Cashman asked that Mr. Wortman not take such action at this point in time. Mayor Cashman then appointed Mr. C. Zavinski, Mr. Gilbert, and Mr. Wortman to serve on a committee tasked with “reviewing parking overall.” Mr. Giannini will serve as an alternate member.

DEPARTMENT REPORTS – FEBRUARY , 2020

The following reports were presented for Council’s review:

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

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	– January 23, 2020	Regular Meeting
Planning Commission	– July 10, 2019	Regular Meeting
	– October 30, 2019	Regular Meeting
Redevelopment Authority	– November 20, 2019	Regular Meeting
Street Landscape Committee	– January 28, 2020	Regular Meeting

ADJOURNMENT

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