

The City Council met in regular session in the Council Chambers on Wednesday, February 21, 2007 at 7:30 p.m.

Council members present: Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

On motion of Mr. Thompson, Seconded by Mr. González, the reading of the minutes of the meeting of February 14, 2007 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

Copies of the bills under date of February 23, 2007 were given to City Council and same adopted by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0, with the exception of invoices for the Bureau of Police (Hispanic-American Council) on which Mr. González abstained from voting and NATO Center invoices on which Mrs. Jenkins-Husband abstained from voting.

By Mr. Jones, Council File Ordinance #15,499, Pending Official File Ordinance #8-2007 an ordinance amending Article 1503, Uniform Construction Code, Section 1503.21, Standards, to adopt and incorporate by reference the **International Property Maintenance Code 2006**.

February 21, 2007. City Council on motion of Mr. Jones, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,499 and now known as Pending Official File Ordinance #8-2007, does hereby adopt on final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,500, Pending Official File Ordinance #9-2007 an ordinance amending Article 1503, Uniform Construction Code, Section 1502.77, Examinations, to allow the **International Code Council** to perform testing for journeyman and master plumbers.

February 21, 2007. City Council on motion of Mr. Cappabianca, Seconded by Mr. Thompson, **TABLED** action on the foregoing ordinance for one week by yeas Council Members Cappabianca, González, Schember, Thompson and Jenkins-Husband. 5. Nays. Mrs. Horan-Kunco and Mr. Jones. 2.

By Mr. Schember, Council File Ordinance #15,501, Pending Official File Ordinance #10-2007

an ordinance amending the Codified Ordinances of the City of Erie, Part One (Administrative Code), Title Seven (Employment Provisions, Pensions), Article 147 (**Police Employees' Pension Plan**), Section 147.01 (Definitions), Subsection 147.01(q) (Final Pay) by amending the definition of "Final Payment" to meet the requirements for qualification of the Pension Plan under the Internal Revenue Code and eliminating Subsection 147.10 (Partial Lump Sum Distribution Option) in accordance with the repealer adopted by City Council on December 20, 2006.

February 21, 2007. City Council on motion of Mr. Schember, Seconded by Mr. Jones, having read Council File Ordinance #15,501 and now known as Pending Official File Ordinance #10-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,502 Pending Official File Ordinance #11-2007

an ordinance amending the Codified Ordinances of the City of Erie, Part One (Administrative Code), Title Seven (Employment Provisions; Pensions), Article 149 (**Firefighters' Pension Fund**), Section 149.01 (Definitions), Subsection 149.01(o) (Final Pay) by amending the definition of "Final Pay" to meet the requirements for qualification of the Pension Fund under the Internal Revenue Code and eliminating Subsection 149.09 (Partial Lump Sum Distribution Option) in accordance with the repealer adopted by City Council on December 20, 2006.

February 21, 2007. City Council on motion of Mr. Schember, Seconded by Mr. Jones, have read council File Ordinance #15,502 and now known as Pending Official File Ordinance #11-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Schember, Council File Ordinance #15,503, Pending Official File Ordinance #12-2007 an ordinance amending Codified Ordinances of the City of Erie, Part One (Administrative Code), Title Seven (Employment Provisions; Pensions), Article 145 (**Officers' and Employees' Retirement System**), Section 145.02 (Definitions), Subsection 145.02(o) (Final Pay) by amending the definition of "Final Pay" to meet the requirements for qualification of the Retirement System under the Internal Revenue Code.

February 21, 2007. City Council on motion of Mr. Schember, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance 15,503 and now known as Pending Official File Ordinance #12-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,504, Pending Official File Ordinance #13-2007

an ordinance appropriating the sum of **\$4,563.36** from unappropriated and unanticipated revenue from Account #002-0000-0000-3672 Fire Training Reimbursement from the NWP AERG Region 2 **Terrorism Task Force** for reimbursement for fire training and providing for the expenditure thereof from the General Fund by allocating said amount to Account #002-0639-0000-4043 Education & Training.

February 21, 2007. City Council on motion of Mr. Cappabianca, Seconded by Mr. González, having read Council File Ordinance #15,504, and now known as Pending Official File Ordinance #13-2007, does hereby adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,505, Pending Official File Ordinance #14-2007

an ordinance appropriating the sum of **\$14,000.00** from unappropriated and unanticipated revenue from Account #015-0000-0000-3641 Contributions (from the Sisters of Mercy and Sam's Club Foundation) for the purchase of fire prevention supplies and equipment for the Bureau of Fire, the purchase of law enforcement equipment for the Bureau of Police and for Winter Maintenance Equipment for the Bureau of Streets, and providing for the expenditure thereof by allocating said sums to Account #015-0613 (0639 and 0713) 0000-4078 Machinery & Equipment.

February 21, 2007. City Council on motion of Mr. Schember, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,505, and now known as Pending Official File Ordinance #14-2007, does hereby adopt by yeas Council Members, Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,506, Pending Official File Ordinance #15-2007

an ordinance appropriating the cash balance of **\$67,535.74** from unappropriated 2003 Recycling Grant monies from Account #263-0731-2006-3334 DEP Recycling Grant-PA OPR GNT Environmental Resources and providing for the expenditure thereof by allocating said sum to Account #263-0731-2006-4078 Machinery and Equipment.

February 21, 2007. City Council on motion of Mr. Schember, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,506 and now known as Pending Official File Ordinance #15-2007, does hereby adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21-2007. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,507

an ordinance amending Zoning Ordinance #80-2005 by allowing for the Development of **Multi-Family Dwellings** in the **C-3 Districts** to a density of one dwelling unit to every 1000 square feet of building space.

February 21, 2007. City Council on motion of Mr. Jones, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,507, does hereby adopt on First Reading by yeas Council Members González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 6. Nays. Mr. Cappabianca. 1.

By Mr. Cappabianca, Council File Ordinance #15,508

an ordinance appropriating the sum of **\$3,200.00** from unappropriated and anticipated revenue from Account #002-0000-0000-3659 DA Weed & Seed Reimbursement and providing for the expenditure thereof by allocating said sum to Account #002-0613-0000-4059 Other Services & Charges. (2007 Erie Police General Fund)

February 21, 2007. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,508, does hereby adopt on First Reading by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson, and Jenkins-Husband. 7. Nays. 0.

By Mr. González, Council File Ordinance #15,509

an ordinance amending Official Ordinance #26-1958, known as the Traffic Code of the City of Erie, by providing for **Stop Signs** on **Plymouth Street** at its intersection with Crescent Drive stopping east/west traffic and on **Virginia Avenue** at its intersection with Delaware Avenue stopping north/south traffic.

February 21 2007. City Council on motion of Mr. González, Seconded by Mr. Thompson, having read Council File Ordinance #15,509, does hereby adopt on First Reading by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

By Mrs. Jenkins-Husband, Seconded by Council Members Cappabianca, González Horan-Kunco, Jones, Schember and Thompson, Resolved etc.,

WHEREAS, the City Council of the City of Erie wishes to issue special tribute to **Mr. Bob Sanders**, a local Erie athlete and member of the Indianapolis Colts National Football League Super Bowl XLI World Champions that defeated a strong Chicago Bears team by the score of 29 to 17, and

WHEREAS, Bob has truly been an inspiration and motivator to his team mates and was attributed with a major turn around in the performance of the defensive unit during the crucial playoff season, and

WHEREAS, Bob was a star athlete on the cathedral Prep High School Football Team where he earned a full football scholarship from the University of Iowa where he earned honorable mention as an All Big Ten freshman, helped Iowa to its first undefeated conference season in 80 years as a junior and was a first team All Big Ten and All American. He concluded his successful career at Iowa University by being named defensive team captain and MVP after the season, as well as first team All Big Ten Conference and All American for the second year in a row, before being drafted by the Indianapolis Colts in the 2004 Draft, so

THEREFORE, BE IT RESOLVED by the Council of the City of Erie that this commendation is hereby presented to Mr. Bob Sanders and we extend to him our best wishes and good fortune in the years ahead.

February 21, 2007. City Council adopt by yes Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Thompson

Resolved, by the Council of the City of Erie, That

WHEREAS, the City Council of the City of Erie wishes to pay special tribute to the **Sisters of Saint Benedict**, for their conscientious and dedicated work in the Erie community and for their caring mission and assistance in helping individuals and families change their lives with the creation of innovative programs and neighborhood initiatives and

WHEREAS, the Sisters of Saint Benedict should be commended for their numerous neighborhood projects such as the successful after school program KIDS CAFÉ, the Erie Art House Project and for all their efforts and continued work on the Parade Street Development Initiative, by actively participating and serving on the Parade Street Development Corporation, and offer a helping hand to all who seek assistance at the Saint Benedict Community Center as they humbly serve the community in charity and love, so

THEREFORE BE IT RESOLVED by the Council of the City of Erie that this commendation is hereby presented to the official representatives of the Sisters of Saint Benedict along with our grateful appreciation for the wonderful works they accomplish each day and we extend to them our very best wishes for continued success on behalf of the entire Erie Community.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Jenkins-Husband. 7. Nays. 0.

February 21 2007. Signed by the President. Attested by the City Clerk.

NOTE: Similar tributes were also given to the **Sisters of Mercy** for their participation and work on the McClelland Park Project with the Neighborhood Association and for providing us with outstanding educational facilities at both Mercyhurst Preparatory High School and Mercyhurst College and annually providing the City of Erie a substantial contribution for our Public Safety needs while practicing their mission of mercy through humility and love for their fellow man.

Also to the **Sisters of Saint Joseph** for their work in the Little Italy Neighborhood Watch Group, the establishment of the Saint Joseph Neighborhood Association, shelters for the homeless and most of all their affiliation with Saint Vincent Medical Center.

Also to **Mary Beth Kennedy** who has established the Community of Caring that provides charitable services to all who seek comfort and was the founder of the Community Country Day School, an educational facility for at risk youths in our region.

By Mr. Thompson, Seconded by Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Jenkins-Husband

Resolved, by the Council of the City of Erie, That

WHEREAS, the City Council of the City of Erie wishes pay special tribute to **Sgt. Karar Alabsawi**, a native born Iraqi, who arrived in the United States some nine years ago and became an American citizen, graduated from Erie East High School where he participated in swimming and cross country and joined the JROTC and the Drill Team and

WHEREAS, Sgt. Alabsawi joined the PA National Guard while still in High School and after graduation volunteered to join the U. S. Army for active duty, was stationed in Iraq where he sustained serious leg injuries while serving with the 1st Armoured Division, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to Sgt. Karar Alabsawi, along with our heartfelt thanks and admiration for his sacrifice in the defense of American freedom and extend to him our best wishes and god luck in all of this future endeavors.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

NOTE: Certificates of Recognition were also presented to the East High School JROTC for promotion and Development of leadership potential through education, and to Vance Carter and Joseph Lesniewski for Conscientious and Dedicated Service as members so the Purple Heart Foundation.

By Mr. Jones, Seconded by Mr. Schember, Resolved, etc.,

That pursuant to the provisions of Zoning Ordinance #80-2005 and the Public Hearing held before City Council on Wednesday, February 7th, the request submitted by the **Erie-Western Pennsylvania Port Authority** for Waterfront Conditional Use at **Liberty Park** for the construction of a Concession Stand and Restroom Facilities is hereby approved.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

Honorable Mayor and President of City Council

February 2, 2007

RE: Landlord Licensing Ordinance

Dear Council Members and Mayor Sinnott:

I am writing you as Counsel for the Housing Authority of the City of Erie concerning the Landlord Licensing Ordinance. I have had the opportunity to review the ordinance and specifically Section 330.05 entitled "Exemptions". It is my understanding the intent of this section was to exempt the property owned by the Housing Authority of the City of Erie in accordance with paragraph (a) and (b) of this section. These sections state as follows:

"The registration and licensing provisions of this article shall not apply to:

(a) All property owned by the Housing Authority of the City of Erie which is inspected by the City of Erie Department of Code Enforcement to assess conformance with federal standards.

(b) Hospitals, nursing homes, group homes or other rental unities used for habitation where the facilities are subject to County, State or Federal licensing and inspection. Inspections of these facilities must be at a level which meets or exceeds the Code.

In reviewing these two sections, it appears there was a misunderstanding in regard to the present system on inspections as it relates to the Housing Authority of the City of Erie. The Housing Authority of the City of Erie properties are not inspected by the City of Erie Department of Code enforcement. Second, the Housing Authority of the City of Erie is not licensed by any County, State or Federal agency nor does any County, State or Federal Agency perform inspections of Housing Authority property. Although the intent of City Council was to exempt the Housing Authority of

the City of Erie from the registration and licensing provisions, the practical application of the language used results in a determination that the Housing Authority of the City of Erie is not exempt from the registration and licensing provisions.

The Housing Authority properties are inspected by an independent third party to assess conformance with federal standards. In light of these facts, it is proposed that a technical amendment to Section 330.05 paragraph (a) be made and approved by City Council after appropriate public notice which will modify paragraph (2) as follows:

(a) All property owned by the Housing Authority of the City of Erie, which is inspected by an independent third party certified by the United States Department of Housing and Urban Development (HUD) to perform inspections that comply with HUD's Real Estate Assessment Center's Uniform Physical Condition Standards.

If you have any questions concerning this matter, please contact me at any time.

Very truly yours,
KNOX McLAUGHLIN GORNALL & SENNETT
s/ Timothy M. Sennett

By Mr. David González, Seconded by Mr. Thompson, Resolved, etc.,

That the City Solicitor is authorized and directed to prepare an ordinance amending Official Ordinance #73-2006, commonly known as the **Landlord Licensing Ordinance**, Section 330.05, Paragraph (a) to read... "All property owned by the Housing Authority of the City of Erie, which is inspected by an independent third party certified by the United States Department of Housing and Urban Development (HUD) to perform inspections that comply with HUD's Real Estate Assessment Center's Uniform Physical Condition Standards". (This amendment is necessary to clarify the language of Section 330.05 as presently stated.)

February 21, 2007. City Council adopt by yeas Council Members González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 6. Nays. Mr. Cappabianca. 1.

February 21, 2007. Signed by the President. Attested by the City Clerk.

Honorable Joseph Sinnott, Mayor
Mr. Casimir Kwitowski, City Controller
Members of City Council
626 State Street, Erie Pa. 16501-1128

February 8, 2007

Ladies and Gentlemen:

We are pleased to confirm our understanding of the services we are to provide the City of Erie, Pennsylvania for the year ended December 31, 2006. We will assist the City of Erie with the preparation and timely completion of the annual Commonwealth of Pennsylvania "Annual Audit and Financial Report". This Department of Community and Economic Development (DCED) report will be represented on the modified accrual basis of accounting. The City is responsible for submission of the DECD report including certification of the DCED opinion.

We expect to begin our services on approximately February 12, 2007. The report is due on or before March 1, 2007. Our fee for these services will be at our standard hourly rates. We agree that all services provided will be billed at \$103.00 per hour regardless of the personnel assigned to the engagement. Our invoices for these services will be rendered on March 1, 2007 and are payable on presentation. If these services extend into March 2007 said services are payable upon presentation of related invoices.

We appreciate the opportunity to be of service to the City of Erie, Pennsylvania and believe this letter accurately summarized the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of the engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,
McGill, Power & Bell, LLP

By Mrs. Jenkins-Husband, Seconded by Mr. Schember, Resolved, etc.,

That the proper City officials are authorized and directed to execute a contract between the City of Erie and **McGill, Power, Bell & Associates, LLP**, 1920 West 8th Street, Erie Pa., for preparation of the **Annual Audit and Financial Report (CAFR)** for fiscal year 2006 at \$103.00/hour, per letter of engagement submitted on February 8, 2007.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mr. Schember, Resolved, etc.,

That the proper City officials are authorized and directed officials to execute a contract between the City of Erie and **McGill, Power, Bell & Associates, LLP**, 1920 West 8th Street, Erie, Pa., for preparing the **Single Audit Report** package for fiscal year 2006 as per submission of their engagement letter, for a fee of \$89,000 for the audit for the year ended December 31, 2006 and \$92,500 for the audit for the year ended December 31, 2007.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Schember, Resolved, etc.,

That the proper City officials are authorized and directed officials to enter into a contract with the law firm of **Knox McLaughlin Gornall & Sennett**, 120 West 10th Street for negotiation of the labor contract between the City of Erie and **Erie Firefighters Local 293** which expires December 31, 2007 at a rate of \$165.00 per hour. (Contract not to exceed \$20,000.00.)

February 21, 2007. City Council adopt by yeas Council Members Cappabianca González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.
February 21, 2007. Signed by the President. Attested by the City Clerk.

February 8, 2007

To: Rubye Jenkins-Husband, City Council President and Members of City Council
From: Kim Green, Director of Economic and Community Development
Re: Reprogramming of \$300,000 of grant funds under PA Department of Community and Economic Development Housing and Redevelopment Assistance Program Contract No. C00013139; (Grant originally authorized by City Council on April 7, 2004)

As you are all aware, the city of Erie must transfer the above referenced funds to other uses because the money must be spent by June 30, 2007. The funding was originally intended for the proposed Invest Erie Community Development Corporation's Parade Street Plaza that would have included a limited-inventory grocery store. The grocery store project stalled under Invest Erie because they could not demonstrate that it had the ability to build the project and to complicate matters Invest Erie filed a lawsuit against the City. We cannot continue to hold the funds with the hope that the Parade Street Plaza development will take place.

Therefore, in order to preserve this funding and to make good use of the money, we are submitting a request to the PA Department of Community and Economic Development to have the funds reprogrammed for use by the City of Erie and the Redevelopment Authority of the City of Erie (ERA) as part of the plan to revitalize Erie's downtown improvement district - See attached "Impact Erie" narrative for full details.

In conjunction with the request to have the funds reprogrammed we will enter into a Cooperation Agreement with ERA as they will be the sub-recipient of the money. ERA will use this grant money as defined in the narrative. To facilitate this process, we have prepared the attached resolution which requires Council action on Wednesday, February 14, 2007.

If you have any questions, please direct them to my attention at 870-1270 or by email at kgreen@erie.pa.us.

By Mrs. Horan-Kunco, Seconded by Mr. Thompson, Resolved, etc.,

That the Mayor and other appropriate City officials are authorized and directed to file a proposal with the Pennsylvania Department of Community and Economic Development (**DCED**) to allow for reprogramming of \$300,000 in grant funds. These funds are available under the Housing and Redevelopment Assistance Program, Contract #C000013139, which was awarded to the City in July 2005. The contract activity period under this contract is between July 1, 2004 and June 30, 2007.

WHEREAS, the City of Erie is desirous of having the funds reprogrammed for use in the downtown improvement district "Impact Erie" project as defined in the project narrative. This revitalization project ties to the prevention and elimination of blight under Section 4 (c) of the Housing and Redevelopment Assistance Law, as amended.

BE IT FURTHER RESOLVED, that the Mayor and other elected officials are authorized to execute a contract amendment authorizing the reprogramming of the funds, and to execute a Cooperation Agreement with the Redevelopment Authority of the City of Erie (ERA) as a sub-recipient of the funds.

BE IT FURTHER RESOLVED, that the City of Erie and ERA will assume the provision of the full share of project costs.

BE IT FURTHER RESOLVED, that the City of Erie and ERA will reimburse the Commonwealth for the State's share of any expenditures found by DCED to be ineligible.

BE IT FURTHER RESOLVED, that the Secretary of the Erie City Council is directed to execute a certificate attesting to the adoption of this resolution and to furnish a copy of the resolution to DCED.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.
February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mr. González, Resolved, etc.,

WHEREAS, Erie City ("applicant") desires to apply to the Department of Conservation and Natural Resources ("Department") for a grant for the purpose of carrying out the McClelland Park Master Plan project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Signature Page for Grant Application and Grant Agreement"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant", including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

WHEREAS, the applicant understands that by signing the "Signature Page for Grant Application and Grant Agreement" and submitting it to the Department as part of the grant application, the applicant agrees to the terms and conditions of the grant and will be bound by the Grant Agreement if the Department awards a grant;

NOW, THEREFORE, it is resolved that

1. The official with the title of Mayor is authorized to sign the "Signature Page for Grant Application and Grant Agreement" on behalf of the applicant.

2. If this official signed the "Signature Page for Grant Application and Grant Agreement" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.

3. If the applicant is awarded a grant, the "Signature Page for Grant Application and Grant Agreement" signed by the above official will become the applicant/grantee's executed signature page for the Grant Agreement and the applicant/grantee will be bound by the Grant Agreement.

February 21, 2007. City Council adopt by yes Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

James Klemm, City Clerk
Erie City Council, 626 State Street, Erie, Pa.

January 31, 2007

Dear Mr. Klemm:

I am writing on behalf of one of our clients affected with Multiple Sclerosis. He has asked us to financially assist him with his overdue taxes from 2006. He owes \$569.71. Our financial assistance policy enables us to put \$500 toward these delinquent taxes, which we have done.

I have discussed this situation with Erie County Council and understand they will also forgive county fee if city fees are relinquished.

Our client, Matthew Komar, has fallen behind with his taxes and other financial responsibilities due to MS. He is in the process of applying for SSDI. We feel he is in a temporary position and will be able to balance financial matters once his SSDI claim is approved. He has taken the necessary steps to have a monthly tax budget prepared for him as well as utility bills. With our help and the two councils' forgiveness of penalties, interest and cost fees of \$96.26 it would mean a great deal to Matt and to us.

Because we have paid \$500 toward this bill, we re asked you to remove or reduce the penalty of \$34.52 that was applied to his city taxes. We can then ask Erie County Council to remove or reduce the \$61.74 of their penalty fees. Enclosed you will find all necessary information on his tax bill.

Thank you for your time and consideration on this matter. Please call me at 814-838-8263 if you have any questions.

Sincerely,

s/ Mary Lee Jackson, Program Director
NMSS, Erie Branch, P.O. Box 8152

That the City Treasurer is authorized and directed to waive the interest and penalty accrued with regard to the 2006 real estate taxes due for property located at **927 West 17th Street**, Erie county Assessment Index Number (16) 3043-109, owned by **Matthew James Komar**, in accordance with the request received from Mary Lee Jackson of the National Multiple Sclerosis Society dated January 31, 2007, a copy of which is attached hereto. The penalty amount to be waived is \$31.89. Interest accrued is \$2.63. The total amount of penalty and interest to be waived is \$34.52.

February 21, 2007. The foregoing resolution was withdrawn from consideration due to lack of a sponsor and a second to the motion.

To: Council President Rubye Jenkins-Husband
From: Mayor Joseph E. Sinnott
Re: City Planning Commission Appointment

February 8, 2007

Please be advised that I am appointing Mr. Thomas DeBello to the City Planning Commission, replacing Mr. Michael DeDad. Mr. DeBello had previously served on the County Planning Commission and brings with him many years of experience.

Thank you.

By Mrs. Jenkins-Husband, Seconded by Mr. Thompson, Resolved, etc.,

That the communication from Mayor Joseph Sinnott noting that he has appointed **Thomas DeBello** to the **City Planning Commission** for a four year term of office expiring December 31, 2010, replacing Michael DeDad whose term expired December 31, 2006. City Council receive and confirm.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

February 21, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mr. Thompson, Resolved, etc.,

That the Mayor and City Controller are authorized and directed to execute contract between the City of Erie and the following individuals and/or companies for goods and/or services as noted and the City Council does hereby ratify the said transaction which is to be charged to the respective Budget Code Numbers, viz:

1. **Stephan R. Chatman**, Aid Team Coordinator/Project Manager, for providing professional services and operations for the "Weed and Seed" Program, 1401 Wallace Street, for the City of Erie, Bureau of Police not to exceed the sum of \$66,096.67. (This amount represents the City of Erie contribution to the Weed and Seed Program through 2007 to support the grant from the Pennsylvania Commission on Crime and Delinquency)
2. **RJN Group**, 200 West Front Street, Wheaton, IL, for CASS Works Software and Implementation Services necessary for use by the Sewers Division of Collection of the City of Erie at a total cost of \$15,550.00. (See following communication)

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.
February 21, 2007. Signed by the President. Attested by the City Clerk

To: Mr. Joseph Schember, City Councilman February 1, 2007
From: Jim Gorski, Chief of the Bureau of Sewers
Re: Council Agenda

Appearing on the February 21st Council Agenda is a requisition for Cass Works Software and the Implementation Services necessary. The software is only obtainable from the RJN Group at a cost of \$15,550. This is the software used at the Bureau of Sewers Division of Collection for tracking all sewer maintenance performed. It tracks problem areas, preventative and corrective maintenance performed. The use of this software is invaluable in reducing sewer user backups and the associated damage claims which would be paid. The current version being used is out of date and quite limited in what may be achieved through its use. It will be paid for from the 007-0773-0000-4079 Office Equipment Account. This was a line item in the 2007 Budget.

By Mr. Schember, Seconded by Mr. Cappabianca, Resolved, etc.,

That the City Purchasing Agent is authorized and directed to issue purchase orders to the following individuals and/or companies for goods and/or services as noted and the City Council does hereby ratify and confirm the said transaction which is to be charged to the respective Budget Code Numbers, viz:

1. **Erie County Prothonotary**, Erie County Court House, 140 West Sixth Street, for the payment of Municipal Liens for the Economic and Community Development Department of the City of Erie at a total cost of \$2,553.00.
2. **Markl Supply Company**, 4029 Perrysville Highway, Pittsburgh, Pa. for fifty cases of Speer Lawman .45 caliber training ammunition for the Bureau of Police for the sum of \$7,892.50.
3. **Ace Viking Electric Motor Company**, 2222 East 30th Street, Erie, Pa., for Emergency Repairs to the Emergency Generator at the Central Fire Station for the Bureau of Fire at a total cost of \$2,090.00.
4. **Multiforce Systems Corporation**, 101 Wall Street, Princeton, NJ, for Fuelforce Hardware and Software Upgrades for the Municipal Garage at a total cost of \$5,015.00.
5. **Overhead Door Company of Greater Erie**, 2835 West 23rd Street, Erie, Pa., for two (2) overhead garage doors for the Bureau of Streets for the sum of \$7,245.00.

February 21, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.
February 21, 2007. Signed by the President. Attested by the City Clerk.

February 21, 2007. City Council on motion of Mr. Thompson, Seconded by Mr. González, adjourned at 10:17 p.m. by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

Attest:

President of City Council

City Clerk