

**WARREN CITY COUNCIL
REGULAR MEETING
JULY 21, 2014 – 7:30 PM**

OPENING OF MEETING

Mayor Cashman presided over the July 21, 2014 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, Dr. Howard Ferguson, Gregory Fraser, Samuel Harvey, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr.. 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.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Marcy O'Brien, Struthers Library Theatre Executive Director
- Robert Crowley: Struthers Library Theatre
- Dana Simmons: Struthers Library Theatre
- Ellen Paquette: Struthers Library Theatre
- Ray Pring, Jr., Board Member: Crary Art Gallery
- Thomas Paquette, Board Member: Crary Art Gallery
- Pat Evans: Crary Art Gallery
- Ines Nelson, Board Member: Crary Art Gallery
- Sue Spencer, Struthers Library Theatre: Civil War Reenactment
- Andy Moore: City Firefighter observing
- Pauline Steinmeyer, 18 Prospect Street: Observing
- Julia Tarr, Phase II Clothing Consignment, PA Avenue: Parking Ordinance
- Dan Ristau, Main Street President: Parking Ordinance (arrived during the meeting)
- Ben Klein, Times Observer reporter

APPROVAL OF MINUTES

Upon motion by Mr. Zavinski and second by Dr. Ferguson, the minutes of the June 16, 2014 Regular Meeting were unanimously approved.

CORRESPONDENCE

There was no correspondence to come before Council.

STRUTHERS LIBRARY THEATRE ELEVATOR AND MARQUEE PROJECT

Mr. Hildebrand stated that over the past several months, City staff met with Marcy O'Brien, Executive Director of the Struthers Library Theatre, regarding proposed improvements to the facility. The planned improvements include installation of an exterior elevator and an enhanced marquee. It was noted that as the project progresses, it may be necessary for Council to consider approval of certain aspects of the project including a possible right-of-way agreement for location of the elevator.

Mrs. O'Brien was present and provided information regarding the Theatre's growth in use and attendance over the past several years. She noted that recent improvements have made it possible to use the entire facility year-round, however, the stair configuration makes it difficult/impossible for some to reach the upper-level rehearsal hall and to transport needed

equipment and instruments to the hall. Mrs. O'Brien indicated that the Theatre Board evaluated seven options for locating an elevator within the Theatre. However, such options would require space to be taken from the Friends Room which is an integral meeting room and also houses the Theatre catering facility or from the Library Room which holds historic significance.

Mrs. O'Brien presented the architects' rendering of the project and noted that the proposed exterior elevator would require the elimination of two parking spaces on Liberty Street. The 4-story elevator would be constructed of brick and glass and would accommodate twelve to fourteen people. The elevator would also accommodate a gurney in the event of a medical emergency.

The current 18.5 foot marquee would be extended to 44 feet to provide additional cover for patrons waiting to enter the Theatre. The plans call for the marquee to be constructed of steel and glass and contain skylights and LED lighting. A high-definition screen will be located inside the Theatre and will continuously display information regarding Theatre events as well as community events. Mrs. O'Brien stated that there will be no "traveling" lights.

The Theatre also proposes the location of an information kiosk near the corner of Third Avenue and Liberty Street. The kiosk would occupy approximately 16 square feet of sidewalk and would not be more than 8 feet in height. The purpose of the kiosk would be to provide brochures regarding Theatre events as well as tourist information.

Mr. Harvey made the motion to support the concept of the Struthers Library Theatre Elevator and Marquee Project. The motion was seconded by Mr. Zavinski and carried unanimously.

Ms. Stapleford noted that easements and other agreements will be needed as the project progresses.

CRARY ART GALLERY, INC.: APPLICATION FOR PERMANENT SIGN PERMIT – MARQUEE SIGN

The Crary Art Gallery, Inc. submitted an application to the City for approval of a permanent marquee sign at 511 Market Street. Ordinance No. 1796 defines a Marquee Sign as any sign attached to a marquee for the purpose of identifying a movie theater or similar place of entertainment.

Section 7 of Ordinance No. 1796, requires City Council review and approval of a marquee sign. Per the ordinance, City Council shall review the application as to the following criteria:

Marquee Signs – City Council shall ensure the proposed sign is appropriate to the style, period, type, size, and scale of the building for which it is proposed. Council shall weigh testimony from other property owners in the vicinity regarding the merits of the sign. Council shall weigh whether the sign will enhance the traditional town character of Warren or detract from it in determining whether the sign shall be permitted.

Ray Pring, Jr., member of the Crary Board of Directors, stated that the application for a Marquee Sign was submitted to the City approximately one week prior. He further stated that less than one year ago, the original sign was installed on the face of the Gallery. He acknowledged that it was installed without first obtaining the required sign permit and that it was larger than allowable in the R-3, Residential High Density Zoning District. The Crary Gallery's application to the City of Warren Zoning Hearing Board for a Special Exception for the sign size was denied by the Zoning Hearing Board. Mr. Pring noted that the appeal to that decision is being withdrawn by the Crary Board.

The Crary Board's current proposal calls for reinstallation of the sign (removed from the building face in the past weeks) with the addition of a marquee sign which would consist of a dark background with interchangeable letters which would denote current and upcoming Gallery shows.

Following considerable discussion, Mayor Cashman requested that this matter be returned to Council in August to provide the Solicitor with time to review the matter.

Mr. Harvey made the motion to approve a Marquee Sign for the Crary Art Gallery as proposed. The motion was seconded by Dr. Ferguson.

Following further discussion, Mr. Fraser made the motion to table Mr. Harvey's motion. The motion was seconded by Mr. Harvey and carried unanimously.

Mayor Cashman noted that there will be a Special Meeting of Council on August 4, 2014 and asked that this matter be placed on the agenda.

REQUEST FOR OVERNIGHT CAMPING IN CITY PARKS: CIVIL WAR LIVING HISTORY

Mr. Holtz indicated that the Civil War Living History Committee will host a three-day event at Betts, Clemons, General Joseph Warren, and Soldiers and Sailors Parks beginning with setup on August 1 and continuing through teardown on August 3, 2014. The event will honor Brigadier General George Ashworth Cobham, Jr., and the 1800 men of Warren County who enlisted and fought in the Civil War. As part of the event, living history encampments are planned for Clemons and General Joseph Warren Parks and, therefore, the Committee requested Overnight Camping Permits for these parks. Mr. Holtz outlined the regulations pertaining to overnight camping in City parks and to the use of campfires.

Sue Spencer, representing the Civil War Living History Committee, outlined the planned activities and noted that the last time that the Committee hosted such an event, sod was removed prior to placing campfires and was replaced following the event.

Mr. Fraser made the motion to approve Overnight Camping and Campfire permits for the Civil War Living History Committee with the provision that metal plates be used under the fires so as to prevent scorching. The motion was seconded by Mr. Lewis and carried unanimously.

RESOLUTION NO. 2956: AUTHORIZING GRANT APPLICATION FOR MUNICIPAL POOL

Mr. Hildebrand reported that the Pennsylvania Commonwealth Financing Authority, under the Greenway, Trails, and Recreation Program (GTRP) Grant requested that the City of Warren adopt a resolution authorizing the grant application. The grant funds would be utilized for the construction of a new roof for the Municipal Pool Lifeguard/Locker Room Building. The total roof project cost is \$30,000 of which the grant would pay 85% (\$25,500) and the City's share would be 15% (\$4,500).

Mr. Lewis made the motion to approve the resolution authorizing the Commonwealth Financing Authority Greenway, Trails, and Recreation program grant application for construction of a roof for the Municipal Pool Lifeguard/Locker Room Building. The motion was seconded by Mr. Zavinski and carried unanimously.

RESOLUTION NO. 2957: AUTHORIZING GRANT APPLICATION FOR PARK, RECREATION, GREENWAYS, AND TRAILS COMPREHENSIVE PLAN

Mr. Hildebrand reported that the Pennsylvania Commonwealth Financing Authority, under the Greenway, Trails, and Recreation Program (GTRP) Grant, requested that the City of Warren adopt a

resolution authorizing a grant application. The grant would be utilized for development of a Warren Park, Recreation, Greenways, and Trails Comprehensive Plan. The total comprehensive plan project cost is \$45,000 of which the grant would pay 85% (\$38,250) and the City's share would be 15% (\$6,750).

Mr. Hildebrand noted that the Comprehensive Planning Document would assist the City in creating community visioning and goal setting opportunities, guide greenway and trail development, enhance development of the Walkable Warren Project, and be an asset when applying for state and federal funding.

In response to Mr. Harvey's question as to whether the work would be done by City staff, Mrs. Freenock stated that the work would be completed by a consulting firm specializing in such work. Included in the development process would be opportunities for public input.

Mr. Lewis made the motion to approve the resolution authorizing the Commonwealth Financing Authority Greenway, Trails, and Recreation Program grant application for development of a Warren Park, Recreation, Greenways, and Trails Comprehensive Plan. The motion was seconded by Dr. Ferguson and carried with six votes in the affirmative and one negative vote cast by Mr. Harvey.

ORDINANCE NO. 1847: GENERAL PARKING

Mr. Wilson presented the Parking Committee's recommendations to Council regarding the proposed parking plan and requested Council's consideration and action regarding the proposed ordinance, setting parking fees, and setting fines for violations. It was recommended that the ordinance, parking fees, and amended fees for violations become effective September 1, 2014. During the transition period, enforcement in those areas in which new signage and/or equipment has not been installed will be through reminders, rather than tickets, until signs, meters, and kiosks are in place. Mr. Wilson noted that the proposed plan seeks to return the Parking Fund to solvency and is the culmination of several Parking Committee meetings as well as public meetings at which public comment was received.

Council received public comments from Dan Ristau, Main Street President, and Julia Tarr, downtown merchant, who each expressed concern regarding what they believe will be a negative impact on downtown businesses. Items of concern cited included turnover in parking times, fees, and parking enforcement. Mr. Ristau and Ms. Tarr each requested that Council delay action on this matter.

Dr. Ferguson noted that the Committee appreciated the public's input throughout development of the Plan and stated that if any of the Plan's components are found to have a negative impact, they will be addressed.

Mr. Lewis made the motion to direct City Staff to prepare a resolution which includes on-street and off-street parking fees, to direct City Staff to incorporate fines for violations for on-street and off-street parking regulations in the General Parking Ordinance, and to adopt the ordinance providing for General Parking regulations to be effective September 1, 2014. The motion was seconded by Mr. Fraser and carried unanimously.

Mr. Ristau and Ms. Tarr left the meeting at this point.

PARKING EQUIPMENT AND DPW TRUCK FINANCING

Mr. Holtz stated that City Staff solicited proposals for financing the parking enforcement equipment and a half-ton 2-wheel drive pickup truck. The amount for these two purchases totals \$275,000.

The City requested proposals from all four local banks as well as two non-local banks. After reviewing all of the proposals received, it is Staff's recommendation that Council consider approval

of First Niagara Bank's Municipal Lease proposal. Their quoted rate is 2.675% for a term of five years. The total payments for this Municipal Lease would be \$294,106.20 if paid in monthly installments or \$297,457.00 if paid in annual installments.

Mr. Fraser made the motion to authorize Administrative Staff to move forward with loan documents with First Niagara Bank for financing the purchase of parking enforcement equipment and one half-ton 2-wheel drive pickup truck. The motion was seconded by Mr. Lewis and carried unanimously.

DEPARTMENT REPORTS – JUNE, 2014

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:

Planning Commission	– June 18, 2014	Regular Meeting
Street Landscape Committee	– May 27, 2014	Regular Meeting

SPECIAL MEETING DATE

Mayor Cashman called for a Special Meeting to be held on August 4, 2014 for the purpose of awarding bids for contracts under the Municipal Pool Lifeguard/Locker Room Building Renovation Project. It is expected that work will begin immediately following the final day of the pool season. Therefore, in order to provide the successful bidders with sufficient time to acquire materials, it is necessary for the award to take place prior to the August Regular Meeting.

ADJOURNMENT

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