

The City Council met in regular session in the Council Chambers on Wednesday, June 4, 2008 at 9:00 a.m.

Council Members present: Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones.

On motion of Mr. Thompson, Seconded by Mr. Schember, the reading of the minutes of the meeting of May 16, 2008 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

Copies of the bills under date of May 30th and June 6th were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0., with the exception of invoices to the NATO Centers on which Mrs. Jenkins-Husband abstained from voting.

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By Mrs. Jenkins-Husband, Council File Ordinance #15,585, Pending Official File Ordinance #23-2008,

an ordinance appropriating the sum of **\$150,000.00** from unappropriated and anticipated revenue to Account #3929 Operating Transfer - Erie Insurance Exchange BUDAG and allocating said funds to Account #314-1314-0000-4402 Bayfront East Side Taskforce-UDAG Renovation Project.

June 4, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Thompson, having read Council File Ordinance #15,585 and now known as Pending Official File Ordinance #23-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,586, Pending Official File Ordinance #24-2008,

an ordinance appropriating the sum of **\$71,000.00** from unappropriated and anticipated revenue from Account #267-0613-2008-3336 Project Safe Neighborhood and allocating said sum to various #267-0613-2008-40XX accounts. (Funds will be used for overtime for the Department's ATF Task Force and for additional saturation patrols. Funds will also cover the expenses and equipment for several program promotions).

June 4, 2008. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance #15,586 and now known as Pending Official File Ordinance #24-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

By Mrs. Jenkins-Husband, Council File Ordinance #15,587

an ordinance appropriating the sum of **\$698.00** from unappropriated and anticipated revenue from Account #259-1219-0000-3641 Contributions and providing for the expenditure thereof by allocating said sum to Account #259-1219-0000-4552 Summer Recreation Program.

June 4, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,587, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Mr. Schember, Council File Ordinance #15,588

an ordinance appropriating the sum of **\$157,142.00** from unappropriated and anticipated revenue from Account #506-0000-0000-3306 Federal Operating Grant - HUD Emergency Shelter Services and providing for the expenditure thereof by allocating said funds to various #506-1254-2008-4xxx accounts.

June 4, 2008. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,588, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Mr. Schember, Council File Ordinance #15,589

an ordinance appropriating the sum of **\$971,094.00** from unappropriated and anticipated revenue from Account #505-0000-0000-3305 Federal Operating Grant-HUD HOME Program and allocating said funds to various #505-1239-2008-4xxx accounts for HOME (MO8) Projects.

June 4, 2008. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance 15,589, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Mr. Schember, Council File Ordinance #15,590

an ordinance appropriating the sum of \$3,511,461.00 from unappropriated and anticipated revenue to be received from HUD; \$71,538.00 reprogrammed funds from previous Community Development Block Grant (CDBG) and \$30,000.00 program income (Miscellaneous Sources) for a total of **\$3,612,999.00** for the following 34<sup>th</sup> year projects and allocating said funds to Account #501-1227-1238-1245-1251-1252-1253-1255 and 1264.

June 4, 2008. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,590, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Schember, Council File Ordinance #15,591

**an ordinance rezoning property located at the** southeast corner of West 26<sup>th</sup> and **Cherry Streets** from C-4 (Traditional Neighborhood Commercial) and R-2 (Medium Density Residential District) to C-2 (General Commercial District) as requested by Lakeview Resale Company (owners Gerald and Carolyn Munsch), for used car sales.

June 4, 2008. City Council on motion of Mr. Schember, Seconded by Mr. Thompson, having read Council File Ordinance #15,591, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember Thompson and Jones. 7. Nays. 0.

WAIVE RULES

By Mr. Jones, Council File Ordinance #15,592

an ordinance amending the Business Regulation and Taxation Code of the City of Erie, Article 381, Local Economic Revitalization Tax Assistance (**LERTA**), by revising the application fee for the Job Creation Abatement, defining the employment threshold for a job, and setting the scope of the Appeal Board and terms of members.

June 4, 2008. City Council on motion of Mr. Jones, Seconded by Mr. Schember, having read Council File Ordinance #15,592, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

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

That City Council hereby declares that pursuant to Section 405 and 405.10 of the **City's Zoning Ordinance**, the following permitted uses listed under Section 204.20 are in direct conflict with the Purpose and Provisions of the ordinance, Section 107, and there is a need to correct them. The permitted uses are Asphalt Products Manufacturing and Storage, Chemical Processing and Production, Power Plants and Landfill/Solid Waste Transfer Facility. City Council hereby requests the City of Erie Planning Commission review and make their findings known to City Council within 30 days, regarding a Curative Amendment to move these stated uses from Permitted Uses to Conditional Uses in Section 204.20, M-2 Heavy Manufacturing Zoning District. City Council also requests the Planning Commission submit a set of conditions for the uses that will be in compliance with the purpose and provision of the City's Zoning Ordinance.

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Thompson and Jones. 6. Nays. Mr. Schember. 1.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

Dear President and Members of City Council

January 8, 2008

At this time, my daughter and I, as well as her colleagues are proposing the rezoning of the residence and its property (which is currently R-1) located at 3809 Wood Street. I have owned this property for 40 years, it is the home in which I raised my children as a single parent. Over the years, as a family, we have watched the significant growth of the area through redevelopment, along with the multiple changes that have impacted the overall structure of the neighborhood, which has included two expansions of West 38<sup>th</sup> Street, the conversion of other properties into either businesses and/or green space, as well as the most recent new construction of Walgreen's right across the street. The intent for this residence, once rezoned to C-2 is for my daughter and her colleagues to develop it into the offices of Counseling

& Associates of Erie that will offer a variety of outpatient behavioral health and additions treatment options to children, youth, adults and families.

With the 100 plus years of combined experience in the fields of behavioral health, developmental disabilities, child welfare, juvenile justice and additions between my daughter and her colleagues, I truly believe development of their agency will become an asset to the neighborhood as well as to the community as a whole. Both my daughter and I have discussed the intent with Councilman Thompson and truly appreciate his support and willingness to sponsor this rezoning proposal.

If you have any further questions and/or concerns regarding this request, please feel free to contact either myself at 866-7686 or my daughter, Francine Scarpino, LCSW at 490-7715.

Thank you for your time and attention to this matter. It is truly appreciated.

Sincerely,

Barbara A. Cochis, Homeowner

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

That the City Solicitor is authorized and directed to prepare an ordinance amending Zoning Ordinance #80-2005 by rezoning property located at **3809 Wood Street**, from R-1 (Low Density Residential District) to that of C-2 (General Business District) and after preparation to refer same to the City Planning Commission for recommendation and report thereon.

(On the initiative of City Council at the request of Barbara Cochis for conversion to offices for Counseling & Associates of Erie - Accompanied by the requisite filing fee of \$500.00)

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Schember, Thompson and Jones. 6. Nays. Mrs. Jenkins-Husband. 1.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

#### SERVICE AGREEMENT

This Agreement dated June \_\_\_\_\_, 2008, between Joseph Hager, an adult individual who currently resides at 455 Nagle Road, Erie, Pa., 16511 (the "Contractor") and the City of Erie doing business at 626 State Street, Room 505, Erie, Pa. 16501 (the "City"),

WHEREAS, the City of Erie operates a government business (the "Business"), and

WHEREAS, the City of Erie wishes to retain the Contractor as an independent contractor and the Contractor wishes to be retained in such capacity and perform certain services for the City, to promote the interests of the City, so

THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

A. Service:

(1) The City of Erie hereby retains Contractor and Contractor hereby accepts such engagement, for the term and under the conditions and requirements specified herein, as a contractor to the City, with such duties and responsibilities as may reasonably be assigned to pursuant to this Agreement. The Contractor's compensation shall be that specified below.

(2) Contractor's principal duties shall include projects as assigned by Anthony Pol, Fire Chief, including "Fire Comm" duties during the term stated herein. However, Contractor shall have no authority to act in a representative capacity for the City.

(3) Contractor shall be paid at the rate of \$24.50 per hour not to exceed \$8,163.00 for the contact period, which, for the purposes of this Agreement, shall commence June 1, 2008 and terminate August 29, 2008, not to exceed 90 days.

(4) The Contractor shall devote his best efforts, at the times and places he reasonably deems appropriate, to his duties hereunder. However, it is expressly agreed that Contractor may serve as a consultant, manager, investor, or employee to other persons, without limitation.

(5) The principal place of business of the contractor shall be at such places Contractor, in his reasonable discretion, may choose from time to time, but shall remain under the overall direction of Anthony Pol, Fire Chief.

B. Status

The contractor shall be treated in all respects as an independent contractor and the City shall not withhold any taxes on account of services rendered to it by Contractor. Contractor represents to the City that he may hold himself out as a consultant to others and maintains his own office, for the services provided to the City and assumes all risk of Contractor's classification as an independent contractor and not as an employee.

C. Term of Contract

The term for which Contractor shall be hired hereunder shall not exceed the term as described in paragraph A (3) herein.

D. Extension and Termination

(1) If Contractor shall be terminated by the City, Contractor shall be entitled to any amounts due and owing as compensation under this Agreement to the extent of hours worked at the rate established herein.

(2) This Agreement can be terminated by either party on 10 days written notice provided in accordance with the terms hereof.

E. Notices

All notices and other communications hereunder shall be in writing and shall be deemed given if: 1) delivered personally or; 2) mailed, by either

registered mail or certified mail, return receipt requested, to the parties hereto at the addresses listed hereinabove.

F. Miscellaneous

(1) This Agreement constitutes the entire agreement between the parties hereto, supersedes all existing agreements between them, and cannot be changed or terminated except by written agreement and/or written notice signed by the parties and may not be assigned by either party.

(2) This Agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

Contractor

S/ Joseph Hager, Contractor

Attest: s/ James E. Klemm  
City Clerk

City of Erie

S/ Joseph E. Sinnott, Mayor

Casimir J. Kwitowski, Controller

By Mr. Aleksandrowicz, Seconded the Mr. Thompson, Resolved, etc.,

That the proper City officials are authorized and directed to execute a contract between the City of Erie and **Joseph Hager**, 455 Nagle Road, for fire communications dispatching for a time period not to exceed 90 days from day of commencement at the rate of \$24.50 per hour, not to exceed a total of \$8,163.00 for the contract period which shall commence June 1, 2008 and terminate August 29, 2008. (Mr. Hager recently retired from his fire dispatcher position as an employee of the City of Erie and shall be under the overall direction of Anthony Pol, Fire Chief.)

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

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

That the proper City officials are authorized and directed to execute an agreement renewing the contract for towing services between the City of Erie and **McMillen's Towing**, 2502 East Lake Road, for towing services for the duration of one year. The terms of the contract are based on the City's current towing ordinance.

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

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

That the proper City officials are authorized and directed to execute an agreement renewing the contract for towing services between the City of Erie and **Eddie's Collectibles**, P. O. Box 8555, for the duration of one year. The terms of the contract are based on the City's current towing ordinance.

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

By Mrs. Jenkins-Husband, 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. **Russell Standard Corporation**, P. O. Box 86 Union City, Pa., for the proposed Milling and Asphalt Resurfacing of various City Streets and Installation of Concrete Curb Ramps -1 under Bid No. 1618-08, for the sum of \$844,585.86, lowest of three bids received.
2. **U.S. Security Associates**, 11 West 33<sup>rd</sup> Street, Erie, Pa., for a two year contract with an option to renew for a third year, for 24-hour Security Service for the Wastewater Treatment Plant for the first year @ \$101,995.00 and the second year @ \$103,499.00.  
(This is the same firm that has held the contract for the last three years. They will be paid from Other Services and Charges Account)

June 4, 2008. City Council adopt by yeas Council Member Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, 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. **Traffic Detectors and Signs, Inc.**, 7521 Forest Hill, Youngstown, Ohio 44514, for repairs to the broken Loop Detectors at the intersections of East Lake Road & Franklin Avenue (2) 6' x 10' loops; Buffalo Road, & McClelland Avenue (3)

6' x8' loops); Buffalo Road & Brandes Street (4) 6' x 8' loops; and State at East 2nd Streets (2) 6' x 10'loops) for the Bureau of Traffic Engineering in the sum of \$9,075.00.

(The loop sensors that detect traffic on the side road at the above intersections. This causes the intersection to operate inefficiently, constantly bringing up the side road when no vehicles are present. The scope of this project is to replace the above mentioned loops.)

2. **Atlantic Irrigation Specialties**, 111 Lafayette Avenue N., White Plains, NY, for the Annual Global Service 24 hour plan which provides service and technical support of the automatic irrigation systems at City Golf Courses for the sum of \$7,497.00.

(This service covers all of the costly hardware components of the irrigation system including the computers, large decoder interface boxes, freedom interface boxes and all other hardware components. These items are all extremely expensive and are vital for the irrigation systems to operate. In 2007, the service plan replaced approximately \$17,000 worth of hardware that was destroyed as a result of lightning strikes. This service has been renewed annually since the systems were installed and has been crucial in maintaining the irrigation systems.)

**For the Bureau of Sewers:**

3. **Niagara Machine, Inc.**, 325 West Front Street, Erie, Pa., for the Emergency Machining and Replacement of a Shaft for a Plant Grit Chamber, for the sum of \$2,672.00.
4. **Electrical Repair Technology, LLC**, 5323 Woodside Drive, Erie Pa., for Repairs to the #9 Return Activated Sludge Pump (RASP), at a cost of \$2,750.00.  
(The pump in question needs to be totally rebuilt. Parts on the pump will either be replaced or rebuilt depending on degree of deterioration and replacement cost. Two quotes were received to perform the necessary work.)
5. **Sartell Valves**, % C & W Sales, Inc., 1121 Boyce Road, Suite 2300, Pittsburgh, Pa., for two (2) DeZurik Air-activated Plug Valves, for the sum of \$4,709.38.  
(These valves replace existing equipment that is malfunctioning causing the tanks to overload and break down.)
6. **A & H Equipment Co.**, 1124 McLaughlin Run Road, Bridgeville, Pa., for a Super Cutter Plus 150 Chain Root Cutter Kit, in the sum of \$5,149.00.  
(This cutter is being purchased from the truck supplier. The equipment was demonstrated on a root problem area in the City of Erie Sewer System. This equipment worked better than any we have looked at in the past. It will not only open up plugged sewers more efficiently but also accomplish our root removal in far less time.)
7. **Onex**, P. O. Box 8436, Erie, Pa., for Preventative Maintenance & Repair of the Doors, Burners and Rabble Arm in the #2 Incinerator at the Wastewater Treatment Plant for the sum of \$5,886.00.  
(Each incinerator is taken out of service and rehabilitated on a semi-annual basis at the Plant. It was a condition of the settlement agreement with the DEP that this would be performed so as not to violate our Title V Air Quality Permit.)

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

WAIVE RULES

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

WHEREAS, the existing lease agreement between the City of Erie and the Erie City Water Authority expires in the year 2040, and

WHEREAS, a proposed modification of this agreement would be mutually beneficial to the City of Erie, the Erie City Water Authority, the citizens of the City and the citizens in the future, served by the Erie City Water Authority, and

WHEREAS, the City anticipates the receipt of certain monies to be paid by the Erie City Water Authority in connection with the prepayment of certain lease obligations between the Authority and the City, so

THEREFORE, BE IT RESOLVED, that the Mayor and City Controller are hereby authorized and directed to execute an amended lease agreement between the City of Erie and the Erie City Water Authority by providing that the Erie City Water Authority shall adjust the lease payments to the City of Erie in the years 2041 to 2045 to \$4.6 million dollars per year, an increase of \$200,000.00 from 2040 and for the years 2046 to 2050 the lease payment shall be \$4.8 million dollars per year, an increase of \$200,000.00 from 2045. The Erie City Water Authority shall also pay to the City of Erie, the sum of \$2.5 million dollars as a one time payment consistent with the previous lease arrangements, thus extending the lease with the Erie City Water Authority until December 31, 2050.

June 4, 2008. City Council voting to Waive the Rules for consideration of the above resolution, adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 6. Nays. Mr. Cappabianca. 1.

June 4, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Schember, Thompson and Jones. 4. Nays. Cappabianca, Horan-Kunco, and Jenkins-Husband. 3.

June 4, 2008. Signed by the President. Attested by the Acting City Clerk.

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Mary-Ann McDanniels-Kulesa  
449-7401 (cell)

MTR HAS DRAWN A ROYAL FLUSH HERE SIPHONING MILLIONS OUT OF THIS ERIE COMMUNITY  
MTR Gaming Group, Inc., the parent company of Presque Isle Downs Casino has the deepest pockets of any private entity in Erie County and revenue is up and predicted to go higher, as the tourist season is about to begin according to Erie Times News 5/13/08 - front page.

MTR GAMING HITS THE JACKPOT - It is fundamentally wrong and morally reprehensible that EMTA, a publicly funded transportation system offers to find \$350,000 to fund a casino bus line for a private entity that can afford to do it for itself. They claim the reason for the bus line is because employees need help getting to work; who doesn't right now.

If MTR is having staffing problems because of location, then they should have thought of that before they built out in rural Erie County perhaps these costs need to be included in millions siphoned out of this community, as a cost of doing business.

I would suggest they find a vacant lot and/or parking lot at the end of a preexisting bus line - in a couple of places around greater Erie County and offer free parking for those employees and gamblers that they want to subsidize.

In the city, the Bayfront park and ride, sits empty except at concert times (now with boats lined up for sale) or MTR Gaming can rent a trackless trolley for their casino party buses (these appear to run up and down State Street empty most of the time), and timing can be at predictable shift change times for what appears to be traffic problems at the casino and gamblers can ride along.

I do challenge them to prove that this work force even really comes from the city. And just how many employees would really sign up to ride the bus? It is my understanding that the majority of the work force is from the county; not the city.

EMTA management again makes a wrong bet. At a time when many of our Erie citizens are choosing gas for their vehicles to get to work over buying groceries and medicine; many may be on the verge to park their cars because of the record high cost of gas and may finally be ready to try mass transit and EMTA has a golden moment to entice and nurture a new ridership system wide, and management needs to seize this moment. This newly found \$350,000.00 needs to be spent on expanding service in already existing bus lines, more bus shelters provided- especially on West 26<sup>th</sup> Street along with stops that are handicap accessible, more user friendly bus schedules and a web site that you can actually access - that's updated in timely manner.

A winning hand for Erie County - Good public policy involves management doing better marketing, better planning and recognition that rural Erie Countians should also be served by mass transit. MTR Gaming could be the "ace of spades'" in this venture -by backing another winner - by helping to finance a couple of "countywide park and rides stops" in the Erie community across Route 6 to: Albion, Union City, Corry, Waterford, Wattsburg, and on to North East with a great energy efficient savings for all.

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June 4, 2008. City Council on motion of Mr. Schember, Seconded by Mr.

Thompson, adjourned at 12:20 p.m. by yeas Council Members Aleksandrowicz,

Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays.

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Attest:

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President of City Council

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(Acting) City Clerk