

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

OPENING OF MEETING

Mayor Cashman presided over the December 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 immediately preceding the meeting, Council met in executive session regarding litigation pertaining to a breach of the 2018 Paving Contract.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Gregory Fraser, Paul Giannini, Philip Gilbert, Richard Kolcharno, John Lewis, James A. Zavinski, Sr. Members of City Staff present were Nancy Freenock, City Manager; Brandon Deppen, Chief of Police; David Hildebrand, Planner/Development Administrator; 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 Yuriscic, City Engineer; and Andrea Stapleford, City Solicitor.

APPROVAL OF MINUTES

Upon motion by Mr. Zavinski and second by Mr. Fraser, the minutes of the November 18, 2019 Regular Meeting were unanimously approved.

Upon motion by Mr. Zavinski and second by Mr. Fraser, the minutes of the November 25, 2019 Budget Public Hearing were unanimously approved.

RECOGNITION OF SERVICE: COUNCILMAN KOLCHARNO AND COUNCILMAN LEWIS

Mayor Cashman recognized Mr. Kolcharno for his service as a member of Warren City Council since January 1, 2014 and Mr. Lewis was recognized for his one year of service as an appointed member of Council.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- John Wortman: Council member elect
- Christian Zavinski: Council member elect
- Steve Blume: Observing
- Douglas Hearn: Observing, appointment to RDA
- Piper VanOrd: Observing
- Pauline Steinmeyer: Observing
- Pam Lewis: Observing
- Josh Cotton: Times Observer Reporter

CORRESPONDENCE

There was no correspondence to come before Council.

RESOLUTION NO. 3103: ADOPTION OF THE 2020 MUNICIPAL BUDGET

Mrs. Freenock summarized the proposed 2020 Municipal Budget as follows:

General Fund	\$ 12,036,827
Community Improvement Program	\$ 1,657,000
Sewer Fund	\$ 2,843,914
Parking Fund	\$ 525,823

Under this budget, the Real Estate Tax millage will remain at 19.8 mills on each one dollar of assessed valuation and the combined Earned Income Tax will remain at two and two-tenths percent (Earned Income Tax of one percent plus Supplementary Earned Income Tax of one and two-tenths percent).

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to adopt the 2020 Municipal Budget as presented.

ORDINANCE NO. 1939: ESTABLISHING THE 2020 REAL ESTATE TAX RATE

Mrs. Freenock stated that the budget as presented to Council reflects no increase in the Real Estate Tax. A public hearing regarding the 2020 Budget was held at 5:00 PM on November 25 at which time one citizen was present to provide comment on the proposed budget.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, Council members voted unanimously to approve the ordinance establishing the 2020 Real Estate Tax Rate at 19.8 mills on each one dollar (\$1.00) of assessed valuation.

RESOLUTION NO. 3104: ESTABLISHING FEES

Mrs. Freenock stated that in response to changing costs for the provision of various permits, services, and facilities, it becomes necessary from time to time to amend the City's Fee Resolution. The resolution includes all fees and charges (except those pertaining to Building Code Permits and Inspections).

Following discussion regarding a proposed increase in on-street parking meter rates as contained in the resolution, Mr. Fraser made the motion to accept the resolution as presented. There was no second to the motion; therefore, the motion failed.

Mr. Gilbert made the motion to adopt the resolution establishing fees excepting that on-street parking meter rates are to remain at fifty cents per hour. The motion was seconded by Mr. Lewis and carried with five votes in the affirmative and two nay votes cast by Mr. Fraser and Mayor Cashman.

RESOLUTIONS ESTABLISHING BUILDING CODE PERMIT & INSPECTION SERVICES FEES

Mrs. Williams stated that a recent review of the Building Code Permit and Inspection Fees schedules shows that certain fees are not at a level that is sufficient to cover the costs incurred by the City in performing those services.

RESOLUTION NO. 3105: ESTABLISHING BUILDING CODE PERMIT AND INSPECTION SERVICES FEES – CITY

Upon motion Mr. Lewis and second by Mr. Gilbert, Council members voted unanimously to approve the resolution establishing Building Code Permit and Inspection Services Fees for properties located within the City of Warren.

RESOLUTION NO. 3106: ESTABLISHING BUILDING CODE PERMIT AND INSPECTION SERVICES FEES – NON-CITY

Upon motion Mr. Lewis and second by Mr. Gilbert, Council members voted unanimously to approve the resolution establishing Building Code Permit and Inspection Services Fees for properties located within municipalities which have entered into agreements with the City of Warren for the performance of such services.

RESOLUTION NO. 3107: ESTABLISHING CLASSIFIED EMPLOYEE COMPENSATION RANGES

Mr. Lewis made the motion to adopt the resolution establishing Classified Employee Compensation Ranges with the position of “Property Maintenance Officer” to be amended to \$14.00/hour. The motion was seconded by Mr. Zavinski and carried unanimously.

RESOLUTION NO. 3108: APPOINTING CITY SOLICITOR FOR 2020

Upon motion by Mr. Kolcharno and second by Mr. Lewis, Council members voted unanimously to adopt the resolution appointing the firm of Stapleford & Byham, LLC, to serve as the City Solicitor for the year 2020.

RESOLUTION NO. 3109: APPOINTING AUDIT FIRM FOR FISCAL YEARS 2019, 2020, & 2021

Upon motion by Mr. Fraser and second by Mr. Lewis, Council members voted unanimously to adopt the resolution appointing the firm of Felix & Gloekler, P.C., Certified Public Accountants, as the Auditor for the City of Warren for the purpose of auditing the accounts of the City for Fiscal Years 2019, 2020, and 2021 and for the preparation of necessary forms for the appropriate State and Federal agencies as well as the agreed-upon procedures pertaining to the Sewer Revenue Fund.

RESOLUTION NO. 3110: APPOINTING HEALTH OFFICER FOR 2020

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to appoint Dennis Olson, M.D. as the Health Officer for the City of Warren for the period January 1, 2020 to December 31, 2020.

APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Upon motion by Mr. Fraser and second by Mr. Gilbert, Council members voted unanimously to make the following appointments:

<u>Name</u>	<u>Board</u>	<u>Term Expiration</u>
Judi Wilson	Parks and Recreation Commission	12/31/2023
Mark Zavinski	Parks and Recreation Commission	12/31/2023
Douglas Hearn	Redevelopment Authority	12/31/2023
Mark Davis	Street Landscape Committee	12/31/2023
Al Webster	Joint UCC Board of Appeals	12/31/2024
Steve Sigmund	Joint UCC Board of Appeals	12/31/2024
Sally Beckerink	City Representative to the Warren Public Library Board	12/31/2022

CLARK STREET PARKING GARAGE STRUCTURAL ENGINEERING CONSULTING SERVICES

Mr. Yurisc stated that the City prepared and submitted a grant application to the PA Department of Community and Economic Development to fund a structural engineering study of the Clark Street Parking Garage. As part of the grant application, it was required that Requests for Proposals (RFP) be solicited for the project.

Resolution No. 3111: Ratification of DCED Funding Contract

Upon receipt of the Notice of Award for funding in the amount of \$54,000, it was required that the Mayor and City Manager electronically execute the DCED funding contract. Therefore, it was requested that Council adopt the resolution affirming its acceptance of the grant funding and ratifying the electronic signatures of the Mayor and City Manager. It was noted that \$6,000 in matching funds as required by the contract are provided for in the 2020 Municipal Budget.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to approve the resolution ratifying the electronic signatures of the Mayor and the City Manager

Award of Consulting Engineering Services Contract

Requests for Proposals were solicited with three proposals being received. Of those, Atlantic Engineering Services presented the most comprehensive proposal which was in the amount of \$60,000 for services as specified in the RFP. Atlantic's proposal included an alternative scope of work at a reduced cost; however, it was Staff's recommendation that the contract be awarded in full for services as specified in the RFP.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to award the Consulting Engineering Services Contract to Atlantic Engineering Services for the full scope of work as detailed in the Request for Proposal.

ORDINANCE NO. 1940: MAIN AVENUE PARKING TIME LIMIT

(See August 19, 2019 Council meeting minutes)

Chief Deppen noted that the Department of Public Works recently lined the parking spaces and no parking areas on the eastern curb of Main Avenue between Crescent Park and St. Clair Street. To ensure that these spaces are not utilized for all-day parking and remain available for short-term parking, it was recommended that Council adopt an ordinance which limits weekday parking to two hours between the hours of 9:00 AM and 5:00 PM on the eastern curb of Main Avenue between Crescent Park and St. Clair Street.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to approve the ordinance establishing parking time limits on the portion of Main Avenue between Crescent Park and St. Clair Street.

PENNSYLVANIA MUNICIPAL SERVICE SEWER USE/RECYCLING COLLECTION FEES

Mr. Holtz stated that Pennsylvania Municipal Service Company (PAMS) is the designated agent for the collection of current and delinquent sewer use and recycling collection charges. Due to increasing labor and supply costs, PAMS requested that the City approve an amendment to the May 21, 2012 agreement for services. The amendment would provide for an increase in the amount the City pays per bill generated for current charges and in the Reasonable Costs that may be collected in regard to delinquent accounts.

Ordinance No. 1941: Sewer Use and Recycling Collection Charges

Upon motion by Mr. Fraser and second by Mr. Gilbert, Council members voted unanimously to approve the ordinance clarifying and updating certain sections of the Code of the City of Warren as they pertain to the collection of current and delinquent sewer use and recycling collection charges.

Resolution No. 3112: Billing/Collections Agent and Reasonable Costs

Upon motion by Mr. Fraser and second by Mr. Gilbert, Council members voted unanimously to approve the resolution affirming PAMS as the designated agent for the collection of current and delinquent sewer use and recycling collection charges and authorizing amendments to the Sewage Fees Collection Agreement.

Agreement Amendment: Pennsylvania Municipal Services Reasonable Costs

Upon motion by Mr. Fraser and second by Mr. Gilbert, Council members voted unanimously to approve the amendment to the May 21, 2012 Sewage Fees Collection Agreement by and between the City and PAMS.

ORDINANCE NO. 1942: COST OF COLLECTIONS

Mrs. Freenock stated that City Ordinance No. 1872 (known as the Cost of Collections Ordinance) authorizes the collection of reasonable attorney fees incurred in regard to delinquent municipal accounts. However, as an increase in the reasonable costs was contemplated, it became apparent that Ordinance No. 1872 does not provide an appropriate procedure for accomplishing such.

Upon motion by Mr. Lewis and second by Mr. Kolcharno, Council members voted unanimously to approve the ordinance which repeals Ordinance No. 1872 and which also provides that the reasonable costs for the collection of delinquent municipal accounts shall be the same as those that are regularly approved by Council by way of attachment to the Solicitor’s Retainer Letter.

AGREEMENT: UTILITY RELOCATION FOR PENNDOT SR 62-23M PROJECT

(See November 18, 2019 Council meeting minutes)

Mr. Holtz stated that PennDOT prepared Agreement No. 010X58 under which PennDOT and the City will share the cost of manhole adjustments required as part of the PennDOT Milling and Paving Project on SR 62-23M (Route 6 to Route 62 Truck Route); the City will provide the necessary materials and PennDOT will make the adjustments.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to approve PennDOT Agreement No. 010X58 for adjustments to sanitary sewer manholes on SR 62-23M (Pennsylvania Avenue to Route 62 truck route).

DISPOSITION OF SURPLUS FIRE DEPARTMENT ITEMS

Chief Wren stated that the Fire Department is in the process of reconfiguring rooms on the second floor of the Fire Station to accommodate a dedicated training and meeting room. In 2018, new folding tables and chairs were purchased and the Department now finds that it no longer needs those that were replaced. Other departments within the City have indicated that they have no need for these items; therefore, it was requested that Council authorize disposition of the following items in a manner permitted by the City Code:

1. 5 Folding tables (banquet size)
2. 25 Folding chairs
3. One War Department Portable Generator
Signal Corps., Power Unit PE-75-P, SN 1175 – Pennsylvania Federal Excess – Forest & Waters, A-002778 – Warren Fire Department

Upon motion by Mr. Kolcharno and second by Mr. Lewis, Council members voted unanimously to approve disposition of the stated items in a manner permitted by the City Code.

ANNOUNCEMENT OF 2020 COUNCIL ORGANIZATIONAL MEETING

Mayor Cashman announced that the 2020 Organizational Meeting will be held on Monday, January 6, at 7:00 PM. The Oath of Office will be administered to Council members who were elected in the November 2019 General Election and Council will elect a Vice-President of Council to serve in the absence of the Mayor. If necessary, additional business may be conducted at the meeting.

Mrs. Freenock noted that David Sobina of Larson • Karle Architects will be present to discuss the Crescent Park Project. Council members will be asked to provide direction to staff prior to the submission of a rescoped plan to the Department of Conservation and Natural Resources (DCNR) in regard to previously approved grant funding.

DEPARTMENT REPORTS – NOVEMBER, 2019

The following reports were provided 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 | – | October 16, 2019 | Regular Meeting |
| Street Landscape Committee | – | October 22, 2019 | Regular Meeting |

ADJOURNMENT

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