

**WARREN CITY COUNCIL
REGULAR MEETING
SEPTEMBER 16, 2019 – 7:00 PM**

OPENING OF MEETING

Mayor Cashman presided over the September 16, 2019 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 discussing possible litigation between the City and Cincinnati Insurance Companies, et. al., and property matters.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Gregory Fraser, Paul Giannini, Philip Gilbert, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr. Members of City Staff present were Nancy Freenock, City Manager; Brandon Deppen, Chief of Police; Michael Holtz, DPW Director; Teena Leary, Assistant City Clerk; Rodney Wren, Fire Chief; Donna Risinger, Finance Officer; Terry Williams, Director of Codes, Permits, and Recreation Services; Chad Yurismic, City Engineer; and Andrea Stapleford, City Solicitor.

APPROVAL OF MINUTES

Upon motion by Mr. Lewis and second by Mr. Gilbert, the minutes of the August 19, 2019 Regular Meeting were unanimously approved.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Douglas Hearn: Observing
- Steven Blume: Observing
- Pauline Steinmeyer: Observing
- Pam Lewis: Observing
- Brian Ferry: Times Observer Reporter

CORRESPONDENCE

Council members acknowledged receipt of Mrs. Alene Wolf's resignation from the City Street Landscape Committee.

NORTHERN PENNSYLVANIA REGIONAL COLLEGE (NPRC)

Ms. Danielle Nebinski, NPRC Assistant Director of Enrollment, addressed Council and provided information pertaining to the College and the varied programs it offers. It was noted that the NPRC expects to be fully accredited by January 2020 and that a dual enrollment program for high school students will be instituted.

ORDINANCE NO. 1935: ESTABLISHING 25 MPH SPEED LIMIT ON LOCUST STREET

Chief Deppen stated that Councilman Giannini contacted Mrs. Freenock and him in regard to complaints that were directed to Mr. Giannini regarding the speed of traffic on Locust Street. Chief Deppen stated that traffic count/speed tapes were placed on the street and the data was analyzed. The Chief reviewed traffic calming options that the City is permitted to implement and it was determined that the best course of action would be to reduce the speed limit on this street from 35 miles per hour to 25 miles per hour.

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to adopt the ordinance establishing a 25 mile per hour speed limit on Locust Street.

ORDINANCE NO. 1936: ZONE PARKING

Chief Deppen reported that it was determined that numerous individuals who regularly park in the Midtown Lot are entering the zone number for on-street parking or for the Clark Street Garage when making payment. The rate for the Midtown Lot is higher than the rate for other parking zones; therefore, these patrons are not paying the full rate for their parking time. This practice is resulting in a significant loss of revenue.

The ordinance establishes that it is a violation of Article V of Chapter 440 of the City Code to park in a zone other than the one in which payment is made (i.e. if an individual pays for parking at the kiosk in the Midtown Lot, that payment is valid only in the Midtown Lot).

As Article V was being reviewed, it was determined that there were many items which are addressed under multiple sections, inconsistencies, and language that is not concise. Therefore, it was determined that the best course was to repeal the existing Article V of Chapter 440 and replace it with a restated Article V. With the exception of the addition of language regarding zone parking, all regulations remain unchanged.

Mr. Lewis made the motion to repeal Article V, On-Street and Off-Street Metered Parking, of Chapter 440, Vehicles and Traffic, of the Code of the City of Warren. The motion was seconded by Mr. Fraser and carried unanimously.

Mr. Lewis made the motion to adopt the ordinance (repealing and) restating Article V, On-Street and Off-Street Metered Parking, of Chapter 440, Vehicles and Traffic, of the Code of the City of Warren. The motion was seconded by Mr. Fraser and carried unanimously.

ORDINANCE NO. 1937: PARK, RECREATION, AND CONSERVATION AREAS

(See August 19, 2019 Council minutes)

Mrs. Williams stated that, at its regular meeting in April, the Parks and Recreation Commission voted to recommend approval of the proposed amendments to Chapter 340 of the Code of the City of Warren. As requested at the August 19 Council meeting, a synopsis and explanation of the proposed amendments was prepared to further assist Council in understanding the proposed amendments.

Upon motion by Mr. Fraser and second by Gilbert, Council members voted unanimously to adopt the ordinance amending Chapter 340: Park, Recreation, and Conservation Areas of the Code of the City of Warren.

PROPOSED RESOLUTION AND ORDINANCE: STREET BANNERS

Mrs. Freenock noted that in 2018, the Warren Players requested that Council consider establishing a fourth location for the hanging of banners across the street. As a result, Council adopted Resolution No. 3075 which provided for a fourth location and amended and restated the regulations pertaining to banner installations.

Upon submission of the resolution to PennDOT as required for establishing a new location, it was learned that PennDOT's application of regulations pertaining to over-the-street banner installations has become more stringent. Therefore, prior to PennDOT issuing a permit for a new banner location, the City must assume all liability for damages occurring to any persons or property arising from any act or omission associated with the sign or banner. However, if the number of locations remains at three in the existing locations, they would be grandfathered and the City's requirement that the individual or organization sponsoring the banner assumes such liability would remain intact.

In consideration of the foregoing, it was recommended that the number of banner locations remain at three, that Resolution No. 3075 be repealed, and that a new ordinance pertaining to banner installations be adopted.

Mr. Lewis made the motion to repeal Resolution No. 3075. The motion was seconded by Mr. Zavinski and carried unanimously.

Following the above vote, Mr. Fraser questioned whether adoption of the proposed ordinance would nullify the grandfathering of the three existing locations. Following discussion, Mr. Lewis made the motion to re-instate Resolution No. 3075 and to remove the fourth street banner location as stated in §155-2.D. of the resolution. The motion was seconded by Mr. Fraser and carried unanimously.

INSURANCE SETTLEMENT: CINCINNATI INSURANCE COMPANIES, ET. AL.

Mrs. Freenock stated that, as Council was made aware during the executive session held immediately prior to this meeting, the City received a settlement offer in the amount of \$4,650.00 from The Cincinnati Insurance Companies, et al, in regard to insurance claims submitted by the City which arose from a fire that occurred in 2018. Legal counsel for the City’s insurance provider negotiated the settlement and the City’s provider recommends that the offer be accepted with the balance of the claim amount to be covered by the City’s provider.

Mr. Kolcharno made the motion to accept the negotiated settlement amount of \$4,650 from the Cincinnati Insurance Companies, et. al., as satisfaction in full of claims submitted by the City. The motion was seconded by Mr. Zavinski and carried unanimously.

DEPARTMENT REPORTS – AUGUST, 2019

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:

Redevelopment Authority	–	May 15, 2019	Regular Meeting
Street Landscape Committee	–	July 23, 2019	Regular Meeting

ADJOURNMENT

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