

**WARREN CITY COUNCIL
PUBLIC HEARING AND REGULAR MEETING
MAY 20, 2019 – 7:00 PM**

**PUBLIC HEARING:
COMMERCIAL AND RESIDENTIAL TAX ABATEMENT PROGRAMS**

Mayor Cashman opened the public hearing.

Mrs. Williams stated that the purpose of the hearing was to receive public comment regarding proposed amendments to the existing Local Economic Revitalization Tax Assistance (LERTA) Program and the establishment of a parallel program for deteriorating residential properties.

She also stated that proposed amendments to the LERTA Program include expansion to include all deteriorating commercial properties within the City, increasing the exemption period from three to five years, and establishing a Loss of Exemption section.

Mrs. Williams further stated that the proposed Deteriorating Dwellings Improvement and Deteriorating Area Improvement Tax Exemption Programs would provide incentives to aid residential property owners in making improvements to deteriorating properties through rehabilitation and/or new construction. These programs would be available to all qualifying properties within the City and would provide for a one hundred percent tax abatement on taxable improvements for a period of five years.

Don Nelson, Chairman of the City Planning Commission, addressed Council and indicated that the Commission reviewed the proposed amendments to the existing LERTA Program as well as the proposed Deteriorating Dwellings Improvement and Deteriorating Area Improvement Tax Exemption Programs. He stated that all members of the Commission support the proposals and recommend their adoption.

Jeff Eggleston, Warren County Commissioner, addressed Council and indicated that the County and approximately twelve municipalities are working to develop similar programs. He stated that the program is supported by the Warren County Board of Commissioners and that there was a good response from the Warren County School District Board of Directors when he presented the concept to them.

There being no others wishing to provide comment, Mayor Cashman closed the hearing.

OPENING OF REGULAR MEETING

Mayor Cashman presided over the May 20, 2019, 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, Paul Giannini, Philip Gilbert, Richard Kolcharno, John Lewis, James A. Zavinski, Sr., and Junior Council Member Lily Striker. Council member Gregory Fraser was absent. Mayor Cashman indicated that Mr. Fraser recently underwent major surgery and his ability to participate in meetings over the next few months will be limited. Members of City Staff present were Brandon Deppen, Chief of Police; David Hildebrand, Planner/Development Administrator; Michael Holtz, DPW Director; Teena Leary, Assistant City Clerk; Donna Risinger, Finance Officer; 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. Lewis and second by Mr. Gilbert, the minutes of the April 15, 2019 Regular Meeting were unanimously approved by Council members present.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Raymond Pring, Jr., Vice-President for Finance and Operations, Northern Pennsylvania Regional College
- Duane Vicini, Chief of Staff, Northern Pennsylvania Regional College
- Gary Shaw, PA Pride CDL Training, Northern Pennsylvania Regional College
- Don Nelson, Chairman, City Planning Commission
- Piper VanOrd: Owner, Allegheny Outfitters
- David White: Regarding Tax Abatement Programs
- Doug Hearn: Observing
- Jeff Eggleston, Warren County Commissioner
- Brian Ferry: Times Observer Reporter

CORRESPONDENCE

There was no correspondence to come before Council.

ORDINANCE NO. 1918: AMENDING COMMERCIAL TAX ABATEMENT PROGRAM (LERTA)

(See Public Hearing above)

Mrs. Williams stated that in 1985, Borough Council established a Local Economic Revitalization Tax Assistance (LERTA) District and in 1988 the original ordinance was amended by expanding the district. The program provides commercial property owners temporary relief from real estate taxes on the eligible improvements. The benefits of the program to the City lie in a reduction in the number of deteriorated commercial properties and the associated boost to the local economy.

Mrs. Williams indicated that the proposed amendments would expand the existing LERTA District to include all commercial properties located within the City; the exemption period would be increased from three to five years; a Loss of Exemption section would be added; and the manner of filing applications would be updated.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, the Council members present voted unanimously to approve the ordinance amending the Code of the City of Warren, Chapter 424, Article IV: Local Economic Revitalization Tax Assistance District.

ORDINANCE NO. 1919: ESTABLISHING RESIDENTIAL TAX ABATEMENT PROGRAMS

Mrs. Williams stated that the Pennsylvania Deteriorating Real Property or Areas Exemption Act 42 of 1977 authorized local taxing authorities to provide tax exemption for certain improvements to deteriorated dwellings and for improvements to deteriorated areas by the construction of new dwelling units.

As an incentive to property owners to make improvements to deteriorated properties and to construct dwellings on deteriorating parcels, it was recommended that an ordinance establishing a Deteriorating Dwellings Improvement Tax Exemption and a Deteriorating Area Improvement Tax Exemption be adopted. These programs would be available to all qualifying properties within the City and would provide for a one hundred percent tax abatement on taxable improvements for a period of five years.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members present voted unanimously to approve the ordinance establishing a Deteriorating Dwellings Improvement Tax Exemption and a Deteriorating Area Improvement Tax Exemption.

LEASE AGREEMENT: ALLEGHENY OUTFITTERS

Mr. Holtz stated that Allegheny Outfitters is moving its place of business from its former location on Pennsylvania Avenue West to the HIY, Inc. property on Clark Street (former Loranger building). As the new location is directly on the waterfront, it is anticipated that customers will park in that area and the business plans to launch its watercraft from a nearby location. Therefore, Piper VanOrd, owner of Allegheny Outfitters, requested the use of two City-owned parcels for the purpose of business, customer, and vendor parking as well as the use of a portion of the Pump Station Lot to access the Allegheny River for launching watercraft owned by Allegheny Outfitters. It was noted that it is not Ms. VanOrd's intent to allow the general public to utilize the launch area.

Commissioner Eggleston encouraged Council to support redevelopment of the Allegheny Riverfront.

Upon motion by Mr. Lewis and second by Mr. Giannini, Council members present voted unanimously to approve the Agreement with Allegheny Outfitters for the Lease of City-owned properties.

LEASE AGREEMENT: NORTHERN PENNSYLVANIA REGIONAL COLLEGE

Mr. Holtz stated that the Northern Pennsylvania Regional College (NPRC) will conduct Commercial Driver's License (CDL) training and, therefore, is in need of a location to conduct certain training exercises. NPRC determined that the paved area located to the west of the Clifford R. Betts Park entrance would be suitable for such use and requested permission to use the area. The training is expected to expand the local pool of qualified CDL drivers available to serve area business and industry and enhance the employability of those who complete the course and thereby bolster the local economy.

In answer to questions from Council, Gary Shaw, of PA Pride CDL Training, stated that classes are scheduled when there are four registered participants; training lasts four weeks and is conducted 8:00 AM to 4:30 PM, Monday through Friday; traffic cones may be placed to define the training area; and PA Pride will work to accommodate other scheduled events and to make way for vehicles needing to access the western portion of Betts Park. Mr. Shaw indicated that the training will fill a great local need as there is a high percentage of CDL drivers who are of retirement age and new drivers will be necessary.

Duane Vicini, Chief of Staff, Northern PA Regional College, stated that the NPRC's research and interaction with local employers revealed that Commercial Driver License Training is the second most requested training topic by employers and prospective employees.

Upon motion by Mr. Giannini and second by Mr. Gilbert, Council members present voted unanimously to approve the agreement with the Northern Pennsylvania Regional College for the lease of a portion of Clifford R. Betts Park for the conduct of Commercial Driver License Training.

ORDINANCE NO. 1920: AMENDING CITY CODE – SPECIAL EVENTS

Mrs. Williams stated that Ordinance No. 1821, commonly referred to as the Special Events Ordinance, was adopted in December of 2012. Since that time, it has become evident that certain sections of the codified ordinance should be amended or removed to provide clarity and to eliminate conflict with other ordinances. The proposed amendments include:

1. Elimination of "Sales of merchandise, food and/or beverages on public property" as a singular qualifier under the definition of a Special Event. In many instances, such activities are sufficiently covered by a vendor permit.

2. Also under the definition of a Special Event, the erection of a tent as a qualifier as a special event is amended to read, "Erection of a tent(s) in excess of 1,000 aggregate square feet on public property." This amendment allows private groups that reserve a pavilion to use sun shelters/tents up to the specified number of square feet without the need for a special event permit which would not otherwise be required. Note: Smaller tents will be subject to a tent permit.
3. Removal of the requirement that a special event be open to the public and contribute to the cultural enrichment, economic enhancement, and/or promotion of the City of Warren community.
4. The ordinance currently provides that amplified sound may not be used beyond 10:00 PM; however, it does not stipulate at what time amplified sound may begin to be used. The proposed amendment provides that amplified sound may not begin prior to 7:30 AM (the park opening time) unless a permit specifies otherwise.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, Council members present voted unanimously to approve the ordinance amending the Code of the City of Warren, Chapter 144, Article II: Special Events.

PROPOSED RESOLUTION: GREENWAYS, TRAILS AND RECREATION PROGRAM GRANT

Mr. Hildebrand stated that the Pennsylvania Commonwealth Financing Authority, under the Greenways, Trails, and Recreation Program (GTRP), requires that the City approve the proposed resolution authorizing the grant application and designating signatories. This grant would be utilized for an extension of the Breeze Point Landing Trail which includes a concrete path, trash/recycling cans, benches, pedestrian lights, signage, and trees. The total project cost is \$460,517 of which \$250,000 is requested in the grant application. The remaining \$210,517 is the local share and would be included in the 2020 Municipal Budget. City Staff would seek contributions from private foundations to offset the local share amount.

Mayor Cashman stated that he believes this would be a discretionary expenditure. He referenced the recent Warren County Marketing Plan and the City's Early Intervention Plan (EIP) and suggested that there be a moratorium on discretionary expenditures until both are fully reviewed and Council has a full understanding of the current and forecasted financial conditions of the City.

Mr. Gilbert stated his support of the resolution and further stated that he believes the trail will benefit multiple local projects and, therefore, the trail project should move forward at this time.

Mr. Giannini inquired as to whether the trail project is addressed in the Strategic Plan.

Mr. Hildebrand responded that the trail project is addressed and supported in Experience Warren: A Strategic Plan for Our Downtown, which was commissioned by the City Redevelopment Authority in 2017.

Mr. Gilbert made the motion to approve the proposed resolution approving an agreement with the Commonwealth Financing Authority and designating signatories regarding an application under the Greenways, Trails, and Recreation Program. The motion was seconded by Mr. Giannini and failed with two votes in the affirmative cast by Mr. Gilbert and Mr. Giannini and four nay votes cast by Mr. Lewis, Mr. Kolcharno, Mr. Zavinski, and Mayor Cashman.

RESOLUTION NO. 3095: ESTABLISHING COMPENSATION RANGES

Mrs. Williams noted that the Codes Department is tasked with enforcing the provisions of the International Property Maintenance Code (IPMC). Currently, two Code Officials handle all code enforcement activities (Property Maintenance and Property Nuisance) for the City in addition to

performing 85% of the PA UCC Residential Plan Reviews and inspections for the City and eight additional municipalities. The Codes Department previously utilized a seasonal employee during the summer months to assist with nuisance violations; however, additional assistance is needed throughout the year. The approved 2019 Municipal Budget provides for a year-round part-time employee who will be primarily responsible for enforcing the provisions of the IPMC which deal with nuisances and include, but are not limited to, high grass, snow and ice, clutter, garbage, abandoned vehicles, and the like.

It is required that all new positions be assigned a title and an approved rate of compensation. Therefore, it was requested that Council establish a compensation rate of \$14.00 per hour for the position of Part-Time Ordinance Enforcement Officer.

Upon motion by Mr. Giannini and second by Mr. Kolcharno, Council members present voted unanimously to approve the resolution establishing compensation ranges for Classified City Employees not included in collective bargaining agreements and adding a Part-Time Ordinance Enforcement Officer. *(The resolution provided no changes in compensation ranges beyond the addition of the Part-Time Ordinance Enforcement Officer).*

PURCHASE AND DISPOSITION OF PUBLIC WORKS VEHICLES

Mr. Holtz stated that the Department of Public Works has a 2002 GMC Sierra pickup truck which will not pass a state inspection due to the condition of the frame. The PA COSTARS State Contract price for a 2019 Chevrolet Colorado is \$30,760 which would be paid from the City's Sewer Fund.

Upon motion by Mr. Giannini and second by Mr. Kolcharno, Council members present voted unanimously to approve the purchase of a 2019 Chevrolet Colorado truck via the COSTARS purchasing program and authorized the disposition of the 2002 GMC Sierra truck in a manner permitted by the Code of the City of Warren.

BID AWARD: 2019 BITUMINOUS PAVEMENT MILLING AND RESURFACING PROJECT

Mr. Holtz stated that three bids were received for the City's 2019 Mill and Overlay Project with the apparent low bidder being IA Construction Corporation of Franklin, PA. Their total bid for base and optional work totals \$439,939.95 which includes twenty-one (21) City blocks. The proposed street resurfacing list was provided for Council's consideration.

Mr. Holtz noted that the 2019 Mill and Overlay budget allocation totals \$480,000 which utilizes \$280,000 in State Liquid Fuels funds and \$200,000 from the General Fund.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members present voted unanimously to award the contract for the 2019 Mill and Overlay Project to IA Construction in the amount of \$439,939.95 and to confirm the proposed street resurfacing list as provided to Council.

CHARTER REVIEW

Mr. Lewis requested that a review of the Home Rule Charter be conducted to ensure that it is in conformity with current Commonwealth and Federal statutes and that such be conducted in a timeframe that would allow any necessary amendments to the Charter to appear as referendum questions on the 2019 General Election ballot.

MISCELLANEOUS

County Commissioner Jeff Eggleston commended City personnel who assisted in cleanup efforts following the recent tornado which touched down in the City and surrounding townships.

DEPARTMENT REPORTS – APRIL, 2019

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department
- 1st Quarter Financial Report

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	–	March 28, 2019	Regular Meeting
Planning Commission	–	April 10, 2019	Regular Meeting
Street Landscape Committee	–	March 26, 2019	Regular Meeting

ADJOURNMENT

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