

**WARREN CITY COUNCIL
REGULAR MEETING
SEPTEMBER 17, 2012 – 7:30 PM**

OPENING OF MEETING

Mayor Mark A. Phillips presided over the September 17, 2012 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 Mark Phillips, Dr. Howard Ferguson, Mr. Samuel Harvey, Mr. John Lewis, Mr. Christopher Park, and Mr. James Zavinski, Sr. Mr. Maurice Cashman was absent. Ms. Freenock, Ms. Nau, 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 Phillips welcomed all visitors. Present were:

- Lenny Gray: Observing
- Chris Snyder: Regarding Beacon Light's special event request
- Shawn Jones: Regarding I.A.F.F. special event request
- Andy Moore: Regarding I.A.F.F. special event request
- Megan Sokolof: Regarding I.A.F.F. special event request
- John Papalia: Regarding WCCBI/COT special event requests
- Trina Massa: Regarding Joggin' With Jordan special event request
- Dave Campbell: Regarding Joggin' With Jordan special event request
- Chris Bunk (8 Alson Street): Regarding Alson Street speed limit and request for alternate-side parking
- Josh Cotton: Times Observer reporter

Chris Bunk addressed Council and requested that the speed limit on Alson Street be posted at 15 MPH and that alternate-side parking be instituted. Mr. Bunk indicated that his requests stem from his safety concerns regarding United Refining Company truck traffic and young children in the area. Chief Zydonik stated that he will provide information relative to Mr. Bunk's requests at the October regular meeting of Council.

APPROVAL OF MINUTES

Upon motion by Mr. Zavinski and second by Mr. Park, the minutes of the August 20, 2012 Regular Meeting were unanimously approved by the members present.

CORRESPONDENCE

There was no correspondence to come before Council.

DEPARTMENT REPORTS – JUNE, 2012

The following reports were presented to Council:

- Police Department – Presented by Chief Zydonik
- Fire Department – Presented by Chief Pascuzzi
- Department of Public Works – Presented by Michael Holtz
- Building Codes Department – Presented by Alan Gustafson

REQUESTS FOR USE OF CITY STREETS/PROPERTY

The following requests were presented for Council's consideration:

<u>Organization</u>	<u>Event</u>	<u>Property/Street(s)</u>	<u>Date/Time</u>
a. Beacon Light	FASD (Fetal Alcohol Spectrum Disorder) Walk	Betts Park - entire	Sun. 10/07/12 Noon to 5:00 PM
Motion to approve made by Mr. Lewis, second by Mr. Zavinski, approved unanimously by members present.			
b. I.A.F.F. Local 1835	Fill the Boot Campaign	Intersection of Pennsylvania Ave. & Liberty Street	Fri. 10/19/12 9:00 AM to 5:00 PM
Motion to approve made by Dr. Ferguson, second by Mr. Lewis, approved unanimously by members present.			
c. WCCBI/COT	Gran Fondo of the Alleghenies	Point Park, Municipal Pool Parking Lot Intersections of Lexington/Oak and Lexington/Elm	Sat. 10/13/12 8:00 AM to Noon
Motion to approve made by Mr. Lewis, second by Mr. Zavinski, approved unanimously by members present.			
d. WCCBI/COT	2013 Gus Macker/ Allegheny Burger Festival	Betts Park: Entire	Thurs. 5/16/13 6:00 AM to Sun. 5/19/13 8:00 PM
Motion to approve made by Mr. Park, second by Mr. Zavinski, approved unanimously by members present.			
e. WCCBI/COT	2014 Gus Macker/ Allegheny Burger Festival	Betts Park: Entire	Thurs. 5/15/14 6:00 AM to Sun. 5/18/14 8:00 PM
Motion to approve made by Mr. Park, second by Mr. Zavinski, approved unanimously by members present.			
f. WCCBI/COT	2013 Warren All American BBQ Festival (RibFest)	Betts Park: Entire	Wed. 7/17/13 8:00 AM to Sat. 7/20/13 11:00 PM
Motion to approve made by Mr. Lewis, second by Mr. Park, approved unanimously by members present.			
g. WCCBI/COT	2014 Warren All American BBQ Festival (RibFest)	Betts Park: Entire	Wed. 7/16/14 8:00 AM to Sun. 7/20/14 4:00 PM
Motion to approve made by Mr. Lewis, second by Mr. Park, approved unanimously by members present.			
h. Community Foundation	Joggin' With Jordan	Lexington Ave (begin @ War Memorial Fld), Conewango, Third Ave. to St. Joseph Church and return	Sat. 5/11/13 10:00 AM to Noon
Motion to approve made by Mr. Lewis, second by Mr. Park, approved unanimously by members present.			
i. Warren Area High School Varsity Club	Homecoming Parade & Bonfire***	Exit Beaty Football Field, proceed on Conewango to Fifth Ave. to WAHS	Wed. 9/26/12 6:15 PM to conclusion of parade
*** Per the application, the bonfire will be outside of the City limits and, therefore, the City does not have jurisdiction for this portion of the event.			
Motion to approve made by Mr. Park, second by Mr. Harvey, approved unanimously by members present.			

Megan Sokolof, representing the Muscular Dystrophy Association, presented Shawn Jones and Andy Moore of the Warren Firefighters with the MDA's "Rookie of the Year" award in recognition of the I.A.F.F.'s 2011 fundraising efforts.

LIBERTY STREET PARKING METERS

Chief Zydonik noted that the portion of Liberty Street between Second and Third Avenues was recently resurfaced as part of the City's annual milling and paving program. Therefore, it was necessary to paint new street markings, including parking spaces, in accord with current regulations.

Chief Zydonik requested that Council give consideration to the following points and provide direction to City staff:

1. The painting of parking spaces in accord with current regulations resulted in two double-head parking meters being located in the center of a parking space rather than at the juncture of two parking spaces. One meter is located at the northern end/east side of the block and the other is located at the southern end/western side of the block.
2. Northwest Consumer Discount Company previously submitted correspondence requesting that the meter in front of their business be removed. Subsequent discussions with their representative indicate that, if the meters are to remain in place, they request that the maximum parking time limit be increased from thirty minutes to one hour.

Mr. Lewis made the motion to retain two parking meters located at the southern end, west side of Liberty Street on the block between Second and Third Avenues and directing City staff to prepare an ordinance for the removal of two parking meters located at the northern end, eastern side of the same block of Liberty Street. The motion was seconded by Mr. Harvey and carried unanimously among Council members present.

ORDINANCE NO. 1816: UPDATING FIREFIGHTERS PENSION PLAN

Mrs. Risinger stated that in order to satisfy the requirements of the Internal Revenue Code and bring the Firefighters Pension Plan up to date, the Plan must be amended to provide for the Heroes Earnings Assistance Relief Tax Act (HEART Act).

Upon motion by Mr. Park and second by Mr. Lewis, Council members present voted unanimously to approve the ordinance amending the Firefighters Pension Plan.

APPOINTMENT TO POLICE PENSION COMMITTEE

Chief Zydonik noted that at the August 20, 2012 regular Council meeting, Councilman Lewis announced his resignation as City Council representative to the Police Pension Plan Committee. It was stated that Mr. Cashman had indicated an interest in serving as the Council representative on the Committee.

Upon motion by Mr. Lewis and second by Dr. Ferguson, Council members present voted unanimously to appoint Mr. Cashman to serve as the Council representative to the Police Pension Plan Committee.

ENGINEERING SERVICES FOR AMERICANS WITH DISABILITIES SIDEWALK/CURB RAMP PROJECT

Mr. Hildebrand stated that the City of Warren advertised notice for a Request for Qualifications (RFQ) for engineering services for the multi-year CDBG FFY funded Americans with Disabilities (ADA) Sidewalk/Curb Ramp Project. One qualification statement for engineering services was received. After a thorough review of the submission, City staff recommended the award of a contract to Hill Engineering, Inc.

Mr. Lewis made the motion to authorize a contract with Hill Engineering, Inc. for the multi-year Community Development Block Grant Funded Americans with Disabilities Sidewalk/

Curb Ramp Project. The motion was seconded by Dr. Ferguson and carried unanimously among Council members present.

NATHAN CONTRACTING CHANGE ORDER NO. 2 – CLARK STREET PARKING GARAGE

Mr. Holtz noted that the City entered into a contract with Nathan Contracting, LP, for repairs to the Clark Street Parking Garage. Included within this contract was the task of routing and caulking an estimated 5,000 linear feet of cracks in the concrete decks. Once work on the project began, it became apparent that the sub-surface cracking was greater than anticipated and Nathan Contracting estimated there was a total of 23,814 linear feet of cracks that needed routed and caulked. Due to the unforeseen extent of the cracking and the subsequent additional work performed, Nathan Contracting requested an additional payment of \$54,570.00. Mr. Sceiford stated that Nathan Contracting notified the City immediately upon realizing the severity of the cracking and acted in good faith by continuing work on the project without assurances of additional payment. Ms. Freenock noted that the contractor acknowledged that no additional payment is required under the contract. She further noted that there is a 7-year warranty on the project through Nathan Contracting and City staff recommended a good faith payment of \$27,500. In response to Council questions as to whether the contractor could have better estimated the scope and/or provided for a contingency, Ms. Stapleford indicated that any successful bidder might have submitted a change order for circumstances which could not be anticipated.

The motion was made by Mr. Lewis to approve Change Order Number 2 for Nathan Contracting, LP in the amount of \$27,500. The motion was seconded by Mr. Zavinski and carried with four votes in the affirmative and two negative votes cast by Mr. Harvey and Mr. Park.

ADJOURNMENT

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