

**WARREN CITY COUNCIL
PUBLIC HEARING AND REGULAR MEETING
OCTOBER 17, 2016 – 7:30 PM**

PUBLIC HEARING

Mrs. Freenock noted that, at the July 18, 2016 regular meeting, Council authorized retention of the Cohen Law Group to develop an ordinance pertaining to Wireless Facility Management. She stated that a draft ordinance was received by the City and, at the August 22 regular meeting, Council voted to refer the ordinance to the City Planning Commission for its review and recommendation. Following review by the Planning Commission and City Staff, questions and comments were submitted to the Cohen Law Group. Responses were received and minor revisions to the ordinance were made. The ordinance is scheduled to come before Council for adoption at the November 21 regular Council meeting.

Mrs. Freenock indicated that the proposed Wireless Facility Management ordinance will:

- Provide for the amendment of the Zoning Ordinance of the City of Warren;
- Establish certain general and specific standards relating to the location, placement, construction, and maintenance of communications towers and communications antennas;
- Provide for the regulation of such facilities within the public rights-of-way and outside the public rights-of-way; and
- Provide for the enforcement of said regulations.

She noted that the purpose of the Public Hearing was for City Council to receive comments and concerns from the public regarding the proposed ordinance.

There being no citizens wishing to comment, Mayor Cashman declared the public hearing closed.

OPENING OF REGULAR MEETING

Mayor Cashman presided over the October 17, 2016 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 in regard to possible litigation pertaining to the property located at 20 Conewango Avenue.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Elissa Davis, Gregory Fraser, Philip Gilbert, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr. Members of City Staff present were Mrs. Freenock, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Ms. Nau, Chief Pascuzzi, Mrs. Risinger, Mr. Sceiford, Chief Zydonik, and Ms. Stapleford as well as Police Officer Mumford.

APPROVAL OF MINUTES

Upon motion by Mr. Lewis and second by Mr. Kolcharno, the minutes of the September 19, 2016 Regular Meeting were unanimously approved.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, the minutes of the September 26, 2016 Special Meeting were unanimously approved.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Freida Ecelberger: Concerns regarding proposed dog park at Mulberry Park
- Anne Szymanski: Concerns regarding proposed dog park at Mulberry Park
- Walter Kaper: Concerns regarding proposed dog park at Mulberry Park
- Ryan Arthur: Concerns regarding proposed dog park at Mulberry Park
- Emily Arthur: Concerns regarding proposed dog park at Mulberry Park

- Liz Falvo: Concerns regarding proposed dog park at Mulberry Park
- Richard Walter: Concerns regarding proposed dog park at Mulberry Park
- Elley Trubic: Concerns regarding proposed dog park at Mulberry Park
- Jim Greenland: Concerns regarding proposed dog park at Mulberry Park
- Pauline Steinmeyer: Citizen observing
- Nina Darr: Citizen observing
- Becky Chimenti: Citizen observing
- Capt. J. Zavinski: Police Accreditation recognition
- Michelle Krogler: Police Accreditation recognition
- Andrew Morrison: Times Observer Reporter

CORRESPONDENCE

There was no correspondence to come before Council.

POLICE DEPARTMENT ACCREDITATION RECOGNITION

Mayor Cashman called Capt. Jeffrey Zavinski and Michelle Krogler, Police Records Clerk, forward to receive recognition on behalf of the Department. It was noted that the City of Warren Police Department first achieved status as an Accredited Agency in 2010 and was re-accredited in 2013 and 2016. At present, the Department is the only Accredited Agency in northwestern Pennsylvania. Of the nearly 1200 police agencies within the Commonwealth of Pennsylvania, only 106 have successfully achieved the status of an Accredited Agency.

AGREEMENT: DECLARATION OF COVENANTS – PA HISTORICAL & MUSEUM COMMISSION

Mr. Hildebrand noted that the Pennsylvania Historical and Museum Commission approved the City's Keystone Historic Preservation Grant application in the amount of \$80,000. The grant is for work to be performed on the Municipal Building. As the property is listed on the National Register of Historic Properties, the grant award is conditioned upon the execution of a Preservation Agreement or Covenant being recorded on the property deed. The Covenants state that the City of Warren agrees to fully assume all costs, expenses, and fees for the continued maintenance, repair, and administration of the property for fifteen years.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the Declaration of Covenants.

RESOLUTION NO. 3014: RECERTIFICATION OF REDEVELOPMENT AREA

(See September 19, 2016 Council meeting minutes)

Mr. Hildebrand noted that Council previously requested that the Redevelopment Area be expanded to include the portion of Liberty Street which lies to the south of Pennsylvania Avenue West, Clark Street, and the building commonly known as the Loranger Building (located on Clark Street). Recertification of the Redevelopment Area will allow the area to continue to be eligible for loan and grant funding under the Community Development Block Grant (CDBG) Program. The use of CDBG funds for the area will be limited to thirty percent (30%) of the annual City of Warren entitlement funding. Mr. Hildebrand indicated that the Recertification will be valid for ten (10) years.

Upon motion by Mr. Fraser and second by Miss Davis, Council members voted unanimously to approve the resolution recertifying the Redevelopment Area.

RESOLUTION NO. 3015: DISTRIBUTION OF STATE AID TO PENSION PLANS

Mrs. Risinger stated that, as required by Act 205, the City must distribute the Commonwealth's 2016 Allocation of State Aid to Pension Plans among the City's three pension plans. The allocation for 2016 is in the amount of \$384,968.86. Mrs. Risinger indicated that the allocation is based on a per employee unit value and, accordingly, it was recommended that the allocation be distributed as follows:

Firefighters Pension Plan	148,738.00
Police Pension Plan	131,240.00
Municipal Employee Pension Plan	104,990.86
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Total Allocation	\$384,968.86

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to approve the resolution providing for the distribution of State Aid to Pension Plans.

ORDINANCE NO. 1880: RESTATEMENT OF MUNICIPAL EMPLOYEE PENSION PLAN

Mrs. Risinger stated that Pension Plans are restated from time-to-time so as to incorporate amendments to the plan into one cohesive document. The last restatement of the Municipal Employee Pension Plan occurred in 2002 and several amendments have been made since that time. The Rhoades Law Firm prepared the Restated Plan and provided a redline draft of the Plan for Council's review.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the ordinance adopting the Restated Municipal Employee Pension Plan.

RESOLUTION NO. 3016: NAMING ART KELSEY PARK

Mr. Holtz noted that Art Kelsey retired from the Department of Public Works in 2015 after fifty years of dedicated service which began in 1965. Mr. Kelsey is well known for his work in tending the grounds of various City properties. Coincidentally, the park land located between Liberty Street and the Midtown Parking Lot was acquired by the Borough of Warren in 1965.

Mr. Holtz further noted that as part of Phase 2 of the Streetscape Project, the park land is being completely rehabilitated with the addition of a pavilion, outdoor furniture, landscaping, and installation of an archway on the Liberty Street side of the park.

The Parks and Recreation Commission discussed the naming of this park property at multiple meetings and, at its August 2 regular meeting, the six members present voted unanimously to recommend that the park be officially named "Art Kelsey Park." It is planned that the park name will be incorporated in the archway.

Upon motion by Mr. Lewis and second by Miss Davis, Council members voted unanimously to approve the resolution formally naming of the park area "Art Kelsey Park."

Mr. Lewis stated` that this is a well-deserved honor and further noted the rarity of an individual working for one employer for fifty years.

SIDEWALK SNOW AND ICE REMOVAL: TWO-YEAR CONTRACT

Mr. Holtz stated that the City advertised specifications and received bids for a two-year contract for Sidewalk Snow and Ice Removal. The contract period is for the snow seasons of 2016-2017 and 2017-2018. The sole bid received was from Curtis Contracting and Services of Tiona, PA.

Upon motion by Mr. Fraser and second by Mr. Gilbert, Council members voted unanimously to award the two-year contract for Sidewalk Snow and Ice Removal to Curtis Contracting and Services of Tiona, PA.

AGREEMENTS: WASTEWATER TREATMENT PLANT – TOWNSHIP RESERVED CAPACITY

Mr. Holtz stated that the City previously entered into agreements with Conewango, Glade, and Pleasant Townships for the acceptance, conveyance, and treatment of wastewater from the respective Townships. The agreements each include a provision for the Townships to share in the cost of Plant upgrades. The new Wastewater Treatment Plant is essentially complete and is fully operational and, therefore, the City must now begin making payments to PENNVEST, the primary funding source.

As a result, it is necessary to enter into revised agreements which reflect the new reserved capacity for each township, outline the manner in which the Township Plant Upgrade Cost Share is to be calculated, and provide a reduction in the Service Charge Factor from the current twenty-five percent (25%) to ten percent (10%). Mr. Sceiford explained that the reduction was made possible by the improved efficiency of the new treatment plant.

Agreement: Conewango Township for Conveyance and Treatment of Wastewater

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the agreement with Conewango Township for the Conveyance and Treatment of Wastewater.

Agreement: Glade Township for Conveyance and Treatment of Wastewater

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the agreement with Glade Township for the Conveyance and Treatment of Wastewater.

Agreement: Pleasant Township for Conveyance and Treatment of Wastewater

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to approve the agreement with Pleasant Township for the Conveyance and Treatment of Wastewater.

TRANSFER OF PROPERTY TO REDEVELOPMENT AUTHORITY

Mrs. Freenock stated that on October 6, 2016, properties located at 908 and 910 Pennsylvania Avenue East were subject to Sheriff's Sale in judgement for City sewer liens against the properties. As there were no bids submitted for the properties, by default they will become the property of the City of Warren.

The City Redevelopment Authority (RDA), meeting in special session on September 20, 2016, discussed the properties and, by unanimous vote of the four members present, agreed to accept title to the properties should they become the property of the City following the Sheriff's Sale.

It was suggested that, if Council was amenable to the RDA taking possession of the properties, the deed(s) be transferred directly to the RDA rather than to the City and a subsequent transfer to the RDA.

Mr. Fraser made the motion to authorize the transfer of the deed(s) for the properties at 908 and 910 Pennsylvania East directly to the City Redevelopment Authority. The motion was seconded by Miss Davis and carried unanimously.

LETTER OF INTENT: GOVERNOR’S CENTER – REQUEST FOR TECHNICAL ASSISTANCE

Mrs. Freenock stated that at the time that the Borough of Warren transitioned to a Third Class City with Optional Home Rule Charter, there were financial and regulatory advantages to doing so. In recent years, amendments to the Third Class City Code have imposed an increasing number of mandates which result in a financial burden on the City. Therefore, it was suggested that it would be prudent to evaluate the advantages and disadvantages of remaining as a Third Class City with Optional Home Rule Charter versus a transition to a Home Rule Borough.

The Governor’s Center for Local Government Services provides technical assistance, at no cost, to municipalities for such evaluations. It was requested that Council consider approval of the submission of a Letter of Intent requesting such assistance in performing an evaluation of the two forms of government.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, Council members voted unanimously to authorize the submission of a Letter of Intent to the Governor’s Center for Local Government Services requesting technical assistance in the performance of a Legal and Financial Analysis regarding forms of government (Borough vs Third Class City).

AGREEMENT: NORTHWEST BANK SIX-WEEK LEASE OF CITY PROPERTY

Mrs. Freenock stated that, commencing October 24, Northwest Bank is set to begin two projects involving their facility on the northwest corner of Pennsylvania Avenue and Liberty Street. The existing Automated Teller Machine (ATM) shelter will be removed and work will be performed on the overhead walkway. To accommodate the necessary construction vehicles, Northwest asked to lease the City property located at the Southeast corner of the intersection for a period of six weeks.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to approve the Agreement for a six-week lease of City-owned property to Northwest Bank for the parking of construction vehicles.

DEPARTMENT REPORTS – SEPTEMBER, 2016

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department
- Community & Economic Development (quarterly report)

MISCELLANEOUS

Mr. Zavinski inquired as to whether there were any plans to provide free downtown parking during the holiday season. Mrs. Freenock indicated that meters were not bagged during the 2016 holiday season with the exception of one day when a business “sponsored” the parking fees for the day. It was noted that on that day a large number of the spaces were occupied by employees of downtown businesses rather than the intended holiday shoppers. Mrs. Freenock noted that there have been no requests received from merchants in regard to the provision of free parking during the 2017 holiday season.

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

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|---------------------------------|-------------------|-----------------|
| Parks and Recreation Commission | – August 2, 2016 | Regular Meeting |
| Street Landscape Committee | – August 23, 2016 | Regular Meeting |

ADJOURNMENT

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