

**WARREN CITY COUNCIL
PUBLIC HEARING AND REGULAR MEETING
AUGUST 21, 2017 – 7:30 PM**

PUBLIC HEARING: PROPOSED VACATION OF PLUM ALLEY

Mayor Cashman opened the public hearing regarding the proposed vacation of Plum Alley. Mr. Holtz stated that Plum Alley is an unopened and unimproved street located south of Pennsylvania Avenue and which lies between Conewango Avenue and Oak Street. The Alley is approximately 250 feet long by 15 feet wide. The area has been improved and is currently occupied and used as a parking area for Warren Dental Arts.

Mr. and Mrs. Gene Burns, owners of one of the adjacent properties, have expressed interest in acquiring the property and requested that the City consider vacating Plum Alley. The remaining adjacent properties are owned by Warren Dental Arts which does not wish to acquire any portion of the vacated street.

There being no persons wishing to provide comment on the proposed vacation of Plum Alley, Mayor Cashman declared the Public Hearing closed.

OPENING OF MEETING

Mayor Cashman presided over the August 21, 2017 regular meeting of Warren City Council and opened the meeting with the Pledge of Allegiance. Due to the Municipal Building Rehabilitation Project, the meeting was held in the second floor meeting room of the Transit Authority of Warren County, 42 Clark Street, Warren.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Elissa Davis, Gregory Fraser, Philip Gilbert, John Lewis, and James A. Zavinski, Sr. Richard Kolcharno arrived during the meeting. Members of City Staff present were Mrs. Freenock, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Mrs. Risinger, Mrs. Williams, Mr. Yurisc, Chief Zydonik, and Attorney Stapleford.

APPROVAL OF MINUTES

Upon motion by Mr. Fraser and second by Mr. Lewis, the minutes of the July 17, 2017 Regular Meeting were unanimously approved by Council members present (6).

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Pauline Steinmeyer: Observing
- Hope Punsky: Right-of-Way parking request
- Bruce Punsky: Right-of-Way parking request
- Gene Burns: Vacation of Plum Alley
- Andrew Morrison: Times Observer Reporter

Bruce and Hope Punsky, 119 Main Avenue, submitted a letter to Council requesting that they be permitted to expand the width of their driveway apron to allow two vehicles to be parked side-by-side. The Punksys indicated that the length of their driveway will accommodate two vehicles; however, they now own three vehicles. As on-street parking is at a premium due to the proximity to Warren General Hospital, such is not always available to them and, therefore, they have parked in the greenspace next to the driveway apron on a regular basis. They were recently advised that this practice is in violation of the City Codes. They further noted that the size of their property precludes them from extending the length of their existing driveway. The Punsky's stated that they would do what was required of them to expand the driveway apron and would "make it nice."

There was considerable discussion regarding the request and Mr. Lewis presented photos of similar properties located on Main Avenue and on Market Street where parking occurs in the right-of-way. Council members concurred that the current regulations pertaining to parking in the City right-of-way should be amended to allow for such parking in appropriate cases. Mr. Fraser suggested that criteria be developed to serve as a guide in case-by-case reviews and determinations when such parking is requested.

Mrs. Freenock questioned Ms. Stapleford as to whether Council may approve an action that is contrary to existing ordinance. Ms. Stapleford responded that it would be best to first amend the ordinance.

Mr. Lewis made the motion to grant relief to Bruce and Hope Punskey regarding parking in the City right-of-way. The motion was seconded by Mr. Gilbert and carried with four votes in the affirmative and two nay votes cast by Miss Davis and Mr. Fraser (Mr. Kolcharno had not yet arrived).

Mayor Cashman directed City staff to draft an ordinance addressing the matter of parking in the City right-of-way.

Council continued its discussion of right-of-way parking later in the meeting and suggested that the following be considered in drafting an amended ordinance:

1. Sight line for egress;
2. Curb cut;
3. Materials to be used (i.e. concrete, blacktop);
4. Number of vehicles that may be parked side-by-side;
5. Minimum dimensions of the parking area;
6. Stormwater drainage

CORRESPONDENCE

Council members acknowledged receipt of correspondence from:

- a. Art Kelsey: Thank you for dedication of park in his honor.
- b. Sgt. Jeff Dougherty: Thank you for improvements to the Municipal Building, particularly the Police locker room and training area.

ORDINANCE NO. 1895: VACATION OF PLUM ALLEY

(Mr. Kolcharno arrived at the opening of this discussion)

See also July 17, 2017 Council meeting minutes and Public Hearing above.

In addition to the information presented during the Public Hearing on this matter, Mr. Holtz stated that Mr. and Mrs. Gene Burns have formally confirmed that they wish to take title to the vacated street in its entirety and Warren Dental Arts confirmed that it does not wish to acquire any of the property.

Upon motion by Mr. Lewis and second by Miss Davis, Council members voted unanimously to adopt the ordinance providing for the vacation of Plum Alley.

PROPOSED ORDINANCE: VACATION OF A PORTION OF WOOD STREET

Mr. Holtz introduced the proposed ordinance providing for the vacation of a portion of Wood Street. He stated that there is an unopened and unimproved portion of Wood Street which extends from the terminus of the improved portion of Wood Street to Monroe Street and which is approximately

86 feet long and 50 feet wide. There are two properties which abut this portion of Wood Street. One of the adjacent property owners has expressed interest in acquiring the property and requested that the City consider vacating this portion of Wood Street. The individual's intent is to then sell his expanded lot for new home construction.

City staff met with the owners of the two properties which abut the area of Wood Street that would be vacated and discussed the request. After the meeting, both property owners agreed that they would accept a portion of Wood Street. It was agreed that one of the property owners would have a survey completed so that it can be determined how to divide the land.

The process for vacating a street requires:

1. The proposed ordinance to be introduced to Council; and
2. The property on which the street to be vacated lies is to be posted for three weeks prior to formal action by Council; and
3. A notice regarding the proposed vacation is to be published in a newspaper of general circulation for three weeks; and
4. A public hearing is to be held.

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to set a Public Hearing regarding the vacation of a portion of Wood Street for Monday, September 18, at 7:30 PM.

AGREEMENT: TEMPORARY CONSTRUCTION EASEMENT FOR GLADE RUN RIP-RAP STABILIZATION

Mr. Yurisc stated that a portion of Glade Run has eroded and undercut a section of the south stream bank at its confluence with an unnamed stream within the limits of the Glade Run Flood Protection Project. Therefore, it is necessary to place rip-rap to stabilize the stream bank.

To complete placement of the rip-rap, it will be necessary to enter upon property identified as WN-589-49400 and owned by Stanley D. McClellan, Jr. and Elizabeth A. McClellan. Therefore, a temporary construction easement agreement between the McClellans and the City, as the Project Sponsor for the Glade Run Flood Protection Project, is required.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the Temporary Construction Easement Agreement between the City and Stanley D. and Elizabeth A. McClellan regarding the Glade Run Rip-Rap Stream Bank Stabilization Project.

ORDINANCE NO. 1896: SIDEWALKS

Mr. Holtz noted that following the July 17, 2017 passage of Ordinance No 1894, questions arose regarding the technical construction specifications.

City staff met with the City Engineer for in-depth discussions regarding these concerns. It was determined that the best manner in which to address these issues would be to revise the Sidewalk Ordinance by removing the technical specifications from Section 7 (Public Sidewalk and Driveway Apron Specifications) and, instead, provide the specifications by way of attachment to permit applications. This will allow greater flexibility and timeliness in making changes to the specifications in accord with current standards without the need for an ordinance amendment.

Mr. Fraser made the motion to approve the ordinance pertaining to sidewalk installation, maintenance, and repair. The motion was seconded by Miss Davis and carried with six votes in the affirmative and one nay vote cast by Mayor Cashman.

RESOLUTION NO. 3041: SUPPORT OF SENATE BILL 745 OF 2017

Mrs. Freenock stated that Senate Bill 745 of 2017 seeks to provide financial relief to local governments by providing a means to electronically publicize legal notices. Presently, such notices must be publicized in a local newspaper of general circulation which results in a substantial cost to the local government. In 2016 alone, the City spent upwards of \$18,000 in publication costs. SB 745 provides for the development of a statewide searchable database accessible to all citizens which could be utilized in place of newspaper publication of notices and which would be available at a substantially lower cost to the municipality. The City would place a link on its web site to enable residents to readily access the state database.

Similar proposals have been introduced before the Pennsylvania General Assembly in prior sessions but have been met with strong opposition by the newspaper lobby. Therefore, the Pennsylvania Municipal League requested that its member municipalities pass resolutions in support of the current bill as a means to inform Commonwealth legislators as to how important this Bill is to local governments.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, Council members voted unanimously to approve the resolution in support of Senate Bill 745 of 2017.

DEPARTMENT REPORTS – JULY, 2017

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department
- Finance Report

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

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|------------------------------------|---|---------------|-----------------|
| Blighted Property Review Committee | – | May 25, 2017 | Regular Meeting |
| Planning Commission | – | June 21, 2017 | Regular Meeting |
| Street Landscape Committee | – | June 27, 2017 | Regular Meeting |
| Redevelopment Authority | – | June 21, 2017 | Regular Meeting |

ADJOURNMENT

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