

The City Council met in regular session in the Council Chambers on Wednesday, June 20, 2007 at 7:30 p.m.

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

On motion of Mr. Thompson, Seconded by Mr. Schember, the reading of the minutes of the meeting of June 6, 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 June 16th and June 22nd, 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 to all NATO Centers on which Mrs. Jenkins-Husband abstained.

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By Mrs. Horan-Kunco, Council File Ordinance #15,525, Pending Official File Ordinance #34-2007

an ordinance appropriating the sum of \$3,647,122.00 from unappropriated and anticipated revenue from Account #501-0000-0000-3301 Federal Operating Grant HUD; \$720,381.00 Reprogrammed Funds from previous Community Development Block Grant (CDBG) and \$20,000.00 from 3699 Miscellaneous Sources for a total of **\$4,387,503.00** and providing for the expenditure thereof by allocating said funds to various accounts in the Thirty-Third Year (CDXXXIII) projects, for the Curb Cut Project; Sidewalk/Site Improvement Project; Tree Removal and Replacement Project; Park/Playground Improvement Project, Economic and Community Development; Community Development Projects; Community Improvement Projects; Summer Recreation Program; Demolition Projects and Community Policing Project.

June 20, 2007. City Council on motion of Mfrs. Horan-Kunco, Seconded by Mr. Thompson, have read Council File Ordinance #15,525, and now known as Pending Official file Ordinance #34-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File Ordinance #15,526, Pending Official File Ordinance #35-2007

an ordinance appropriating the sum of **\$1,003,723.00** from unappropriated and anticipated revenue to be received from Account #505-0000-0000-3305 Federal Operating Grant HUD HOME Program and providing for the expenditure thereof by allocating said funds to various 505-1239-2007-40xx 44xx and 45xx accounts.

June 20, 2007. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Thompson, having read Council File Ordinance #15,526 and now known as Pending Official File Ordinance #35-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File Ordinance #15,527, Pending Official File Ordinance #36-2007

an ordinance appropriating the sum of **\$156,934.00** from unappropriated and anticipated revenue to be received from the U. S. Department of Housing and Urban Development, Account #506-0000-0000-3306 and providing for the expenditure thereof by allocating said funds to various #506-1254-2007-40xx 44xx and 45xx accounts.

June 20, 2007. City council on motion of Mrs. Horan-Kunco, Seconded by Mr. Thompson, having read Council File Ordinance #15,527, and now known as Pending Official file Ordinance #36-2007, does hereby adopt on Final Passage by yeas council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,528, Pending Official File Ordinance #37-2007

an ordinance appropriating the sum of **\$47,200.00** from unappropriated and anticipated revenue to be received from the Erie School District (\$40,000.00) and the Erie Housing Authority (\$7,200.00), Account #259-1219-2007-3641 Contributions and providing for the expenditure thereof by allocating said funds to Account #259-1219-2007-4552 Summer Recreation Program.

June 20, 2007. City Council on motion of Mr. Schember, Seconded by Mr. Thompson, having read Council File Ordinance #15,528 and now known as Pending Official File Ordinance #37-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Council File Ordinance #15,529, Pending Official File Ordinance #38-2007

an ordinance amending Official Ordinance #26-1958 known as the Traffic Code of the City of Erie by providing for the installation of **Stop Signs** at 32 various locations upon the request of the City Traffic Engineer:

1. NE and SW corner of Walker Blvd. & Hilltop Road stopping traffic on Hilltop Road
2. NW corner of West 40<sup>th</sup> Street & Davenport Avenue stopping traffic on Davenport
3. NE corner of Liberty Street & West 40<sup>th</sup> Street stopping traffic on West 40<sup>th</sup> St.
4. NE Corner of Wood Street & West 41st street stopping traffic on West 40<sup>th</sup> Street
5. NE Corner of Wood Street & West Grandview Blvd. Stopping traffic on W. Grandview
6. SE Corner of Arlington Road & Walker Blvd. stopping traffic on Walker Blvd.
7. SE corner of Hilltop Road and Hillcrest Avenue stopping traffic on Hillcrest Avenue
8. SE corner of Arlington Road & Edgevale Drive stopping traffic on Edgevale Drive
9. NE and SW corner of Hilltop Road & Edgevale Drive stopping traffic on Hilltop
10. SE corner of Glenwood Blvd. & Sunnydale Blvd. stopping traffic on Sunnydale Blvd.
11. SE Corner of Glenwood Blvd. & Homeland Blvd. stopping traffic on Homeland Blvd.
12. SE and NW corner of West Grandview Blvd. & Homeland Blvd stopping Homeland Blvd. (replacing the existing yield signs)
13. SW corner of Elmwood Avenue and West 44<sup>th</sup> Street stopping traffic on West 44<sup>th</sup> St.
14. SW corner of Cherry Street & West 21<sup>st</sup> Street stopping West 21st Street
15. SW corner of Cherry Street & West 22<sup>nd</sup> Street stopping West 22<sup>nd</sup> Street
16. SW corner of Cherry Street & West 22<sup>nd</sup> street stopping West 22<sup>nd</sup> street
17. SW corner of Cherry Street & West 25<sup>th</sup> Street stopping West 25<sup>th</sup> Street
18. NE corner of West 28<sup>th</sup> & Sigsbee stopping West 28<sup>th</sup> Street
19. NE corner of Gerry Avenue & Canton Avenue stopping Canton Street
20. SW corner of Schaper Avenue & Canton Avenue stopping Canton Avenue
21. SW corner of Schaper Avenue & West 35<sup>th</sup> Street stopping West 35<sup>th</sup> Street
22. NW and SE corner of Post Avenue & West 34<sup>th</sup> Street stopping Post Avenue
23. NE corner of Stough Avenue & West 33<sup>rd</sup> street stopping West 33<sup>rd</sup> Street
24. SW corner of Stough Avenue & West 34<sup>th</sup> (north) stopping West 34<sup>th</sup> Street
25. NE corner of Stough Avenue & West 34<sup>th</sup> Street (south) stopping West 34<sup>th</sup> Street
26. NE corner of Stough Avenue & West 35<sup>th</sup> Street stopping West 35<sup>th</sup> Street
27. SE corner of Stough Avenue & West 36<sup>th</sup> Street (north) stopping West 36<sup>th</sup> Street
28. NE corner of Stough Avenue & West 36<sup>th</sup> Street (south) stopping West 36<sup>th</sup> Street
29. NE corner of Stough Avenue & West 37<sup>th</sup> Street (north) stopping West 37<sup>th</sup> Street
30. SW corner of Stough Avenue & West 37<sup>th</sup> Street (south) stopping West 37<sup>th</sup> Street
31. NE corner of Post Avenue & West 37<sup>th</sup> Street stopping Post Avenue
32. NE and SW corner of Reed Street & East 32<sup>nd</sup> Street stopping East 32<sup>nd</sup> Street (replacing existing yield signs)

June 20, 2007. City Council on motion of Mr. Thompson, Seconded by Mr. Schember, having read Council File Ordinance #15,529 and now known as Pending Official File Ordinance #38-2007, does hereby adopt on adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Council File Ordinance #15,530, Pending Official File Ordinance #39-2007

an ordinance closing and vacating **Keats Avenue** which extends from the south line of Peach Street to the north line of West 38<sup>th</sup> Street to provide for the expansion of the Glenwood Branch of the YMCA.

June 20, 2007. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Schember, having read Council File Ordinance #15,530 and now known as Pending Official File Ordinance #39-2007, does hereby adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Council File Ordinance #15,531

an ordinance appropriating the sum of **\$67,000.00** from unappropriated and unanticipated revenue from Account #002-0000-0000-3641 Contributions (Mercy-hurst College) and providing for the expenditure thereof by allocating said funds to Account #002-0963-0000-4160 July 4<sup>th</sup> Celebration.

June 20, 2007. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,531, 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. Cappabianca, Council File Ordinance #15,532  
an ordinance appropriating the sum of **\$85,052.23** from unappropriated and anticipated revenue from Account #231-0613-2007-3337 Insurance Fraud Prevention and providing for the expenditure thereof by allocating said funds to various #231-0613-2007-40xx accounts. (2007 Insurance Fraud Prevention) (The grant period is July 1, 2007 to June 30, 2008)

June 20, 2007. City Council on motion of Mr. Cappabianca, Seconded by Mr. Schember, having read Council File Ordinance #15,532 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. Cappabianca, Council File Ordinance #15,533  
an ordinance appropriating the sum of **\$93,242.23** from unappropriated and anticipated revenue from Account #230-0613-2007-3337 Auto Theft Prevention and providing for the expenditure thereof by allocating said funds to various #231-0613-2007-40xx accounts (2007 Auto Theft Prevention) The grant period is July 1, 2007 to June 30, 2008)

June 20, 2007. City Council on motion of Mr. Cappabianca, Seconded by Mr. González, having read Council File Ordinance #15,533, does hereby adopt on First Reading by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

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**WAIVE RULES**

By Mr. González, Seconded by Mr. Schember, Resolved, etc.,  
That the City Council meeting scheduled for Wednesday, **July 11, 2007 at 9:00 a.m.** is hereby **re-scheduled to 7:30 p.m.**

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.  
June 20, 2007. Signed by the President. Attested by the City Clerk.

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HONORABLE MAYOR, PRESIDENT AND MEMBERS OF CITY COUNCIL

The Planning Commission at it's regularly scheduled meeting held May 15, 2007 reviewed and made recommendations on the following projects:  
Review a re-zoning request by Vernon Brown for the rezoning of property located on and around 1909 Franklin Avenue from R-1 to C-2.

Vernon Brown, Property Owner, was present to provide information regarding the request to re-zone property for the construction of a retail plaza. It was noted that while this was referred to the Planning Commission by City Council initiative, Mr. Brown had secured several signatures of the surrounding property owners at the request of City Council.

- Upon review, the Planning Commission noted the following:
- \* that there is a need for new construction within the City of Erie;
  - the area is currently mixed use with Manufacturing, Residential and Commercial properties within a two (2) block radius, and;
  - a proposed owner occupied residential unit within the plaza allows for close oversight of the property;

On a motion by Mr. Antalek, Seconded by Mr. DeBello, the City of Erie Planning Commission recommends approval of the re-zoning request conditioned upon a favorable letter being received from the Erie Housing Authority and the two abutting neighboring properties.]

Motion Carried

By Mr. Jones, Seconded by Mr. Thompson, Resolved, etc.,  
That the communication from the City Planning Commission notifying City Council of the following recommendation with regard to Zoning Ordinance amendments and authorizing and directing the City Clerk to advertise notice of a Public Hearing relative to same to be held on Wednesday, July 11, 2007 commencing at approximately 8:00 p.m.:  
A recommendation to approve the request of Vernon Brown for the rezoning of property located on and around **1909 Franklin Avenue** from R-1 (Low Density Residential District) to that of C-2 (General Commercial District) for the construction of a retail plaza conditioned upon a favorable letter being received from the Erie Housing Authority and the two abutting neighboring properties.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.  
June 20, 2007. Signed by the President. Attested by the City Clerk.

The Planning Commission at it's regular meeting on June 19, 2007 made the following reviews and recommendations:

City Council has referred, by its own initiative, a request by Cathedral Preparatory School for the rezoning of property located on the southeast corner of West 12th and Cherry Streets (338-105, 3033-103, 3028-101 to 103, 3028-200, 3023-103 to 105 from M-2 to the most appropriate zoning district and use classification to allow for an athletic complex.

After a presentation by Father Scott Jabo and Chris Hagerty from Cathedral PREP, the Planning Commission agreed that the project was appropriate for that location. The 250+ parking spaces are currently allowed in the M-2 zoning district. The only item for consideration at this time was to determine the appropriate use category and zoning district.

On a motion by Mr. Kidder, seconded by Mr. Crenshaw, the Planning Commission hereby recommends that the definition of "Commercial Recreation" be revised to include institutional ownership and use and that the above referenced use be added to the list of permitted uses of the M-2 zoning district. (Section 204.20) This decision was recommended based upon the fact that this use is compatible with other uses in the district regarding the size of the property required to operate and that if the project does not proceed because of environmental or financial reasons, the property will remain consistent with the remaining property along West 12th Street for a new buyer. The motion passed with 3 yeas and one abstention.

Motion Carried

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

That the communication from the City Planning Commission recommending that the request from Cathedral Preparatory School to rezone property located on the southeast corner of West 11th and Cherry Streets (3380-105, 3033-103, 3028-101 to 103, 3028-200, 3023-103 to 105 from M-2 (Heavy Industrial District) to the most appropriate zoning district and use classification to be decided by the City Planning Commission to accommodate the use of the property as a multi-sports athletic complex, with the City Planning Commission recommending that the definition of "Commercial Recreation" be revised to include institutional ownership and use and that the above referenced use be added to the list of permitted uses of the M-2 zoning district, Section 204.20, and

Be It Further Resolved, that the City Clerk is authorized and directed to advertise legal notice of a Public Hearing to be held before City Council on Wednesday, **July 11, 2007** at approximately 8:00 p.m. in the City Council Chambers, Municipal Building, at which time any and all persons may be heard regarding the said amendment.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

The Planning Commission at it's regular meeting on June 19, 2007 made the following reviews and recommendations:

A review of a proposal for Hamot Medical enter for a new office Building located on the northwest corner of West 2<sup>nd</sup> and Peach Streets. The proposal will be to construct a 4 floor medical office building with the possibility of a drive-thru banking facility.

Architect Ross Rectenwald presented Hamot's newest Medical Office and Drive-thru banking facility to be located at 100 Peach street. The structure will maintain the character of the existing Hamot Campus look and in comparable with the Heart Institute and the Women and Babies Center.

This structure will initially be constructed as a 4 story building but will have the capacity to be expanded to seven (7) floors in the future. It will have many windows on the north side to take full advantage of the views, with fewer windows on the south side for the privacy needed for examination rooms. Skylights will be located in the drop-off canopy

Other notable facts include:

- The structure will be sold as office condominiums with 1-2 tenants per floor
- Signage and lighting will be the same style and type as the remainder of the Campus
- They do not anticipate any revisions to on-street parking in the area
- 153 parking spaces will be provided
- The possibility exists for a coffee shop without door seating.
- Current estimates of \$12-13 million for construction and a December 2008 completion

On a motion by Mr. Antalek, seconded by Mr. DeBello, the project is hereby recommended for approval without any revisions.

Motion Carried

**WAIVE RULES**

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

That the communication from the City Planning Commission recommending that the request from Hamot Medical Center to amend Zoning Ordinance #80-2005 for Waterfront Conditional Use for property located on the northwest corner of West 2<sup>nd</sup> and Peach Streets to allow for the construction of a 4 floor medical office building with the possibility of a drive-thru banking facility be approved, and

Be It Further Resolved, that the City Clerk is authorized and directed to advertise notice of a Public Hearing to be held before City Council in the City Council Chambers on Wednesday, **July 11, 2007** commencing at approximately 8:00 p.m. at which time and place any and all persons may be heard concerning the said amendment.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

HONORABLE MAYOR, PRESIDENT AND MEMBERS OF CITY COUNCIL June 20, 2007

The Planning Commission at it's regular meeting on June 19, 2007 made the following reviews and recommendations:

Review of a proposal for John Britton for the construction of a new Eating and Drinking Establishment located between Liberty Park and the Park and Ride along the West Bayfront. The proposal has already received a variance relating to the number of parking spaces and the landscaping requirement within a parking area.

Tom Hiegel, Project Consultant and Dan Dahlkemper, Landscape Architect, described the location of the new Jr's building as being located in the existing boat storage area. The structure will be 160 feet long and contain restaurant seating for 80 and showroom seating for 300. The development will have a park like setting which, as a result of the Liquor License, will need to be "controlled" by a fence along the perimeter. The fenced area will be slightly larger than one acre in size. The building was designed using the same colors and building types as other publicly owned structures in the area.

An agreement has been entered between Mr. Britton and the Erie-Western PA Port Authority for the construction of parking spaces on Port Authority property immediately to the east of the proposed development. The City of Erie Zoning Hearing Board at their May meeting approved a parking and landscape variance.

Other points of interest include:

- Acorn lights will be used to model those in the Park-n-Ride lot
- Urban Engineers will be completing all stormwater and E & S Plans. Oil/Grit separators and sediment traps will be used in conjunction with the stormwater plan.
- No stairs will be required to enter the facility. Gentle sloping ramp will be used
- The decking will be constructed from concrete and the railing will be a transparent mesh with a heavy top cap
- Signage will be painted on a woodframe with decorative lighting. The remainder of the building will be illuminated with ground lights
- Weather vanes on cupolas will be lightening rods
- The project is anticipated to cost \$1.1-1.2 million an commence in the fall of 2007

On a motion by Mr. Antalek, seconded by Mr. Kidder, the project is hereby recommended for approval without any revisions.

Motion Carried

**WAIVE RULES**

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

That the recommendation from the City Planning Commission recommending that the request from John Britton to amend Zoning Ordinance #80-2005 to Waterfront Conditional Use for property located between Liberty Park and the Park and Ride along the West Bayfront for the proposed new construction of the Jr's Building (an Eating and Drinking establishment) which will be 160 feet long and contain restaurant seating for 80 and showroom seating for 300, be approved, and

Be It Further Resolved, that the City Clerk is authorized and directed to advertise notice of a Public Hearing to be held before City Council in the Council Chambers, Municipal Building on Wednesday, **July 11, 2007** at approximately 8:00 p.m. at which time and place any and all persons may be heard regarding the said zoning change.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

TO: City Council Members

June 13, 2007

FROM: Thomas J. McIntire, Economic Development Specialist

RE: Resolution for a \$300,000 Housing and Redevelopment Assistance Grant as relates to Invest Erie's proposed Parade Street Plaza

As you are aware, Invest Erie Community Development Corporation is seeking assistance to move the proposed Parade Street Plaza Project forward. Based on a discussion held on June 12<sup>th</sup>, Invest Erie is ready to proceed with a phased development. Phase I will involve the construction of a 16,000 square foot facility that will house a Sav-A-Lot grocery on the west side of Parade Street and East 19<sup>th</sup> Street. The cost associated with this phase is listed at \$2.5 million.

In order to facilitate the funding of this proposed project, we must again submit an application to the PA Department of Community and Economic Development (DCED) for a \$300,000 grant under the State's Housing and Redevelopment Assistance Program (HRA). This funding would be used in concern with the \$1,000,000 Redevelopment Assistance capital Program Grant that was previously awarded to the city for this project.

This is not the final step in this process as the request is subject to review by DCED personnel and Invest Erie must provide evidence as to all funding commitments not only for the HRA funding, but also it must meet the numerous requirements set forth under the RACP funding. Note: The Commonwealth of PA engages the services of a consulting firm to ensure that the RACP requirements are addressed and met. The resolution for this \$300,000 HRA grant is attached for your consideration.

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

That the Erie City Council authorizes the filing of a proposal for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania.

WHEREAS, Invest Erie Community Development Corporation, a Pennsylvania non-profit organization, is desirous of obtaining funds from the DCED in the amount of \$300,000.00 for the prevention and elimination of blight under Section 4c of the Housing and Redevelopment Assistance Law, as amended. These funds will be used toward the development of a free-standing grocery store at 19th and Parade Street in the City of Erie. This funding proposal is contingent upon project approval from the Governor's Office, which includes firm commitments for both interim and permanent financing.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that a blighting influence exists because of underutilized vacant land in a high poverty area and the proposed project will prevent further blight and/or eliminate the existing influence by helping to revitalize the area and provide a needed facility to meet the needs of underserved residents of that area of the City of Erie.

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

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

BE IT FURTHER RESOLVED, that the City Clerk of the Erie City Council is directed to execute a certification attesting to the adoption of this resolution and to furnish a copy of the resolution to the Department of Community and Economic Development.

June 20, 2007. City Council adopt by yeas Council Members Jones, Schember, Thompson and Jenkins-Husband. 4. Nays. Council Members Cappabianca, González and Horan-Kunco. 3

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the City Traffic Engineer is respectfully requested to study the feasibility of installing **"left-turn signals"** on **West 26<sup>th</sup> Street at State and Liberty Streets** for vehicles traveling in a westward direction and wishing to travel south on State and Liberty and to report her findings thereon to City Council.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the City Traffic Engineer is respectfully requested to study the feasibility of installing four-way **Stop Signs** on **West 29<sup>th</sup> and Chestnut Streets** and to report her findings thereon to City Council.

June 20, 2007. City council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco and Mr. González, Seconded by Mr. Cappabianca, Resolved, etc.,

That the City Council acknowledges and recognizes the need for the development of a **Skatepark facility** in the City of Erie to provide the youth of our region a safe and legal place to skate and that the City Council supports and appreciates the efforts of the Skate Erie Association, a group of adult and youth volunteers in their efforts to organize, advocate and fund-raise to make this project a reality for the citizens of Erie without impacting the City of Erie budget.

June 20, 200. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the City Traffic Engineer is respectfully requested to study the intersection of **East 9<sup>th</sup> and Parade Streets** for the feasibility of installing "No Parking from Here to Corner" signs on the East side of Parade Street, 100 ft. from the corner of East 9<sup>th</sup> Street going north.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco. Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the communication from the City Planning Commission suggesting the following revisions and/or amendments be made to **Zoning Ordinance #80-2005** is hereby received by City Council and referred to the Erie County Department of Planning for their review and recommendation prior to the scheduling of a Public Hearing:

- \* Revision to Section 405.10 to require a petition to rezone include the 500 foot radius notification as required for the notice prior to a public hearing
- \* Revise the definitions of Auto Repair and Service Garage to allow the sale of not more than five (5) vehicles. The current allotment of four vehicles is in violation of the State Code for automotive dealers which requires five.
- \* Clarify Section 205.26 to allow for an addition to infringe into the side and rear setback areas. The intent was never to allow a continuation of a non-conforming front yard

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

TO: City Council Members June 14, 2007  
 FROM: Thomas J. McIntire, Enterprise Zone Coordinator  
 SUBJECT: City Council Resolution of Enterprise Zone Loan

Our EZ Loan Review Committee acted favorably on the loan proposals below. Therefore, we have prepared a resolution which requests ratification for the approval at the City Council meeting scheduled for Wednesday, June 20, 2007.

Lamjen, Inc. 1514 Veshecco Drive, Erie, Pa. 16501 David M. Tullio, President & CEO and James B. Ohrn, CFO)

Lamjen, which is a machine tooling operation was started in 1968. It was acquired by Tom Hagen in 2000 and managed by David M. Tullio. We have approved a \$150,000 Loan to assist them with the purchase of new CNC Vertical Machining Lathe, which will enable the company to sustain volume and quality for one of their existing customers. Sky Bank will also provide a \$151,000 Loan toward the purchase of this equipment and the Company will put in Equity of \$38,550. In lieu of a secondary lien position on the equipment, Sky Bank will allow us to share in a first lien as our interests appear. The total project cost is \$339,500. Our loan package will consist of a Loan Agreement, Promissory Note and a recorded lien on the equipment financed. See attached resolution which we are seeking ratification of the Loan Review Committee approval. Lamjen, Inc., presently employees 24 people and the plan to add six more employees in family sustaining jobs.

William F. Muck for the benefit of Merit Tool Company, Inc., 2008 West 16<sup>th</sup> Street, Erie, Pa., 16505 (William F. Muck, President)

William F. Muck has the opportunity to acquire the industrial property that is presently leased by Merit Tool Company, Inc. Merit Tool Company is a precision machining company with a business diversity of 40% plastic molds and related tooling components, 40% small lot precision machining for OEM manufacturers and 20% fixtures, gages and tooling. The company has been in existence sine 1966 and has been owned by William Muck since 1985. The purchase of this industrial property will enable Merit Tool to expand its present operation and become more competitive. We have approved a \$250,000 Mortgage Loan to assist with the purchase of the real estate. Citizens Bank will provide a \$425,000 Mortgage and Mr. Muck will put in \$78,000 of Equity. The total project cost is \$765,000 and the real estate is appraised for \$865,000. Our loan package will consist of a Loan Agreement, Promissory Note and a recorded second mortgage lien on the property. William F. Muck will be the borrower and the loan will be guaranteed by Merit Tool Company, Inc.

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

That the Enterprise Zone Loan Review Committee approval of the following loans be formally ratified:

	Amount	Term	Fee
Lamjen, Inc.	\$150,000	7 years	\$ 750
William F. Muck, (for benefit of Merit Tool Company, Inc.	250,000	15 years	1,250

These funds have been made available through the Commonwealth of Pennsylvania Enterprise Zone Program and the Erie Enterprise Zone Revolving Loan fund and loan repayments. This loan will be charged against Account #310-00-00-1007. The interest rate is fixed at 5.0-% per annum. A one-time loan processing fee based on 1/2 of 1.0%, not to exceed \$1,500 of the amount financed will be assessed to each client. The City Solicitor's office will assist with the preparation of the loan documents for each transaction.

City Council further directs that the proper City officials are authorized to sign the necessary documents and agreements effectuating same.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the City Council ratifies the pre-existing agreements with **Nationwide Retirement Solutions** and **VALIC**, permitting elected officials to opt into the City's Section 457 (b) and 401 (a) Plans. The Plans are in accord with the Internal Revenue Laws governing the creation and administration of Deferred Compensation Wage Plans.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are authorized to execute the necessary agreement with subrecipients to carry out the following thirty-three (33) various **Community Development Thirty-Third Year (CDXXXIII) Projects**.

501-1251-2007-4396	CHRB	12,000	Req. 601849
501-1252-2007-4146	GEIDC-Brownfield Coordinator	40,000	Req. 601839
501-1252-2007-4155	GEIDC-IP Site	175,000	Req. 601840
501-1252-2007-4205	Erie Senior Center AAA	25,000	Req. 603852
501-1252-2007-4406	Hispanic American Council	30,000	Req. 601847
501-1252-2007-4431	Economic Development Corp.	35,000	Req. 601383
501-1252-2007-4435	BTW Center	75,000	Req. 601841
501-1252-2007-4452	ERA - Facade Renovation	120,000	Req. 602848
501-1252-2007-4471	GECAC - Weatherization	6,000	Req. 601845
501-1252-2007-4477	GECAC-Homemaker Services	8,250	Req. 601844
501-1252-2007-4508	St. Paul Neighborhood Clinic	10,000	Req. 601850
501-1252-2007-4518	Trinity Center	21,000	Req. 601846
501-1252-2007-4520	JFK Center	75,000	Req. 601843
501-1252-2007-4535	MLK Center	75,000	Req. 601842
501-1252-2007-4556	Gannon University - Retail Dev.	70,000	Req. 603853
501-1252-2007-4566	St. Martin Center	50,000	Req. 603851
501-1252-2007-4574	ERA- Blighted Property	35,000	Req. 601824
501-1252-2007-4580	Rodent Control	12,000	Req. 601837
501-1252-2007-4581	ERA - Disposition	45,000	Req. 601833
501-1252-2007-4582	ERA - Housing Rehab.	200,000	Req. 601831
501-1252-2007-4583	ERA- Acquisition	200,000	Req. 601832
501-1252-2007-4585	ERA- Relocation	50,000	Req. 601834
501-1252-2007-4587	ERA- HOME	45,000	Req. 601835
501-1252-2007-4598	ERA- NRSA Rehab.	225,000	Req. 601836
501-1252-2007-4608	Erie Dawn	9,000	Req. 603855
501-1252-2007-4612	HANDS -Accessibility	15,500	Req. 603854
501-1252-2007-4630	Neighborhood Watch #13	5,000	Req. 603856
501-1252-2007-4397	American Red Cross	9,000	Req. 601825
501-1252-2007-4435	BTW - Summer Rec.	10,500	Req. 601827
501-1252-2007-4439	Boys & Girls Club of Erie	11,450	Req. 601830
501-1252-2007-4518	Trinity Center - Summer Rec.	9,200	Req. 601829
501-1252-2007-4520	JFK Summer Rec.	5,000	Req. 601826
501-1252-2007-4535	MLK Summer Rec.	5,000	Req. 601828

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are authorized to execute the necessary agreements with subrecipients to carry out the following seven (7) various **HOME (FY 2007) Projects**.

505-1239-2007-4455	ERA-Mercantile Bldg.-Homebuyer	75,000	Req. 603869
505-1239-2007-4461	Stairways- Acquisition/Rehab.	240,000	Req. 603874
505-1239-2007-4490	HANDS-Acquis./Rehab.Rosewood	152,000	Req. 603871
505-1239-2007-4504	HANDS-CHDO/Operating	18,510	Req. 603870
505-1239-2007-4539	MLK-CHDO/Operating	32,118	Req. 603872
505-1239-2007-4575	BEST-Homeownership	150,000	Req. 603873
505-1239-2007-4582	ERA - Rehab.	236,095	Req. 603868

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.



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

That the Mayor and other appropriate City officials are authorized to execute the necessary agreements with subrecipients to carry out the following ten (10) **Shelter Grant (FY 2007) Projects.**

506-1254-2007-4404	Bridge House	16,631	Req. 603867
506-1254-2007-4420	Community of Caring	14,255	Req. 603858
506-1254-2007-4429	Community Shelter Services	32,668	Req. 603859
506-1254-2007-4511	City Mission	16,631	Req. 603860
506-1254-2007-4519	SafeNet	16,631	Req. 603861
506-1254-2007-4521	Mercy Center for Women	16,038	Req. 603862
506-1254-2007-4522	The Refuge	16,631	Req. 603863
506-1254-2007-4567	Snider House	2,970	Req. 603864
506-1254-2007-4570	TLC	3,564	Req. 603865
506-1254-2007-4591	St. Patrick's Haven	13,068	Req. 603866

June 20., 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson, and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are hereby authorized to execute the necessary agreements with subrecipients to carry out the following three (3) **HOME (FY02 and FY05) Projects.**

506-1239-2007-4490	HANDS - Acquis/Rehab.Rosewood	160,000	Req. 603876
506-1239-2007-4492	HANDS- New Construction-HOME	340,000	Req. 603877
506-1239-2007-4401	BEST- Rental	75,000	Req. 603878

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute an Easement Agreement between the City of Erie and **Gannon University**, 106 West 6<sup>th</sup> Street, for the construction of a canopy at 628 Peach Street, in accordance with the City Engineer's metes and bounds description locating the canopy in the Peach street right-of-way.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute an Easement Agreement between the City of Erie and **Moxie Real Estate**, 5539 Peach Street, for the property at 101 West 10<sup>th</sup> Street, Index (16) 3009-202, in compliance with the attached City Engineer's metes and bounds description, locating a canopy in the Peach Street right-of-way and the West 10<sup>th</sup> Street right-of-way.

June 20, 2007. City Council adopt by yeas Council Members, Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the proposed **Repository Sales** of the following properties by the Erie County Tax Claim Bureau are hereby approved by City Council:

- 1) **East 22<sup>nd</sup> Street**, being 35 x 135 and identified by Erie County Assessment Index #18-050-009-0-136 to the Erie Redevelopment Authority for the sum of \$250.00.
- 2) **1102 West 20<sup>th</sup> Street**, Erie, Pa., being 30 x 75 and identified by Erie County Assessment Index #19-060-033.0-100.00 to Gerald Price for the sum of \$250.00.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the following amounts are hereby transferred in the Department of Economic and Community Development HOME Projects:

<u>Transferred From</u>			<u>Transferred To</u>		
<u>Amount</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>	<u>Account</u>	<u>Title</u>
\$500,000	505-1239-2002-4571	Zoey Meadows	\$160,000	505-1239-2002-4490	Acquis./Rehab. Rosewood
<u>75,000</u>	505-1239-2005-4106	Housing Authority City of Erie	340,000	505-1239-2002-4492	HANDS-New HOME Construction
\$575,000			<u>75,000</u>	505-1239-2005-	BEST-Rental
			\$575,000		

June 20, 2007. City Council adopt by yeas Council Member Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.  
June 20, 2007. Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Controller are authorized and directed to execute agreements 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 and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **Lynn Kolaja Fire Equipment**, 38820 Lake Road, Union City, Pa., for replacement of thirty-six (36) sets of Turnout Gear for the Bureau of Fire at a total cost of \$35,390.16.

2. **Vulcan Signs**, 408 East Berry Avenue, P. O. Box 2850, Foley, AL, for Sign Faces and Aluminum Sign Blanks for the Bureau of Streets for the sum of \$11,619.45.

3. **Mayer Bros. Construction Co.**, 1902 Cherry street, Erie, Pa., for the 2007 proposed Milling and Asphalt Resurfacing of various City Streets and the Installation of Concrete Curb Ramps-1, they being the lowest of three bids received in the sum of \$573,258.05.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.  
June 20, 2007. Signed by the President. Attested by the City Clerk.

By Mr. González, 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 transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **MSC Industrial Supply Co.**, 2730 West 21<sup>st</sup> Street, Unit A, Erie, Pa., for Gutter Broom Wire for the Bureau of Streets in the sum of \$2,962.50.

2. **Smoracy, LLC**, 6750 Millbrook Road, Remus, MI, for the purchase of a Dolly System for the operation of the Beast (grinder machine) located at the City's compost facility for the sum of \$3,500.00.

June 20, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson, and Jenkins-Husband. 7. Nays. 0.  
June 20, 2007. Signed by the President. Attested by the City Clerk.

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June 20, 2007. City Council on motion of Mr. Thompson, Seconded by Mr. Schember adjourned at 11:00 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