

**WARREN CITY COUNCIL  
REGULAR MEETING  
AUGUST 19, 2024 – 7:00 PM**

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**OPENING OF MEETING**

Mayor David Wortman presided over the August 19, 2024, 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 David Wortman, Maurice Cashman, Danielle Flasher, Philip Gilbert, Wendy McCain, and Jared Villella; John Barbera was absent. 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; and Andrea Stapleford, City Solicitor.

**EXECUTIVE SESSION ANNOUNCEMENT**

Mayor Wortman announced that Council met in executive session immediately prior to this meeting to discuss the acquisition of real property by the City for park and recreational purposes, potential litigation regarding EMS issues and the Hudson Project, and details pertaining to the collective bargaining agreement between the City and its firefighters. Mrs. McCain noted that she was asked to leave the session prior to its close.

**RECOGNITION OF VISITORS**

Mayor Wortman welcomed all visitors. Present were:

Belinda Bohn	Will Champlin	Thomas Christeson
Sandra Costanzo	Josh Cotton	Pat Evans
Brian Hagberg	Antoinetta Lindell	Alix Peterson
Catalina Peterson	Michelle Peterson	Ron Peterson
Jenny Phillips	Colleen Sloan	Paul Streich

**SUMMARY OF MAYOR'S STATEMENTS**

1. Warren City Council was informed by the Hudson Group that it no longer plans to move forward with its Eagles Crest Project. The City will work with the Hudson Group to unwind relevant agreements and contracts that are in place. Mayor Wortman stated that no further details are available at this time.
2. The Pennsylvania Sunshine Act requires agencies to deliberate and take official action on agency business in an open and public meeting. The Act requires that meetings have prior notice and that the public can attend, participate, and comment before an agency takes official action.
3. Mayor Wortman reviewed relevant facts and the timeline that provides the background information necessary to understand the position which supports public comment on specific agenda items and address the implication made by some that Council is arbitrarily limiting speech. He stated that present circumstances are unique in that the City has legal contracts pertaining to the Hudson Companies' Eagles Crest Project and is, therefore, an interested party to the lawsuit to which a sitting member of Council is a party.

At the June 17, 2024, regular City Council meeting, the agenda included Item No. 8.c.: Citizen Suggestion Regarding Eagles Crest Project. Mrs. McCain made a motion (seconded by Mr. Barbera) to hire a consultant to further scrutinize the Eagles Crest

Project. Unbeknownst to Council, during normal business hours on that same day, a lawsuit was filed with the United States District Court for the Western District of Pennsylvania by Plaintiffs David G. Winans, Ronald C. Peterson, Phillip Caudill, Wendy McCain and McCain Consulting, LLC, Kevin Sheldon and Three Fourteen, LLC vs Adrienne Todman, Acting Secretary of the US Department of Housing and Urban Development, US Department of Housing; US Department of Housing and Urban Development; Rick Siger, Secretary of the Pennsylvania Department of Community and Economic Development; and the Pennsylvania Department of Community and Economic Development concerning the Eagles Crest Project. Specifically, the legal action is a Complaint for Declaratory and Injunctive Relief.

In the following days, news of the lawsuit was made known. In consideration of these circumstances, the ongoing litigation, a legal review, and recommendations made by the Pennsylvania State Ethics Commission, the determination was made to provide for only those public comments which are specific to business agenda items. In addition, Mrs. McCain's motion was determined to be a conflict of interest.

### **PUBLIC COMMENT**

Ron Peterson stated that the Hudson Companies' withdrawal from the Eagles Crest Project is good news and that he and others have a plan for the property which would include renovation of the existing building. He read an excerpt from a letter penned by David Winans in regard to renovating the building at 231-237 Pennsylvania Avenue West and stated that they are ready to proceed.

### **APPROVAL OF THE AGENDA**

Mr. Cashman made the motion to approve the agenda as presented. The motion was seconded by Miss Flasher and carried unanimously among the Council members present.

Mr. Cashman made the motion to amend the agenda by removing Item No. 8.a. (Proposed Resolution: Policies for Public Comment Periods) as it is no longer pertinent as the Hudson Project will not proceed. Mrs. McCain seconded the motion. Mrs. Stapleford indicated that Mrs. McCain should not second the motion, or vote upon it, as the proposed resolution specifically pertains to the Hudson and the Eagle Crest Project. She further stated that until such time as the suit is either settled or resolved and is no longer a pending lawsuit, Mrs. McCain has a conflict of interest and cannot vote on any issues pertaining to that project. The motion was seconded by Miss Flasher and carried with five votes in the affirmative and one member absent.

### **APPROVAL OF MINUTES**

Mr. Cashman made the motion to approve the June 17, 2024, regular meeting minutes as presented. Miss Flasher seconded the motion.

Mrs. McCain made a motion to add a statement made by Mr. Cashman in reference to a statement made by David Winans. Mr. Cashman responded that there is an implication that he misstated Mr. Winans' comment regarding the location of the Eagles Crest Project and provided the dates on which the statements were made and stated that they are evidenced by the video recording. Mrs. Stapleford stated that the City does not put direct quotes in meeting minutes and further stated that none of the information added to the June 17 minutes are direct quotes. Mr. Holtz added that he, Mrs. Stapleford, and Mrs. Leary reviewed the recording of the June 17 meeting and subsequently amended the minutes with a listing of speakers and a summary of their statements as had been requested. There was not a second to Mrs. McCain's motion.

Mayor Wortman called for the vote on Mr. Cashman's motion and it carried with five votes in the affirmative, one nay vote cast Mrs. McCain, and one member absent.

Mr. Cashman made the motion to approve the July 15, 2024, public hearing and regular meeting minutes as presented. Mr. Villella seconded the motion.

Mrs. McCain made the motion to amend the minutes by adding that during the public comment phase David Winans asked to respond to Mr. Cashman's statement, stating they were not true, and Mayor Wortman advised Mr. Winans that he was not able to speak on the matter due to the pending lawsuit. Mr. Villella pointed out that this was addressed on page 3 of the minutes. Mrs. McCain withdrew the motion.

Mayor Wortman called for the vote on Mr. Cashman's motion which carried unanimously among the Council members present.

### **CORRESPONDENCE**

Mayor Wortman read Angela Abreu's letter of resignation from the City Planning Commission and expressed his thanks for her service.

Mayor Wortman acknowledged receipt of a letter from Attorney Michael Agresti concerning Agenda Item No. 8.a. which was removed from the agenda.

### **GUEST PRESENTERS**

Antoinetta Lindell, of Chloe's Creamery, was welcomed as a City of Warren business owner and provided an overview of the Creamery's operations and product offerings.

Jenny Phillips, Warren Worx Marketing Director, provided an overview of current activities in working with the selected marketing firm, conducting outreach to communities throughout Warren County, and stakeholder meetings.

Tom Christeson addressed Council and provided an overview of the current status of various redevelopment projects at his Liberty Street projects.

### **RESOLUTION NO. 3262: WARREN-FOREST COUNTIES EOC MINOR SUBDIVISION**

Mr. Rossey stated that the Warren-Forest Counties Economic Opportunity Council (EOC) filed a minor subdivision application to annex its properties at 11 Madison Avenue (Parcel No. WN-584-7688) and 13 Madison Avenue (Parcel No. WN-584-7926) to Parcel No. WN-584-7697 (currently owned by Frank M. Geiger and Frank M. Geiger, Jr.) to form one parcel containing a total of 0.42 acres. The City Planning Commission and the Warren County Planning and Zoning Staff reviewed the subdivision and recommend Council's approval.

Upon motion by Mr. Villella and second by Miss Flasher, Council member present voted unanimously to approve the resolution authorizing the Warren-Forest Counties EOC Subdivision.

### **RESOLUTION NO. 3263: FAIR HOUSING**

Mrs. Byler stated that, as an entitlement community for the Community Development Block Grant (CDBG) program, the Pennsylvania Department of Community and Economic Development (DCED) requires annual adoption of a Fair Housing Resolution to demonstrate its dedication to Fair Housing practices. She further stated that, upon approval, the resolution will be posted on the City of Warren website and the public notices bulletin board in the Municipal Building.

Mr. Cashman made the motion to approve the Fair Housing resolution. The motion was seconded by Miss Flasher and carried unanimously among the Council members present.

#### **AGREEMENT: YOUNGSVILLE BOROUGH EMERGENCY MEDICAL SERVICES**

Chief Krogler stated that Youngsville Borough Council agreed to an agreement for the provision of EMS by the City Fire Department as a backup to their primary providers which are the Youngsville Volunteer Fire Department and EmeryCare, Inc. The agreement language and terms match the agreements with other members of the Multi-Municipal Emergency Services Commission.

Mr. Champlin suggested that there be a review of the time elapsed between dispatch and arrival on scene. Chief Krogler explained the dispatch procedure and noted the many variables that may impact the length of time until arrival on scene. He noted that the goal of EMS agreements is to minimize the time from dispatch to arrival.

Mr. Villella made the motion to approve the Emergency Medical Services agreement with Youngsville Borough. The motion was seconded by Miss Flasher and carried unanimously among the Council members present.

#### **AUTHORIZATION TO FILE SUIT FOR NONPAYMENT OF PAST DUE EMS FEES**

Mr. Cashman made the motion to authorize the law firm of Campbell Durrant, P.C., to file suit on the City's behalf against Conewango Township in the appropriate forum for the Township's failure to pay the City's fees for EMS services per the City's Ordinance No. 1969." Miss Flasher seconded the motion.

Mrs. McCain expressed her concern regarding the long-term cost of litigation versus the amount owed. Mayor Wortman noted that there have been ongoing discussions for one and a half years to come to an agreement with Conewango Township in regard to payment of the amount owed and all other alternatives have been exhausted.

Mayor Wortman called for the vote on Mr. Cashman's motion which carried with five votes in the affirmative, one nay vote cast by Mrs. McCain, and one member absent.

#### **COMMITTEE UPDATES**

**Marketing Committee:** Mr. Villella stated that he is continuing to monitor viewership for the video recordings of City Council meetings. He indicated that he is working with John Papalia, of the Warren County Chamber of Business and Industry, to compile a listing of online business resources to be linked on the City website.

**Council of Governments (COG):** Miss Flasher reported that Terri Cunkle, Department of Community and Economic Development, was the presenter and provided information regarding grant opportunities. She also noted that the State has regionalized some planning and two planners have been hired to work in the Northwest Region.

**Comprehensive Plan Task Force:** Mr. Rossey that the group met on August 13 and reviewed preliminary plans to remedy drainage issues at Mulberry Playground. The members of the Downtown Group within the Task Force is planning a "Fall for Warren" event. Also planned is a meeting with a wayfinding signs vendor for discussion of the company's proposal.

## **DEPARTMENT REPORTS – JULY, 2024**

The following reports were provided for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Codes, Planning, and Zoning Department

Mayor Wortman called attention to the budget process outline and schedule included in Council members packets. He asked that any members with scheduling conflicts notify Mr. Holtz and Mrs. Byler.

In response to Mrs. McCain's question regarding notice of public hearings, Mrs. Byler provided an overview of the Community Development Block Grant requirement for public hearings and stated that the public hearings are advertised via a public notice in the Times Observer, the City's website, and Facebook.

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

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	– June 20, 2024	Regular Meeting
Parks, Recreation & Landscape Commission	– June 25, 2024	Regular Meeting
Planning Commission	– June 19, 2024	Regular Meeting
Redevelopment Authority	– June 26, 2024	Regular Meeting

## **ADJOURNMENT**

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