

**WARREN CITY COUNCIL
REGULAR MEETING
JUNE 21, 2021 – 7:00 PM**

OPENING OF MEETING

Mayor Cashman presided over the June 21, 2021, 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 for the purpose of receiving legal advice from the Solicitor.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Kimberly Exley, Gregory Fraser, Paul Giannini (via Zoom), Philip Gilbert, Douglas Hearn, and John Wortman (via Zoom). Members of City Staff present were Nancy Freenock, City Manager (via Zoom); Jessica Byler; Vincent DeJoy, Director of Zoning, Codes, and Economic Development; Michael Holtz, DPW Director; Teena Leary, Assistant City Clerk; Joseph Sproveri, Chief of Police; Rodney Wren, Fire Chief; Chad Yuriscic, City Engineer; and Andrea Stapleford, City Solicitor.

OATH OF OFFICE

Raymond F. Zydonik, Magisterial District Judge, District 37-2-01, administered the Council Oath of Office to Kimberly Exley. Ms. Exley was appointed by Council to fulfill a portion of the term vacated by Christian Zavinski (*see May 17, 2021, Council minutes*); the interim term will expire December 31, 2021.

APPROVAL OF MINUTES

Upon motion by Mr. Wortman and second by Mr. Gilbert, the minutes of the May 17, 2021, regular meeting were unanimously approved.

Upon motion by Mr. Wortman and second by Mr. Gilbert, the minutes of the June 7, 2021, special meeting were unanimously approved.

Upon motion by Mr. Wortman and second by Mr. Gilbert, the minutes of the June 14, 2021, special meeting were unanimously approved.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Andy Close: YourDailyLocal Reporter
- Josh Cotton: Times Observer Reporter
- Tom Walker: Kim Exley Oath of Office
- Loraine Walker: Kim Exley Oath of Office
- Olivia Exley: Kim Exley Oath of Office
- Jane Dunshie: Observing
- Jared Villella: Observing
- Joe Michaels: Observing
- Laurel Haney: Pride Day
- Deborah Jones: Pride Day
- Sarah Courtney: Pride Day
- Jill Sumner: Pride Day
- Brianna Powers: Pride Day
- Lynette Swab: Pride Day
- Steve Edwards: Pride Day

Jill Sumner addressed Council regarding the Warren Pride Day celebration scheduled for June 26, 2021, at Clifford R. Betts Park. Ms. Sumner thanked the City for allowing the use of the park for the event and invited all to attend.

CORRESPONDENCE

There was no correspondence to come before Council.

ORDINANCE NO. 1957: VACATION OF A PORTION OF TUSCARORA AVENUE

Mr. Yurisc stated that Council adopted Ordinance No. 1815 on July 16, 2012. This ordinance provides for the vacation of a portion of Tuscarora Avenue to facilitate a stormwater retention area as required for construction at the Warren General Hospital Cancer Care Center. Warren General Hospital is now conducting further expansion activities and, upon review, it was determined that the metes and bounds contained in Ordinance No. 1815 extended the vacation of the unopened portion of Tuscarora Avenue further than intended and should be amended in order to maintain proper traffic flow on Lee Street.

Mr. Fraser questioned whether a new deed would be required; Mr. Holtz and Ms. Stapleford responded that they do not believe that the initial vacation was deeded to Warren General Hospital.

Mr. Fraser made the motion to approve the ordinance amending Ordinance No. 1815 by restating the metes and bounds subject to cure of a (possible) prior defect. The motion was seconded by Mr. Hearn and carried unanimously.

LEADERSHIP WARREN COUNTY CLASS PROJECT – WARREN SIGN

Mr. Holtz stated that each class of Leadership Warren County (LWC) develops a project for the benefit of the community. The most recent class proposes the installation of a “WARREN” sign within the City’s downtown. Phil Gilbert, a member of the class, presented the proposal to the City’s Parks and Recreation Commission on June 8. Following the presentation, the Commission voted to recommend City Council’s approval of the “Prime Spot” located in the City right-of-way and west of the Riverwalk Bird Viewing Platform. Mr. Gilbert answered questions from Council regarding the proposed size (approximately five feet by ten feet) and construction of the sign. It was noted that members of the LWC class will meet with staff at the Warren County Career Center to discuss fabrication of the sign letters.

Upon motion by Mr. Wortman and second by Mr. Hearn, Council voted unanimously to approve the location of a proposed “WARREN” sign in the area west of the Bird Viewing Platform on Pennsylvania Avenue West.

RESOLUTION NO. 3148: GRANT CLOSEOUT AND ADOPTING PARKS & RECREATION PLAN

Mr. Holtz noted that the City and Warren County were the joint recipients of grant funding from the Department of Conservation and Natural Resources (DCNR) for the development of their respective Parks and Recreation Plans. The City’s plan is complete and its adoption is recommended by the City’s Parks and Recreation Commission.

Mr. Fraser made the motion to adopt the resolution closing out the Department of Conservation and Natural Resources Community Conservation Partnerships Program grant and adopting the City of Warren Parks and Recreation Plan as the official Parks Plan for the City. The motion was seconded by Mr. Gilbert and carried unanimously.

RESOLUTION NO. 3149: FAIR HOUSING

Mr. DeJoy indicated that, in accord with requirements of the Pennsylvania Department of Community and Economic Development's (DCED) Community Development Block Grant (CDBG) program, City staff prepared a Fair Housing Resolution.

Mr. Wortman made the motion to adopt the Fair Housing resolution. The motion was seconded by Mr. Hearn and carried unanimously.

DISPOSITION OF SURPLUS POLICE VEHICLE

Chief Sproveri stated that the Police Department's 2011 Chevrolet Caprice is in the rotation for replacement in 2021. This vehicle has become costly to maintain and there is no other use for it within City departments. Therefore, it was recommended that it be declared surplus property and disposed of in a manner permitted by the City Code. Chief Sproveri noted that a new vehicle purchase is included in the 2021 Municipal Budget and the Department was awarded a USDA grant which will offset a portion of the purchase.

Mr. Fraser made the motion to authorize disposition of a Police Department Surplus Vehicle (2011 Chevrolet Caprice VIN 6G1MK5TZ1BL555073) in a manner permitted by City Code. The motion was seconded by Mr. Gilbert and carried unanimously.

SIDEWALK FURNISHINGS PROPOSED BY REDEVELOPMENT AUTHORITY

Mrs. Leary stated that during its regular meeting conducted on April 28, 2021, the City Redevelopment Authority discussed the potential purchase of sidewalk furnishings for the benefit of downtown businesses. City staff members present stated that research would be required in order to determine whether such a purchase would lie within the scope of the RDA.

Subsequent to the meeting, Andrea Stapleford, Solicitor for the City and the RDA, issued the following opinion:

The Authority may make such purchases as they are not specifically prohibited. However, it should be noted that Ordinance No. 1648 which provided for the incorporation of the RDA states, [...provides for the organization of local Redevelopment Authorities which shall exist and operate for the public purposes of acquiring and replanning such areas and properties [blighted] and of holding or disposing of them in such manner that they shall become available for economically and socially sound redevelopment.]"

The RDA met in regular session on May 26, 2021, at which time the motion was made for the RDA to purchase twelve 4-top tables and chairs and one 2-top table and chairs for \$29,920 for City-owned tables and chairs. The motion was seconded and carried with four votes in the affirmative and one nay vote.

It was noted that, if accepted, the furnishings would be the City's responsibility to annually place and maintain as well as provide for off-season storage.

During discussion Council members raised concerns in regard to acting contrary to the Solicitor's opinion and questioned whether such use of Redevelopment Authority funds is within the scope of the Authority's purpose.

Mr. Wortman made the motion to reject acceptance of sidewalk furnishings as proposed for purchase by the Redevelopment Authority. The motion was seconded by Mr. Giannini and carried unanimously.

RESOLUTION NO. 3150: DISPOSITION OF CERTAIN NON-PERMANENT RECORDS

Mrs. Leary stated that the City previously declared, by resolution, its intent to follow the schedules and procedures for the disposition of non-permanent records as set forth in the Municipal Records Manual of the Pennsylvania Historical and Museum Commission. In accord with these guidelines, Council must acknowledge each disposition of records by separate resolution.

Mr. Fraser made the motion to adopt the resolution authorizing the disposition of certain non-permanent records. The motion was seconded by Mr. Gilbert and carried unanimously.

PENNDOT & 4TH OF JULY COMMITTEE INDEMNIFICATION

Mr. Holtz stated that each time the City's Special Events Committee approves a Special Event permit which involves the use of City streets, a notice of the event must be submitted to PennDOT. Following approval of the Fourth of July Parade, the standard notice was submitted to PennDOT. However, the notice was returned with a notation that there have been changes in the PennDOT permitting process.

It was indicated that the City's approval letter must now include indemnification language stating that the municipality will agree to fully indemnify and hold the Commonwealth harmless. The required statement has been added to the letter and Council's approval to submit it to PennDOT is requested.

In order to protect the City's best interests, the Solicitor was asked to prepare an indemnification agreement which has been signed by the chairman of the 4th of July Committee.

Mr. Fraser made the motion to endorse language contained in the letter dated June 22, 2021, as an action of Council to indemnify PennDOT. The motion was seconded by Mr. Wortman and carried unanimously.

Mr. Fraser made the motion to adopt the proposed agreement with the 4th of July Committee regarding indemnification of the City subject to confirmation of the Committee's status as an organized entity. The motion was seconded by Mr. Wortman and carried unanimously.

FEE WAIVER: FARMERS' MARKET VENDORS SELLING POTENTIALLY HAZARDOUS FOODS

Ms. Exley made the motion to remove the Farmers' Market License (Health inspection) Fee with said removal to be specific to Warren County Farmers' Market vendors. The motion was seconded by Mr. Gilbert and carried with five votes in the affirmative and two nay votes cast by Mr. Giannini and Mayor Cashman.

DEPARTMENT REPORTS – MAY, 2021

The following reports were presented for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Zoning, Codes, and Economic Development

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	– April 22, 2021	Regular Meeting
Parks and Recreation Commission	– April 6, 2021	Regular Meeting
Planning Commission	– March 17, 2021	Regular Meeting
	– April 14, 2021	Special Meeting
Redevelopment Authority	– April 28, 2021	Regular Meeting
Street Landscape Committee	– April 27, 2021	Regular Meeting

ADJOURNMENT

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