

**WARREN CITY COUNCIL
REGULAR MEETING
AUGUST 15, 2022 – 7:00 PM**

OPENING OF MEETING

Mayor David Wortman presided over the August 15, 2022, regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

OATH OF OFFICE

The Honorable Raymond F. Zydonik, Magisterial District Judge, District 36-2-01, Commonwealth of Pennsylvania, administered the Council Oath of Office to Danielle Flasher. Miss Flasher was appointed by Council (see August 1, 2022 minutes) to serve a portion of the remaining term for the Council seat vacated by Joe Michaels.

EXECUTIVE SESSION

Mayor Wortman announced that Council met in executive session immediately preceding the meeting in regard to legal matters pertaining to the acquisition of real property and to receive legal advice in regard to personnel matters pertaining to the City Manager's retirement agreement.

ROLL CALL

Members present and responding to roll call were: Mayor David Wortman, Maurice Cashman, Danielle Flasher, Philip Gilbert, Wendy McCain, Jared Villella, and John Wortman (via Zoom). Members of City Staff present were Nancy Freenock, City Manager; Jessicca Byler, Acting Finance Officer; Michael Holtz, DPW Director; Teena Leary, Assistant City Clerk; Randall Rossey, Codes and Planning Director; Joseph Sproveri, Chief of Police; Chad Yuriscic, City Engineer; and Andrea Stapleford, City Solicitor.

RECOGNITION OF VISITORS

Mayor Wortman welcomed all visitors. Present were:

- Sally Eaton: Observing
- Karen Black: Observing
- Wallace Blythe: present in support of incoming Council member Danielle Flasher
- Cory Blythe: present in support of incoming Council member Danielle Flasher
- Tammy Flasher: present in support of incoming Council member Danielle Flasher
- Robert Hagberg: present in support of incoming Council member Danielle Flasher
- Jane Dunshie (via Zoom): Observing
- Elizabeth Raible: Observing
- Mike Suppa: City Planning Commission member re Wireless Communication Facilities
- Angie Dart: City Planning Commission Chair re Wireless Communication Facilities
- Josh Cotton: Times Observer Reporter
- Andy Close: YourDailyLocal Reporter

APPROVAL OF THE AGENDA

Mr. Cashman made the motion to approve the agenda as presented. The motion was seconded by Mr. Villella and carried unanimously.

MOTION TO AMEND THE AGENDA

Mr. J. Wortman made the motion to amend the agenda by the addition of a Mayoral appointment to Council's Emergency Medical Services (EMS) Committee. The motion was seconded by Mr. Villella and carried unanimously.

APPROVAL OF MINUTES

Upon motion by Mr. Cashman and second by Mr. J. Wortman, the minutes of the July 18, 2022, regular meeting were unanimously approved with one correction. (*Mr. Cashman was mistakenly identified as Mayor Cashman in one instance*).

Upon motion by Mr. Cashman and second by Mr. J. Wortman, the minutes of the August 1, 2022, special meeting were unanimously approved.

CORRESPONDENCE

Council members accepted Judith (Judi) Wilson's letter of resignation from the Parks and Recreation Commission.

AMENDMENT TO CITY MANAGER'S RETIREMENT AGREEMENT

Mr. Villella made the motion to approve an amendment to the City Manager's Retirement Agreement. The motion was seconded by Mr. Cashman and carried with six votes in the affirmative and one nay vote cast by Mrs. McCain.

WIRELESS COMMUNICATION FACILITIES

Thomas Musgrove and Bob Ritter, representing Crown Castle, participated via Zoom. Crown Castle is a wireless communications infrastructure company specializing in providing facilities for wireless service providers. Mr. Musgrove and Mr. Ritter shared a PowerPoint presentation which outlined 5G communications, small cells, towers, infrastructure, shared infrastructure, design options, and small cell solutions. Mr. Ritter noted that the Cohen Law Firm, which drafted the proposed ordinance, works to strike a balance between protecting the community and the need for service. During and following the presentation, Mr. Musgrove and Mr. Ritter answered questions from those in attendance.

Angie Dart, Chair of the City Planning Commission addressed Council and noted that the Commission is comprised of professional individuals including those with legal, engineering, real estate, and architectural experience. Ms. Dart stated that the Commission believes that the proposed Wireless Communications Facilities ordinance is a strong document and supports its enactment.

Mr. J. Wortman left the meeting at the conclusion of the presentation.

RESOLUTION NO. 3193: BETTS/SUPERIOR MINOR SUBDIVISION

Mr. Rossey stated that Betts Industries filed a minor subdivision application to subdivide the property located at 1911 Pennsylvania Avenue West (Parcel No. WN-499-4760) currently owned by Betts Industries. The minor subdivision would divide the existing Betts Industries property into two lots with Betts Industries retaining Lot 1 and Lot 2 being conveyed to Superior Tire and Rubber Corporation This minor subdivision received approval from the City Planning Commission at its July 20, 2022, meeting.

Upon motion by Mr. Cashman and second by Mrs. McCain, Council member present (6)
Voted unanimously to adopt the resolution approving the Betts/Superior Minor Subdivision.

PUBLIC HEARING DATE: COMMERCIAL MANUFACTURE AND STORAGE OF AMMUNITION

Mr. Rossey stated that the proposed ordinance pertaining to the Commercial Manufacture and Storage of Ammunition has been reviewed by City Council, the City Planning Commission, and the Warren County Planning Commission. It is now required that Council hold a public hearing prior to final action on the proposed ordinance. It is recommended that the hearing be scheduled for 7:00 PM on Monday, September 19, 2022, prior to the opening of the regular Council meeting.

Mr. Villella made the motion to establish 7:00 PM on September 19, 2022, as the time for a public hearing regarding the proposed ordinance pertaining to the commercial manufacture and storage of ammunition. The motion was seconded by Mr. Cashman and carried unanimously among the six members present.

RESOLUTION NO. 3194: RACP APPLICATION – RIVERFRONT REDEVELOPMENT PROJECT

Mrs. Freenock stated that it was proposed that the City apply for \$5,000,000 in funding to be utilized for the Allegheny Riverfront Redevelopment Project. This project was included in the Build Back Better (BBB) grant application filed by the Pennsylvania Wilds Center for Entrepreneurship; that application was selected as a semi-finalist. If approved, the BBB funding would be a qualifying match for the RACP funding.

Mr. Villella made the motion to adopt the resolution authorizing the City to submit a Redevelopment Assistance Capital Project (RACP) funding application in the amount of \$5,000,000 to be utilized for the Allegheny Riverfront Redevelopment Project and authorization for the Mayor, City Clerk, and Public Works Director to execute documents related to the application. The motion was seconded by Mr. Cashman and carried unanimously among the six members present.

RESOLUTION NO. 3195: WCDA APPLICATION FOR RACP FUNDING

Mrs. Freenock stated that the Warren County Development Association (WCDA) is continuing renovation activities at its 201 Liberty Street property which is commonly known as the “PNC Bank Building.” To fund the next phase of the overall project, the WCDA requested that the City file a Redevelopment Assistance Capital Program (RACP) funding application in the amount of \$1,000,000 on its behalf. Mrs. Freenock stated that, if awarded, the funds would be sub-granted to WCDA under an agreement with terms and conditions similar to prior agreements.

The activities to be completed under this grant application include full renovation of the second and third floors of the building to create a workforce and community training center, roof replacement, HVAC system upgrade for the first floor, and exterior cleaning and repairs.

Mr. Cashman made the motion to adopt the resolution authorizing the City to submit a RACP funding application in the amount of \$1,000,000 on behalf of the WCDA and authorizing the Mayor, City Clerk, and the Public Works Director to execute documents related to the application. The motion was seconded by Mr. Gilbert and carried unanimously among the six members present.

TERMINATION OF AGREEMENTS (2): HIY, INC.

Mrs. Freenock stated that in August, 2021, the City entered into an agreement with HIY, Inc. under which \$1,000,000 in 2018 RACP funds and \$1,000,000 in 2019 RACP funds were to be subgranted to HIY. Under the terms of that agreement, HIY was to utilize the allocated funds for development of a boutique hotel within its Clark Street HIY Building. Since that date, HIY has been unsuccessful in its efforts to obtain matching funding for completion of the project. Therefore, by way of email dated August 9, 2022, Ruzhdi Bakalli, HIY President, notified the City that he wishes to terminate the Subgrantee Agreement.

Mrs. Freenock also stated that in January, 2022, the City entered into a lease agreement with HIY under which HIY would utilize a portion of City-owned Parcel No. WN-576-7882 for the purpose of providing dedicated parking spaces for guests and employees of HIY’s boutique hotel. Since the boutique hotel will not come to fruition at this time, it is appropriate to terminate the lease agreement.

Mr. Villella made the motion to terminate the HIY, Inc. Redevelopment Assistance Capital Project (RACP) Subgrantee Agreement dated August 30, 2021. The motion was seconded by Mr. Cashman and carried unanimously among the six members present.

Mr. Villella made the motion to terminate the HIY, Inc. Parking Lease Agreement dated January 17, 2022. The motion was seconded by Mr. Cashman and carried unanimously.

DEWBOI RACP ALLOCATION: RESOLUTION NO. 3196 AND SUBGRANTEE AGREEMENT

Mrs. Freenock stated that City Staff is working to finalize formal applications and business plans (ABP) pertaining to the various Redevelopment Assistance Capital Project (RACP) funding awards. While it is not required that the ABP be for the project for which the funding was initially intended, the end use must match the intent of the initial application.

The City finds that there are \$400,000 in unallocated RACP funds that must be used for economic development and for which DewBoi Properties' Liberty Street Reimagined Project is a qualifying use. Therefore, it was recommended that the funding amount allocated to DewBoi be increased from \$1,500,000 to \$1,900,000. This will aid DewBoi in meeting rising construction costs and in completing the project in a timely manner. DewBoi will be responsible for providing the corresponding matching funds.

Resolution No. 3196: Mr. Villella made the motion to adopt the resolution providing for a \$400,000 increase in the allocation of Redevelopment Assistance Capital Project (RACP) allocation to DewBoi Properties, LLC. The motion was seconded by Miss Flasher and carried unanimously among the six members present.

Subgrantee Agreement: Mr. Villella made the motion to approve the Subgrantee Agreement with DewBoi Properties, LLC providing for an additional RACP allocation of \$400,000. The motion was seconded by Miss Flasher and carried unanimously among the six members present.

APPOINTMENT: PROPERTY MAINTENANCE BOARD OF APPEALS

Mr. Cashman made the motion to appoint Micah York to a new term expiring December 31, 2025, and to appoint Don Nelson to fill a vacancy for a term expiring December 31, 2025. The motion was seconded by Mr. Villella and carried unanimously among the members present.

MARKETING COMMITTEE UPDATE

Mr. Villella stated that he and Mrs. Leary continue to work toward identifying a means to provide online recordings of Council meetings. He indicated that the Committee will meet on August 30 to discuss recordings as well as its citizen survey.

APPOINTMENT TO THE COUNCIL EMERGENCY MEDICAL SERVICES COMMITTEE

Mayor Wortman stated that he wished to appoint Miss Flasher to take former member Joe Michaels' place on Council's Emergency Medical Services Committee. Mr. Cashman made the motion to affirm the appointment; the motion was seconded by Mr. Villella and carried unanimously among the six members present.

DEPARTMENT REPORTS – JULY, 2022

At Mayor Wortman's request, Chief Sproveri outlined the Pennsylvania Law Enforcement Accreditation Commission's (PLEAC) program for attaining status as an accredited agency. The Police Department must annually meet 120 performance standards and show proof of having done so. The Department was first accredited in 2010 and has been recertified in each of the triennial

reviews since then. The Department was notified in July that it was once again accredited by a unanimous vote of the Review Board.

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Codes and Planning Department
- Finance Department: Report of Revenues and Expenditures

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	– June 15, 2022	Regular Meeting
Planning Commission	– June 15, 2022	Regular Meeting
Redevelopment Authority	– June 22, 2022	Regular Meeting
Street Landscape Committee	– May 24, 2022	Regular Meeting

ADJOURNMENT

Upon motion by Mr. Cashman and second by Mr. Gilbert, Mayor Wortman declared the meeting adjourned.