

**WARREN CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 21, 2015 – 7:30 PM**

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**OPENING OF MEETING**

Mayor Cashman presided over the September 21, 2015 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 immediately prior to this meeting Council met in executive session to discuss personnel matters.

**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. Holtz, Mrs. Leary, Chief Pascuzzi, Mr. Sceiford, Ms. Stapleford, and Chief Zydonik of City staff were also in attendance. Sgt. B. Deppen was also present.

Mrs. Freenock noted that Mr. Hildebrand and Ms. Nau were not present due to their attendance at the 2015 Greenways and Trails Summit for which Warren was the host city. It was further noted that there was a record-setting number of registrants for the event.

**RECOGNITION OF SERVICE TO THE CITY**

Mayor Cashman individually recognized three retiring City employees and presented each with a memento for their many years of service. It was noted that, collectively, they represent nearly 100 years of service to the City.

Kimberly “Kim” Hoffman was recognized for her service to the City which began in 1994. In her nearly twenty-one years of service, Mrs. Hoffman worked in various areas of parking enforcement.

Jeanne Hukill was recognized for her service to the City which began in 1996. In her nearly twenty years of service, Mrs. Hukill worked in parking enforcement, as an administrative aide in the Fire Department, as a clerk in the Finance Department, and served as Tax Collector.

Arthur “Art” Kelsey began his service with the then Borough of Warren in June of 1965. Mr. Kelsey spent his entire fifty-year career with the City in the Department of Public Works.

**RECOGNITION OF VISITORS**

Mayor Cashman welcomed all visitors. Present were:

- Arthur “Art” Kelsey: Retiring employee
- Olivia Kelsey
- Annette Kelsey
- Carl Kelsey
- Lola Kelsey
- Kim Hoffman: Retiring employee
- Mike Hoffman
- Jeanne Hukill: Retiring employee
- Bob Hukill
- Phil Gilbert: Resident observing
- Christian Zavinski: Resident observing
- Pauline Steinmeyer: Resident observing
- Marguerite Sweeney: Resident observing
- Jane Bemis: Resident observing
- Josh Cotton: Times Observer Reporter

### **APPROVAL OF MINUTES**

Upon motion by Mr. Fraser and second by Mr. Kolcharno, the minutes of the August 17, 2015 Regular Meeting were unanimously approved by Council.

### **CORRESPONDENCE**

Council members acknowledged receipt of correspondence from:

- Mrs. Karen Davis: Indicating her intent to resign her position as City representative to the Warren-Forest Counties Economic Opportunity Council effective as of the EOC's October 2015 meeting. Mrs. Freenock noted that the EOC requests that a new representative not be named until the re-write of their by-laws is complete.
- Groundwater & Environmental Services: Notice of Intent to Remediate on behalf of United Refining Company regarding a site located at 1420 Lexington Road (Avenue).
- Certificate of Achievement presented by PennPRIME to the City for having met specified Loss Control Standards in 2015.

### **AGREEMENT: EXPERIENCE, INC. FOR LEASE OF CITY-OWNED PROPERTY**

Mrs. Freenock stated that Experience, Inc. wishes to lease property owned by the City for purposes including, but not limited to, development of a parking area to serve the Allegheny Community Center which is located on Clark Street. The property proposed for use is identified as WN-579-165 and a portion of WN-579-1641 as shown in "Exhibit A" of the agreement.

It was noted that this property was previously leased by Experience, Inc. However, the agreement was terminated by the City in July of 2014 in order to facilitate work being performed at the Clark Street Pump Station as part of the overall Wastewater Treatment Plant Project. That work has been completed.

Upon motion by Mr. Lewis and second by Mr. Harvey, Council members voted unanimously to approve the Agreement with Experience, Inc. for the lease of City-owned Parcel No. WN- 579-165 and a portion of WN-579-1641.

### **AGREEMENT: PENELEC FOR THE PLACEMENT OF FLAGS AND BANNERS**

Mr. Holtz noted that pole banners sponsored by local businesses have been displayed on utility poles owned by Penelec over the past several years. The City also facilitates the installation of United States Flags in accord with an agreement with the Fourth of July Committee.

At the time that the banner program was first initiated in Warren, the banner company representative assured the City that they would address any and all matters concerning the use of utility poles. In recent years, the banner component of the company has been taken over by another entity. Upon installation of the current banners, the City was contacted by Penelec and advised that its policy regarding accessory use of its poles now requires that there be an agreement for such use.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the agreement with Penelec for the display of United States Flags and banners on utility poles owned by Penelec.

### **AGREEMENT: MUNICIPAL BENEFITS SERVICES JOINDER AGREEMENT**

Mrs. Freenock noted that Municipal Benefits Services (MBS) provides a health and welfare benefit plan to employees of participating political subdivisions of the Commonwealth of Pennsylvania. The MBS plan is funded by the Municipal Employers Insurance Trust (MEIT) which was founded in 1968 and serves over 500 municipalities.

As a participating municipality, it is required that the City enter into a Joinder Agreement with MBS to affirm the City's commitment to participate in the Plan and to make employer contributions in accord with the terms of the Joinder Agreement, the MBS document, Plan documents, and the MEIT Trust Agreement.

MBS was selected as the provider that could best provide the level of coverage called for by collective bargaining agreements at the most affordable rate. The City's health insurance plan became effective January 1, 2015; however, MBS was in the midst of amending and updating the Trust Agreement at that time. That process was recently completed and, hence, the Joinder Agreement was only recently made available to the City.

Mr. Lewis made the motion to approve the Municipal Benefits Services Joinder Agreement. The motion was seconded by Mr. Kolcharno and carried unanimously.

### **AUTHORIZATION TO HIRE**

Mayor Cashman noted that Council discussed clerical staffing needs during the executive session.

Mr. Fraser made the motion to authorize the City Manager to hire a full-time "float" employee to work primarily in the Finance Department. The motion was seconded by Mr. Lewis and carried with six votes in the affirmative and one nay vote cast by Mr. Harvey.

### **AGENDA ITEM TABLED**

Mayor Cashman asked that the matter of three proposed ordinances pertaining to pension plans be tabled pending further review.

### **CURTIS CONTRACTING: TWO-YEAR CONTRACT FOR PARKING AREA SNOWPLOWING**

Mr. Holtz reported that the City advertised specifications and received one bid for the snowplowing of City parking areas for a two-year contract. It was noted that the contract contains a clause which allows the City to exercise an option for one additional year at the contract rates.

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to award a two-year contract to Curtis Contracting for snowplowing City parking areas (2015-2016 and 2016-2017 winter seasons).

### **2016 BUDGET PRESENTATION FORMAT**

Mrs. Freenock noted that some Council members had expressed their desire to utilize a budget presentation format which differs from recent years. Following discussion, it was the consensus of Council members that the 2016 budget is to be presented in a binder with one overall consolidated budget followed by departmental sections which are to contain a consolidated budget along with line items. It was requested that a brief narrative accompany the Capital Improvement Plan (CIP) budget.

### **REFERRAL TO PLANNING COMMISSION: CITY SIGN ORDINANCE**

Mr. Harvey noted a recent Supreme Court Ruling (Reed vs Gilbert) which he believes may impact the City of Warren's Sign Ordinance.

Mr. Harvey made the motion to send the City Sign Ordinance to the Planning Commission for review in regard to the Supreme Court Opinion and to provide a draft that conforms to the Opinion. The motion was seconded by Mr. Lewis. The motion, as amended (see below), carried unanimously.

Following discussion, Mr. Fraser made the motion to amend Mr. Harvey's motion by deleting reference to specifically conform only to the Supreme Court case but that the direction be to

conform to existing case law and to include that the Planning Commission be provided with independent legal counsel, at the City's expense, to assist them in the exercise; providing that should the City Solicitor provide such counsel, City Council and the Planning Commission agree to waive conflict of interest. The motion carried unanimously.

### **PARKING COMMITTEE REPORT**

Dr. Ferguson announced that the Parking Committee met this date prior to the executive session. It was reported that the Committee requested that the City Administration provide a cost analysis of the Parking Plan and indicated that the following items will be presented at the end of October and are tentatively slated for placement on the November Council Agenda:

1. The City Manager is to correct syntax and spelling errors in the existing ordinance.
2. The City Manager and Chief of Police are to complete a cost analysis and determine a "break even" point.
3. The question of downtown fines has already been reviewed by Council and Staff is asked to review and provide further comment.
4. Suggestion that there be signage in the Midtown Parking Lot indicating the merchants and organizations which offer parking tokens.
5. Suggestion that there be cards placed in the Warren Public Library and United States Post Office advising people that the first half hour of parking in the Midtown Parking Lot is free. This information is to also be included on signage in the Lot.
6. Length of time for payment of fines before they are doubled (currently five days).
7. Timeframe for the Parking Plan to become cost-neutral.

### **DEPARTMENT REPORTS – August, 2015**

The following reports were presented for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department
- Community & Economic Development

### **APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

Street Landscape Committee	– July 28, 2015	Regular Meeting
Special Event Status Report		

### **ADJOURNMENT**

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