

**WARREN CITY COUNCIL
PUBLIC HEARING AND REGULAR MEETING
OCTOBER 16, 2023 – 7:00 PM**

Corrected and amended November 20, 2023

PUBLIC HEARING

Council Vice President John Wortman opened the public hearing.

Mr. Rossey stated that Jack Wills submitted an application and petition for the vacation of an unnamed and unopened alley (right-of-way) which runs in an east-west direction between the westerly curb of Eddy Street and the easterly boundary of Parcel No. WN-499-5395 as shown on the provided map. Mr. Wills, along with others whose properties abut the alley, signed the required petition to vacate the alley. The alley is approximately twenty (20) feet in width; therefore, each of the abutting properties would receive approximately ten (10) feet of land for the width of the property.

Mr. Rossey further stated that the City Planning Commission voted to recommend Council's approval of the ordinance providing for the vacation of the alley. The Warren County Planning Commission also reviewed the ordinance and recommended its adoption.

Carl DeVlieger, owner of a property abutting the proposed alley vacation, addressed Council and stated his position that his property would be adversely affected by the vacation as proposed. He indicated that his property would not be adversely affected if only that portion of the alley which lies within Mr. Wills' property is vacated.

Monica Prowitt, owner of a property abutting the proposed alley vacation, addressed Council and indicated that she has observed only one vehicle use the alley during the eight years that she has owned the property.

David ~~Cushman~~ *Cushner* addressed Council and indicated that he frequently utilizes the alley to assist Mr. DeVlieger in moving items to and from his property. *(Corrected 11-20-23)*

Jack Wills, applicant for the street vacation, addressed Council and indicated that his purpose is to unify his property so that he may install a fence to secure his equipment and to provide neighborhood safety.

OPENING OF MEETING

Council Vice-President John Wortman presided over the October 16, 2023, regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

EXECUTIVE SESSION ANNOUNCEMENT

Vice-President Wortman announced that immediately prior to this meeting Council met in executive session in regard to potential litigation pertaining to the provision of Emergency Medical Services by the City.

ROLL CALL

Members present and responding to roll call were: Mayor David Wortman (via Zoom), Maurice Cashman, Danielle Flasher, Philip Gilbert, Wendy McCain, Jared Villella, John Wortman, and Junior Council Member Samuel Harvey. Members of City Staff present were Michael Holtz, City Manager; Jessicca Byler, Finance Officer; David Krogler, Fire Chief; Teena Leary, Assistant City Clerk; Randall Rossey, Codes and Planning Director; Joseph Sproveri, Chief of Police; Darren Pike, City Engineer; and Andrea Stapleford, City Solicitor.

RECOGNITION OF VISITORS

Vice-President Wortman welcomed all visitors. Present were:

John Barbera	Andy Close	Kelley Coey (via Zoom)
Josh Cotton	David Cushman <i>Cushner</i> (Corrected 11-20-23)	Carl DeVlieger
Ron McCall (via Zoom)	Alice Mitinger (via Zoom)	Keri Nellis
Ron Peterson	Monica Prowitt	Kevin Sheldon
W. M. Templeton	Jack Wills	

Address to Council:

- Phil Caudill, Bent Run Brewing Co., re proposed parking lease

APPROVAL OF THE AGENDA

Upon motion by Mr. Cashman and second by Miss Flasher, Council members voted unanimously to approve the agenda as presented.

APPROVAL OF MINUTES

Upon motion by Mr. Cashman and second by Miss Flasher, the minutes of the July 17, 2023, regular meeting were approved with six votes in the affirmative and one nay vote cast by Mrs. McCain.

Upon motion by Mr. Cashman and second by Miss Flasher the minutes of the September 18, 2023, regular meeting were unanimously approved.

CORRESPONDENCE

There was no correspondence to come before Council.

PROPOSED ORDINANCE: VACATION OF UNNAMED AND UNOPENED ALLEY

See public hearing above.

Following discussion, Mr. Cashman made the motion to table action on the proposed ordinance to vacate an unnamed and unopened alley in consideration of public comment received during the public hearing. The motion was seconded by Miss Flasher and carried unanimously.

Ms. Stapleford provided information related to the West Warren Real Estate Company and its designation of the alley as well as possible cures to title issues that cause confusion.

RESOLUTION NO. 3241: HINTON MINOR SUBDIVISION

Mr. Rossey stated that Kenneth Hinton filed a minor subdivision application to annex 314 Union Street (Parcel No. WN-574-9332) to 318 Union Street (Parcel No. WN-574-688). Both parcels are owned by Mr. Hinton.

The City Planning Commission reviewed the application at its September 20, 2023, meeting and voted to recommend that it be approved by Council. The Warren County Planning and Zoning Commission reviewed the subdivision at its September 5, 2023, meeting and also recommended Council's approval.

Mr. Cashman made the motion to adopt the resolution approving the Hinton Minor Subdivision. The motion was seconded by Mr. Villella and carried unanimously.

PROPOSED AGREEMENTS: HIY, INC. AND BENT RUN BREWING CO. PARKING LEASES

Mr. Holtz stated that HIY, Inc., Ruzhdi Bakalli, President and CEO, currently leases a City-owned parcel located along Clark Street and identified as WN-576-7871. By way of an email dated September 6, Mr. Bakalli requested that the lease be assigned to Bent Run Brewing Co., owned by Philip Caudill.

It was recommended that the City terminate the lease agreement with HIY and enter into a new lease agreement with Bent Run Brewing Co. It was noted that HIY has paid the lease fee for the months of November and December; therefore, the terms of the termination agreement call for the payment for those two months to be reimbursed to HIY. Mr. Holtz also noted that the monthly rental fee for this property was \$100/month; the newly proposed lease has a rate of \$125/month which is equal to the monthly rate for the properties that are leased to Allegheny Outfitters.

Following discussion, Mr. Cashman made the motion to table the HIY, Inc. Parking Lease Termination Agreement and Bent Run Brewing Co. Parking Lease agreement. The motion was seconded by Mr. Villella and carried unanimously.

PUBLIC HEARING DATE: PROPOSED ZONING MAP AMENDMENT

Mr. Rossey stated that Whirley Industries is in the process of closing on its purchase of property located at 414 Laurel Street, which is adjacent to Whirley's Fourth Avenue plant. Whirley plans to develop the lot as a parking lot; however, the lot is zoned for residential use. Therefore, Whirley submitted an application for a Zoning Map Amendment which would bring the newly acquired lot into conformity with the adjoining parcel. Prior to approval of a Zoning Map Amendment, Council must conduct a public hearing on the matter.

Mr. Cashman made the motion to establish November 20, 2023, at 7:00 PM as the date and time for a public hearing pertaining to a Zoning Map Amendment for 414 Laurel Street. The motion was seconded by Miss Flasher and carried unanimously.

Mr. Rossey indicated that the City Planning Commission will consider the application at its October regular meeting and the application will be provided to the Warren County Planning Commission for its review and recommendation.

ORDINANCE NO. 1973: NO PARKING ON A PORTION OF SOUTH IRVINE STREET

Mr. Holtz stated that, as discussed at the September 18 Council meeting, South Irvine Street underwent a complete street rebuild this past summer and an issue regarding the location of a "No Parking Here to Corner" sign arose. After an additional on-site inspection was conducted it was found that the "No Parking Here to Corner" sign was reinstalled in the same spot as prior to the reconstruction project.

The issue of six (6) feet of parking space that was discussed at the September Council Meeting was the result of a change in the starting point for the measurement. The measurement reflected in the City Code began at Pennsylvania Avenue; however, the new measurement begins at the south curb of Euclid Avenue. Recent practice has been to take measurements from the curb line of the nearest cross street (in this case, Euclid Avenue).

Mr. Holtz indicated that the ordinance will not change the linear footage of available parking on this portion of South Irvine Street but will bring the location description into conformance with the City Code and will provide clarity for enforcement.

Mr. Cashman made the motion to approve the ordinance prohibiting parking on a portion of South Irvine Street. The motion was seconded by Mr. Villella and carried unanimously.

RESOLUTION NO. 3242: LOCAL SHARE ACCOUNT FUNDING APPLICATION

Mr. Holtz stated that the PA Race Horse Development and Gaming Act provides for the distribution of gaming revenues through the Commonwealth Financing Authority to support projects in the public interest. Unlike many grants, there are no matching funds required.

It was proposed that the City submit an application for \$760,000 in funding to be utilized for necessary Fire Department renovations (\$160,000) and to purchase and install an emergency generator that would serve the City Municipal Building and Fire Department (\$600,000). The current emergency generators were installed in the early 1980's and support minimal operations in the event of a power outage; the new generator would fully power all operations within the two buildings.

Mr. Villella made the motion to approve the resolution authorizing submission of a Local Share Account funding application in the amount of \$760,000. The motion was seconded by Miss Flasher and carried unanimously.

RESOLUTION NO. 3243: DISTRIBUTION OF STATE AID TO PENSION PLANS

Mrs. Byler stated that the provisions of Act 205 require that the City distribute the Commonwealth's 2023 Allocation of State Aid to Pension Plans among the City's three plans within 30 days of receipt. The 2023 allocation was in the amount of \$565,305.16 and was deposited into the City's account on September 27, 2023.

The State Aid amount is calculated by multiplying the number of employees in each plan by the unit value set by the Office of the Auditor General. For 2023, the unit value is \$5,827.883. Each police and fire employee receives 2 units per employee, therefore, the police received 32 units, fire received 40 units and the employee plan received 25 units. Accordingly, it was recommended that the allocation be distributed as follows:

Firefighters Pension Plan	233,115.53
Police Pension Plan	186,492.43
Municipal Employee Pension Plan	<u>145,697.20</u>
Total Allocation	\$565,305.16

Mr. Villella made the motion to approve the resolution providing for the distribution of State Aid to Pension Plans. The motion was seconded by Miss Flasher and carried unanimously.

RIVERFRONT REDEVELOPMENT PROJECT: STAFF UPDATE

Mr. Holtz indicated that the Trestle-to-Trestle Committee has not met in recent months and is awaiting a rendering of its proposal for the riverfront project. Mr. Pike stated that a mussel study was completed at the end of September and the City is awaiting the results. Mayor Wortman noted that the City was recently awarded Department of Conservation and Natural Resources funding for the acquisition of land to be utilized for the riverfront railway and land that will be utilized for parking associated with the riverfront redevelopment. *Mrs. McCain urged the City to consider the proposal of using the pads for RV and large vehicle parking as a revenue stream until the future of the riverfront is confirmed; Mr. Holtz stated that he would explore that option. (Amended 11-20-23)*

MARKETING COMMITTEE UPDATE

Mr. Villella indicated that, until December, the updates will be comprised of current month data only; thereafter, they will include all available months and will eventually cover a rolling 12-month period. *Mrs. McCain asked for confirmation that the City Council videos will remain on YouTube for a rolling 12 months; Mrs. Leary confirmed that they will. (Amended 11-20-23)*

DEPARTMENT REPORTS – SEPTEMBER, 2023

The following reports were provided for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Codes and Planning Department
- Finance Report – Third Quarter

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

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|--|-------------------|-----------------|
| Blighted Property Review Committee | – August 17, 2023 | Regular Meeting |
| Parks, Recreation & Landscape Commission | – August 22, 2023 | Regular Meeting |
| Planning Commission | – July 19, 2023 | Regular Meeting |
| Redevelopment Authority | – August 23, 2023 | Regular Meeting |

ADJOURNMENT

Upon motion by Miss Flasher and second by Mr. Villella, Vice-President Wortman declared the meeting adjourned.