

**WARREN CITY COUNCIL  
REGULAR MEETING  
MARCH 17, 2014 – 7:30 PM**

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**PUBLIC HEARING**

Mayor Cashman opened the Public Hearing and stated that it was for the purpose of receiving public comment regarding a proposed amendment to the City Zoning Ordinance. Mr. Hildebrand stated that the proposed ordinance was drafted by the City Planning Commission and City staff and would revise the Central Commercial (C-1) regulations by amending Ordinance No. 1295.

There being no citizens present who wished to provide comment, the Public Hearing was closed.

**OPENING OF MEETING**

Mayor Cashman presided over the March 17, 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 City Council met in Executive Session on February 17, 2014 regarding potential litigation pertaining to a property lease and on March 17, 2014 pertaining to litigation regarding tax issues.

**ROLL CALL**

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

**APPROVAL OF MINUTES**

Upon motion by Mr. Zavinski and second by Dr. Ferguson, the minutes of the February 17, 2014 Regular Meeting were unanimously approved.

**RECOGNITION OF VISITORS**

Mayor Cashman welcomed all visitors. Present were:

- Greg Wilson: City Intern – PSU MPA candidate
- Andrew Moore: City Firefighter observing
- Josh Cotton: Times Observer reporter

**CORRESPONDENCE**

Council members acknowledged receipt of the following correspondence:

- Warren Area Student Union: Thank you for contribution
- Warren County Historical Society: Thank you for contribution
- Robert Kaemmerer: Thank you for recognition of service to the City
- Warren Co. United Veterans Council: Request for the renaming of General Joseph Warren Park and Soldiers and Sailors Park to each include “Memorial”

There was considerable discussion regarding the request to rename General Joseph Warren Park and Soldiers and Sailors Park. Mr. Hildebrand noted that General Joseph Warren Park was one of two parks contained in the original plan for the City. In response to Mr. Fraser’s suggestion that the matter be referred to the Parks and Recreation Commission, Mrs. Freenock indicated that this had been done and the Commission was not in favor of such renaming of the parks. Mrs. Freenock

noted that a portion of Crescent Park is designated by deed as a memorial park. It was agreed that a member(s) of the Warren County United Veterans Council be invited to attend the April 21 regular meeting of Council to offer further information regarding the request.

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

(See also 8/26/13, 9/16/13, 10/21/13, 11/18/13, 12/16/13, and 1/20/14 meeting minutes.)

Ms. Stapleford, City Solicitor, stated that the well has been fully plugged. She further stated that the Department of Environmental Protection has issued a Notice of Violation regarding residual fluids that were produced by a production line. A DEP inspector will monitor the site.

**PROPOSED PARKING PLAN MEETINGS**

Mr. Cashman announced the following sessions regarding a proposed parking plan for the downtown area:

1. Public Meeting: April 9, 5:30 to 7:30 PM in the Slater Room of the Warren Public Library
2. Council Work Session: April 16, 6:00 to 8:00 PM in Council Chambers

**ORDINANCE NO. 1843: RESIDENTIAL STRUCTURES IN C-1 DISTRICT**

Mr. Hildebrand stated that the Planning Commission and City staff drafted an ordinance which would amend Ordinance No. 1295 (as previously amended) by revising regulations within the C-1, Central Commercial Zoning District pertaining to residential structures. The ordinance was reviewed by Council at the January 20 regular meeting at which time it was referred back to the Planning Commission for final review. At its regular meeting on February 19, Commission members present voted unanimously to recommend approval of the proposed amendment. The Warren County Planning and Zoning Commission also reviewed and recommended approval of the proposed amendment.

As presented, the ordinance amendment provided “Buildings originally constructed for residential use may revert to single-family residential use” as a permitted use. Mr. Lewis stated that many of the structures to which this would apply would be conducive to multi-family use.

Following discussion, Mr. Lewis made the motion to amend Ordinance No. 1295 to allow structures within the C-1 Central Commercial Zoning District which were originally constructed for residential use to be returned to such use with “single-family” to be stricken from Section 1, Section 503.2.N. The motion was seconded by Mr. Harvey and carried with six votes in the affirmative and one abstention by Mr. Lewis.

Mr. Harvey then made the motion to further amend Ordinance No. 1295 by moving Items (Section 2) “D” (Multi-family residential) and “E” (Single-family detached dwelling – new construction) from “Special Exceptions” to “Permitted Uses.” The motion was seconded by Dr. Ferguson and failed with three votes in the affirmative and four nay votes cast by Mr. Lewis, Mr. Fraser, Mr. Kolcharno, and Mayor Cashman.

Dr. Ferguson made the motion to approve the ordinance as amended. The motion was seconded by Mr. Fraser and carried with six votes in the affirmative and one abstention by Mr. Lewis.

Ms. Stapleford opined that this was a substantive change to the ordinance as forwarded to Council by the Planning Commission and that the Commission should be provided with an opportunity to concur with, or oppose, the amendment. Mayor Cashman requested that this be done with the matter to be returned to the Council floor only if the Planning Commission objected to the amendment.

**RESOLUTION NO. 2945: DCNR GRANT APPLICATION – RIVERWALK TRAIL & OVERLOOK**

Mr. Hildebrand stated that the Pennsylvania Department of Conservation and Natural Resources (DCNR) requested adoption of a resolution regarding the Grant Application and Grant Agreement. The grant funding will be utilized for the Riverwalk Trail/Bird Viewing Structure Project (to be located along a portion of Pennsylvania Avenue West).

Upon motion by Dr. Ferguson and second by Mr. Lewis, the resolution approving an Agreement with the Commonwealth for DCNR grant funding was unanimously approved.

**RESOLUTION NO. 2946: RIGHT-TO-KNOW POLICY**

Mrs. Freenock noted that City Council previously approved Resolution No. 2809 which established the City's Right-to-Know Policy and associated fees in accordance with the Pennsylvania Right-to-Know Law. Since that time, the State Office of Open Records and Pennsylvania Courts have made determinations with which the current City policy is in conflict. In addition, at a recent training session regarding the Right-to-Know Law, it was recommended that both the Right-to-Know Officer and a Deputy Officer be appointed by resolution. The Right-to-Know Law specifies that only an Officer appointed by the City may respond to requests; therefore, it is desirable to designate a Deputy to serve in the absence of the Officer. Teena Leary was previously appointed as the Right-to-Know Officer by motion and vote of Council.

Mr. Lewis made the motion to approve the resolution regarding the City's Right-to-Know Policy and naming Teena M. Leary as the Right-to-Know Officer and Nancy K. Freenock as Deputy Right-to-Know Officer. The motion was seconded by Mr. Zavinski and carried unanimously.

**2014 CONTRACTED STREET OPENING RESTORATION**

Mr. Holtz stated that the City received two bids for the contracted restoration of street openings. Signature Sealcoating & Striping Service of Jamestown, NY, submitted the low bid of \$5.25 per square foot. City staff reviewed the qualifications, experience, and references and recommended award of the contract to Signature Sealcoating & Striping Service.

Upon motion by Mr. Fraser and second by Mr. Harvey, Council members voted unanimously to award the 2014 Street Opening Restoration Contract to Signature Sealcoating & Striping Service at the bid price of \$5.25 per square foot.

**APPOINTMENTS TO PENSION COMMITTEES**

As required by the Plan, the Mayor will serve on the Police Pension committee. Mayor Cashman will also serve as the Council representative on the Firefighters Pension Committee and the Employee Pension Committee.

Mayor Cashman appointed Councilman Fraser to serve as the Council representative to the Police Pension Committee.

Upon motion by Mr. Lewis and second by Dr. Ferguson Council members voted unanimously to appoint Robert Kaemmerer as the Citizen Representative to pension committees as follows:

- Police Pension Committee: 2-year term
- Firefighters Pension Committee: 2-year term
- Employee Pension Committee: at pleasure of Council

**DEPARTMENT REPORTS – FEBRUARY, 2014**

The following reports were presented for Council’s review:

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

**MAYOR’S TOWN HALL MEETING REPORT**

Mayor Cashman reported on the Town Hall Meeting which he hosted in the Slater Room of the Warren Public Library on March 5, 2014, 6:00 to 8:00 PM. He noted that there were several suggestions received from the public which are being reviewed and further noted that many extended their thanks for the opportunity to participate in such a forum. Additional Town Hall meetings are expected to be held throughout the year and at various times and locations so as to accommodate attendance by as many residents and business owners as possible.

**APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

- |                            |   |                  |                 |
|----------------------------|---|------------------|-----------------|
| Planning Commission        | – | January 15, 2014 | Regular Meeting |
| Street Landscape Committee | – | January 28, 2014 | Regular Meeting |

**ADJOURNMENT**

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