

**WARREN CITY COUNCIL  
SPECIAL MEETING  
MAY 1, 2017 – 5:30 PM**

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**OPENING OF MEETING**

Mayor Cashman presided over the May 1, 2017 special 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, Elissa Davis, Gregory Fraser, Philip Gilbert, John Lewis, James A. Zavinski, Sr., and Joshua Chimenti, Junior Council Member. Richard Kolcharno was absent. Members of City Staff present were Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Chief Zydonik, and Attorney Stapleford.

**RECOGNITION OF VISITORS**

Mayor Cashman welcomed all visitors. Present were:

- Mary Conarro: Resident regarding the Bird Viewing Platform Project
- David Winans: Resident regarding the Bird Viewing Platform Project
- Mark Davis: Resident regarding the Bird Viewing Platform Project

**CORRESPONDENCE**

Mayor Cashman read correspondence which he received from a fourth grade student at St. Joseph Catholic School. The student requested that City Council consider implementing regulations on the use of plastic shopping bags (i.e. grocery bags) within the City. The student implored Council to require that environmentally-friendly alternatives be used. Mayor Cashman requested that Ms. Stapleford investigate whether the City may enact such restrictions.

**BIRD VIEWING PLATFORM DESIGN**

Mr. Holtz noted that Council awarded the contract for construction of the Bird Viewing Platform at its March 20, 2017 regular meeting. The following day the Times Observer published a photo of the platform design. David Winans, a Warren resident, then contacted the City to voice his objection to the design as he believes that it will not complement the surrounding historic buildings which are located in the Historic District.

Subsequently, a meeting was held with City representatives, the project architect, the contractor, David Winans, and Mary Conarro in attendance. The outcome of the meeting was that the architect offered to submit a new design and the contractor was agreeable to this. After viewing the revised design, the contractor indicated that he believes the construction cost for the new design would be slightly lower than for the original design.

Mr. Holtz further noted that grant dollars have been awarded to the City. Council was asked to determine whether the platform is to be constructed according to the original design or the new design which resembles a Victorian gazebo.

Council received comments from all visitors:

Mark Davis noted that he is a member of the City Street Landscape Committee which was involved in the initial proposal for the platform. Mr. Davis indicated that the Committee had found no fault with the plan or the original design. Speaking for himself, Mr. Davis stated that he has no qualms with the new design if it will better suit the area. He also commended Council for making a “bold move” in creating an opportunity for “outdoor experiences” in the downtown area which will be of benefit to residents and will entice visitors to stop and discover all that Warren has to offer. He believes the platform will be utilized by “birders,” pedestrians, photographers, and artists.

David Winans stated that his objection to the original design was based on his concern regarding the grant funding sources and their use within the Historic District. Mr. Winans noted the City's stock of historical architecture and the City's ongoing efforts to preserve the historic nature of the downtown area and stated his belief that the original design was too modern for the area. Mr. Winans opined that the new design is much more in keeping with the surrounding architecture. However, he suggested that if the cupola shown in the new rendering is not functional, it would be more appropriate to replace it with a Victorian-style finial.

Mary Conarro addressed Council and also noted that the concept for the platform evolved from Street Landscape Committee discussions. Mrs. Conarro reminisced that the north bank of the Allegheny River was once a very active walkway and stated that she is pleased to see measures being taken to re-establish a riverside walkway which will augment other initiatives to promote walking within the City. Mrs. Conarro noted that she led the effort to obtain local private funding to assist in the project completion and she was pleased that a design more befitting the area was developed.

Following brief discussion, Mr. Fraser made the motion to approve the new design. The motion was seconded by Mr. Gilbert.

Mr. Fraser's motion was followed by considerable discussion regarding the project cost with some members stating their belief that the project cost is excessive and the project should be designed for construction at a lower cost. Ms. Stapleford noted that a construction contract for the project has been awarded and cautioned Council to consider the legal ramifications and associated costs if the project does not proceed in a timely manner under the current construction contract.

Mayor Cashman relinquished the gavel to Mr. Lewis, Council Vice-President. Mr. Cashman then made the motion to amend Mr. Fraser's motion to "have a new design based on the budget dollars available under the grant." Mr. Zavinski seconded the motion. The motion failed with Mr. Cashman and Mr. Lewis voting in the affirmative and nay votes being cast by Mr. Gilbert, Miss Davis, Mr. Zavinski, and Mr. Fraser.

Mr. Fraser's motion was then voted upon and carried with four votes in the affirmative and two nay votes cast by Mr. Zavinski and Mr. Cashman.

Mr. Lewis then returned the gavel to Mayor Cashman.

#### **ORDINANCE NO. 1892: ESTABLISHING COUNCIL MEETING DAY AND TIME**

Mrs. Leary stated that on January 10, 2005, the sitting Council set the regular Council meeting time as the third Monday of each month commencing at 7:30 PM. Prior to this time, the regular meeting day had been on the second Monday of each month. As this change was made by way of resolution rather than ordinance, the change in date is not reflected in the Codified Ordinances of the City. Therefore, to appropriately memorialize the regular Council meeting day as the third Monday of each month, Council was requested to adopt such by ordinance.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members present (6) voted unanimously to adopt the ordinance establishing the third Monday of each month at 7:30 PM as the regular meeting day and time for Warren City Council.

### **MAY COUNCIL MEETING DATE**

Mrs. Leary noted that the normal Council meeting date would be May 15. However, the bid opening for the paving contract will occur later that same week and, in order to proceed with the paving project in a timely manner, a special meeting would be necessary. Therefore, it was suggested that Council's monthly meeting for May be rescheduled and held on Monday, May 22, at 7:30 PM as this would allow all items to be addressed by Council in one session.

It was also noted that it is anticipated that restoration work will have commenced in Council Chambers by that date and, therefore, the meeting will be held in the Board Room at the Transit Authority of Warren County's building located at 42 Clark Street.

Mr. Lewis made the motion to reschedule the May regular meeting of City Council to Monday, May 22, 2017, at 7:30 PM with the meeting to be held in the Board Room of the Transit Authority of Warren County. The motion was seconded by Mr. Zavinski and carried unanimously among the Council members present (6).

### **REIMBURSEMENT OF COUNCIL MEMBER TRAVEL EXPENSES**

Mrs. Leary stated that Councilman Fraser will travel to Tunkhannock for the Route 6 Annual Meeting and "Do 6" Awards on May 17 and 18 and will represent the City as it is presented with the Heritage Community of the Year Award.

Per Chapter 26, Article I, §26-8 of the Code of the City of Warren, Council members are entitled to reimbursement for actual expenses incurred when the expenditure is related to the performance of official duties and authorized in advance by Council at a public meeting and included in an itemized list presented prior to payment.

Mr. Lewis made the motion to approve reimbursement to Gregory Fraser for expenses incurred in regard to his attendance at the Route 6 Annual Meeting and Awards. The motion was seconded by Miss Davis and carried with five votes in the affirmative and Mr. Fraser abstaining.

### **ADJOURNMENT**

There being no further business to come before Council, Mayor Cashman declared the special meeting adjourned and announced that Council would immediately thereafter meet in executive session regarding litigation pertaining to Carl DeVlieger and potential litigation regarding a sidewalk in the City.