

**WARREN CITY COUNCIL
REGULAR MEETING
DECEMBER 18, 2017 – 7:30 PM**

OPENING OF MEETING

Mayor Cashman presided over the December 18, 2017 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 Maurice Cashman, Elissa Davis, Philip Gilbert, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr. Gregory Fraser was absent. Members of City Staff present were Mrs. Freenock, Chief Deppen, Mr. Holtz, Mrs. Leary, Chief Pascuzzi, Mrs. Risinger, Mrs. Williams, Mr. Yurismic, and Attorney Stapleford.

APPROVAL OF MINUTES

Upon motion by Mr. Lewis and second by Mr. Zavinski, the minutes of the November 20, 2017 Regular Meeting were unanimously approved by Council members present.

Upon motion by Mr. Lewis and second by Mr. Zavinski, the minutes of the December 11, 2017 Budget Public Hearing were unanimously approved by Council members present.

RECOGNITION OF SERVICE: COUNCILMAN JOHN LEWIS

Mayor Cashman presented Mr. Lewis with a commemorative clock in recognition of his service as a member of Warren City Council since January 1, 2002.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Bill Thompson: Regarding the 2018 contribution to Music in the Park
- Kelly Thompson: Regarding the 2018 contribution to Music in the Park
- Piper VanOrd: Regarding HIY, Inc.'s request for RACP funds
- Wendy McCain: Observing
- Pauline Steinmeyer: Observing
- Adam Meneo: Proposed Rotary Project – Lacy Park Multi-Sensory Playground
- Madeline Edwards: Proposed Rotary Project – Lacy Park Multi-Sensory Playground
- Karen Black: Observing (member of Indivisible Warren)
- Ruzhdi Bakalli: Regarding HIY, Inc.'s request for RACP funds
- Paul Giannini: Council member elect

Bill Thompson introduced himself as the 2018 coordinator for Music in the Park and inquired as to funding for the program in 2018. Mayor Cashman responded that the proposed 2018 budget includes a contribution to Music in the Park.

CORRESPONDENCE

There was no correspondence to come before Council.

LACY PARK: PROPOSED MULTI-SENSORY PLAYGROUND

Mrs. Freenock stated that the Rotary Club of Warren met with City staff and requested that the City designate a portion of Lacy Park to be developed as a playground for children with disabilities. The City is being asked to take this action prior to the Rotary Club commencing fundraising activities for the project.

Mrs. Freenock indicated that the playground area would be developed by the City as a temporary measure. City staff plans to submit a funding application to the Pennsylvania Department of

Conservation and Natural Resources (DCNR) in 2019 for rehabilitation of Lacy Park and additional parking and access to this area would be part of the plan included in the application.

It was noted that the Rotary Club is working with the Barber Institute of Erie to develop plans for the project. The overall plan includes funding for ongoing maintenance and for replacement of equipment as necessary.

Adam Meneo represented the Rotary Club and provided information regarding the high instance of autism and sensory disorders in Warren County. Mr. Meneo stated that the Club is drafting a capital campaign to raise funds and noted that the project may be completed in stages. He requested that Council agree to consider the naming of the playground project area in recognition of a major contributor in the event that such a contribution is made (e.g. "Contributor" Playground at Lacy Park). Final approval of a proposed name for the project area would be placed before Council.

Mr. Lewis made the motion to designate a portion of Lacy Park for development of a playground for children with disabilities with Council to approve disbursement of any grant funds that may be associated with the designated portion of the park. The motion was seconded by Miss Davis and carried unanimously among the Council members present (6).

ALLOCATION OF REDEVELOPMENT CAPITAL ASSISTANCE PROGRAM FUNDS

Mrs. Freenock stated that the City submitted a Redevelopment Capital Assistance Program funding application in the amount of \$4,500,000 to be used for the rehabilitation and development of properties in the vicinity of the corner of Pennsylvania Avenue West and Liberty Street, the Clark Street Parking Garage, and Clark Street. It is reported that the Governor is prepared to move forward in regard to applications received.

Since the time that the application was submitted, HIY, Inc., Ruzhdi Bakalli, President, exercised an option to purchase a portion of the Clark Street property commonly known as the Loranger Building. HIY, Inc. proposes the development of this property into a multi-use commercial property.

Pending approval of the City's initial RACP funding application, HIY, Inc. requested that the next-step application include the allocation of \$360,000 for purchase and closing costs associated with the Loranger Building. HIY, Inc. would become a sub-grantee and any expenditure of funds derived from the RACP grant must be in accordance with the Program guidelines. HIY, Inc. would be required to execute an agreement with the City with such agreement requiring that HIY, Inc. allow the City to use the first \$360,000 of assessed value of the Loranger Building property as a match for the RACP funds. It would also require HIY, Inc. to strictly adhere to all program guidelines associated with the funds it received. Should Council approve HIY's request and RACP funding subsequently be awarded to the City an agreement would be prepared for Council's approval.

Miss Davis made the motion to allocate \$360,000 in potential Redevelopment Assistance Capital Program funding to HIY, Inc. The motion was seconded by Mr. Gilbert and carried with five votes in the affirmative and one nay vote cast by Mr. Kolcharno.

MOTION TO REDUCE CITY EARNED INCOME TAX RATE

Mr. Lewis made the motion to reduce the City's Earned Income Tax rate from 2.2% to 2.1% for 2018. The motion was seconded by Mr. Kolcharno.

Mayor Cashman noted that the proposed budget requires monies to be drawn from the General Fund balance and a reduction in the Earned Income Tax would result in a further decrease in the General Fund balance.

The vote on Mr. Lewis' motion resulted in a tie with three votes in the affirmative and three nay votes cast by Mr. Gilbert, Miss Davis, and Mayor Cashman; therefore, the motion failed.

RESOLUTION NO. 3047: ADOPTION OF THE 2018 MUNICIPAL BUDGET

Mrs. Freenock noted that changes were made to the budget following the December 11 Budget Public Hearing. Amended items included increased wages and the accompanying payroll taxes resulting from new collective bargaining agreements and a decrease in the workers' compensation insurance rate.

Mrs. Freenock noted that under the proposed 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).

The budget was summarized as follows:

General Fund	\$ 10,084,113
Community Improvement Program	\$ 2,481,300
Sewer Fund	\$ 2,268,392
Parking Fund	\$ 552,552

Miss Davis made the motion to approve the resolution adopting the 2018 Municipal Budget. The motion was seconded by Mr. Zavinski and carried with five votes in the affirmative and one nay vote cast by Mr. Lewis.

ORDINANCE NO. 1900: ESTABLISHING THE 2018 REAL ESTATE TAX MILLAGE RATE

Mrs. Freenock stated that the adopted budget reflects the level of services directed by Council and also supports the many varied projects being undertaken throughout the City. The budget as adopted at this meeting reflects no increase in the Real Estate Tax.

Upon motion by Mr. Lewis and second by Miss Davis, Council members present (6) voted unanimously to adopt the ordinance setting the 2018 Real Estate Tax Rate at 19.8 mills.

RESOLUTION NO. 3048: ESTABLISHING FEES

Mrs. Freenock indicated that the resolution includes all fees and charges excepting those pertaining to Building Code Permits and Inspections. It was noted that the recent Request for Proposal pertaining to the Curbside Recycling Collection Program resulted in collection costs which are higher than anticipated. Therefore, it was requested that the proposed Curbside Recycling Collection fee be amended by increasing it to \$3.50 per household per month.

Miss Davis made the motion to approve the resolution establishing fees with the Curbside Recycling Collection Fee to be amended to \$3.50 per household per month. The motion was seconded by Mr. Lewis and carried unanimously among the Council members present (6).

RESOLUTION NO. 3049: APPOINTING SOLICITOR FOR 2018

Mrs. Freenock requested that City Council consider entering into an agreement with the law firm of Stapleford & Byham, LLC, to act as Solicitor for the City of Warren. Attorney Andrea Stapleford would continue to serve as primary counsel to the City and Attorney Christopher Byham would serve as secondary counsel. The firm has completed their eighth full year with the City.

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members present (6) voted unanimously to approve the resolution retaining the firm of Stapleford & Byham, LLC, as City Solicitor for 2018.

RESOLUTION NO. 3050: ESTABLISHING COMPENSATION RANGES FOR NON-UNION EMPLOYEES

Upon motion by Miss Davis and second by Mr. Lewis, Council members present (6) voted unanimously to approve the resolution establishing compensation ranges for non-union employees.

RESOLUTION NO. 3051: APPOINTING HEALTH OFFICER FOR 2018

Mrs. Williams stated that in accord with City Ordinance No. 1890, it is necessary for Council to annually, by resolution, appoint a health officer(s), who shall be certified and recognized by the Commonwealth of Pennsylvania Departments of Agriculture and Health or any Commonwealth agency which may be designated for the regulation of Retail Food Facilities. The appointment is for a term commencing on January 1 and ending December 31, 2018. She further stated that Dennis Olson, MD, has served in this capacity for a number of years and has indicated his desire to continue to do so.

Upon motion by Mr. Lewis and second by Miss Davis, Council members present (6) voted unanimously to approve the resolution designating Dennis Olson, MD as the City Health Officer for 2018.

RESOLUTION NO. 3052: ESTABLISHING BENEFITS FOR NON-UNION EMPLOYEES

Mrs. Freenock noted that Resolution No. 3025 calls for employees to contribute a percentage of the annual healthcare insurance premium increase. However, it has been determined that for years 2018, 2019, and 2020, the amount to be contributed may be established as a set dollar amount for the type of coverage selected in each calendar year. Therefore, it was recommended that Resolution No. 3025 be repealed in its entirety and replaced by a new resolution which reflects the new healthcare cost sharing.

Mr. Zavinski made the motion to approve the resolution establishing benefits for non-union City employees. The motion was seconded by Miss Davis and carried unanimously among the Council members present (6).

FRATERNAL ORDER OF POLICE MEMORANDUM OF UNDERSTANDING

Mrs. Freenock stated that a Memorandum of Understanding had been negotiated with the Fraternal Order of Police (F.O.P.) Lodge No. 83. Of particular note are a wage increase, changes in healthcare contributions, education reimbursement limits, and a limit on longevity for new hires. The Memorandum is for the three-year period commencing January 1, 2018.

Mr. Lewis made the motion to approve the Memorandum of Understanding between the City and the Fraternal Order of Police Lodge No. 83 for the contract period January 1, 2018 through December 31, 2020. The motion was seconded by Mr. Kolcharno and carried unanimously among the Council members present (6).

APPOINTMENTS TO BOARDS AND COMMISSIONS

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members present (6) voted unanimously to make the following appointments:

<u>Member</u>	<u>Board/Commission</u>	<u>Term Expiration</u>
Jackie Angove	Parks and Recreation Commission	12/31/21
Dennis Crandall	Parks and Recreation Commission	12/31/21
Raymond Pring, Jr.	Planning Commission	12/31/21
Pat Scutella	Planning Commission	12/31/21
Josie Gerardi	Street Landscape Committee	12/31/21

APPOINTMENT OF BUILDING CODE OFFICIAL

Mrs. Freenock stated that in accord with PA Department of Labor and Industry regulations, it is required that a Building Code Official (BCO) be appointed for administration and enforcement of the Building Code. Terry Williams has completed the required BCO training and is certified by the Department of Labor and Industry. Upon completion of the requisite training, Council appointed Mrs. Williams to serve as the City's BCO through December 31, 2017.

Upon motion by Miss Davis and second by Mr. Lewis, Council members present (6) voted unanimously to appoint Terry Williams as the City of Warren Building Code Official.

Council also acknowledged that Mrs. Freenock, in her capacity as City Manager, appointed Ken Hinton and Jessica Roudybush as Code Officials for Property Maintenance Code enforcement.

CURBSIDE RECYCLING COLLECTION CONTRACT

Mr. Holtz stated that, as mandated by the State, the City conducts a Curbside Recycling Collection Program. Curbside collections have been handled by Advanced Disposal Services on a month-to-month basis following expiration of the prior contract. A Request for Proposal (RFP) for the Curbside Collection of Recyclable Materials was advertised and packets were mailed to known haulers. The only proposal received was from Advanced Disposal Services. Mr. Holtz indicated that it is City Staff's recommendation that bid items identified as No. 1 and No. 1A be accepted.

Mr. Holtz noted that the rates paid for recyclable materials are at a low level and the cost to transport materials has increased.

Miss Davis made the motion to award the Curbside Recycling Collection contract to Advanced Disposal Services for Bids 1 and 1A for 2018, 2019, and 2020. The motion was seconded by Mr. Gilbert and carried with 5 votes in the affirmative and one nay vote cast by Mr. Lewis.

RESOLUTION NO. 3053: PROHIBITING THE ESTABLISHMENT OF CATEGORY 4 CASINOS

Mrs. Freenock stated that Governor Wolf recently signed Act 42 of 2017 which authorizes ten Category 4 casinos to be licensed in the Commonwealth. The Act provides municipalities with the ability to opt out of hosting a Category 4 casino. To do so, the municipality must pass a resolution stating that it does not desire to host a Category 4 casino and such must be delivered to the Pennsylvania Gaming Control Board no later than December 31, 2017. If a resolution prohibiting the establishment of a Category 4 casino is enacted, it may later be rescinded, thereby allowing a Category 4 casino. However, the municipality may not make the determination to prohibit Category 4 casinos after December 31, 2017.

It was noted that the Act provides host municipalities with a host fee of 50% of 4% of the gross terminal revenues generated by a Category 4 casino. This allocation may not exceed 50% of the municipality's 2016-17 budget which will be adjusted for inflation in subsequent years.

Mr. Lewis made the motion to approve the resolution prohibiting the establishment of Category 4 casinos within the City of Warren. The motion was seconded by Miss Davis and carried with four votes in the affirmative and two nay votes cast by Mr. Gilbert and Mayor Cashman.

2018 COUNCIL ORGANIZATIONAL MEETING

Mrs. Freenock stated that in accord with Article VI, Section 601, of the Home Rule Charter, Council is to hold an organizational meeting on the first Monday of January following a municipal election at which any Councilman was elected. If the first Monday is a legal holiday, the meeting and organization is to occur on the next day.

In 2018, the first Monday is New Year's Day and, therefore, the Organizational Meeting will be held on Tuesday, January 2, 2018. The Oath of Office will be administered to the Mayor and Council members who were elected in the November 2017 General Election and Council will elect a Vice-President of Council to serve in the absence of the Mayor.

SPECIAL MEETING

A special meeting of City Council will be held at 5:30 PM on December 28 for the purpose of Council action regarding the Memorandum of Tentative Agreement with the International Brotherhood of Electrical Workers, Local 459, which represents employees in the Department of Public Works as well as clerical and parking enforcement employees in the Police Department.

DEPARTMENT REPORTS – NOVEMBER, 2017

The following reports were presented 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:

Blighted Property Review Committee	–	October 26, 2017	Regular Meeting
Planning Commission	–	September 20, 2017	Regular Meeting
Redevelopment Authority	–	October 18, 2017	Regular Meeting
Street Landscape Committee	–	October 24, 2017	Regular Meeting

ADJOURNMENT

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