

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, JANUARY 6, 2010 AT 9:00 A. M.

A. Roll Call

B. Silent Meditation

C. Approval of the Minutes/Bills

Resolution sponsored by Councilman Mark Aleksandrowicz nominating Councilman James Thompson as Council President for the year 2010

D. Citizens to be Heard

Randy Barnes, 109 Walten Point, re. "Erie-We Breathe Our Own Waste"

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,697, Pending Official File Ordinance #1-2010 an ordinance appropriating the sum of **\$285,000.00** from unappropriated and anticipated revenue in Account #340-1340-0000-3336 State Operating Grant DCED and providing for the expenditure thereof by allocating said funds to Account #340-1340-0000-4617 Downtown Partnership (\$282,000.00) and 4041 Professional Services (\$3,000.00).

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,698 an ordinance amending Official Ordinance #80-2005, known as the Zoning Ordinance of the City of Erie by adding to Article 6 (Definitions) the definitions of "**Small Wind Energy System**", "**Turbine Height**", "**Wind Energy Conversion System**" and "**Wind Turbine**", by adding to Article 3 (General Regulations), Section 305 (Conditional Uses, Special Exceptions and Special Regulations Criteria) a new Section 305.52 (Wind Energy Conversion Systems); Section 305 (Conditional Uses Special Exceptions and Special Regulation criteria) a new Section 305.5 (Small Wind Energy Systems).
2. Council File Ordinance #15,699 an ordinance approving the editing and inclusion of certain ordinances, as parts of the various component codes of the **Codified Ordinances of Erie**.

F. OLD BUSINESS

Pursuant to the provisions of Zoning Ordinance #80-2005 and of the proper legal advertising, the City Council will proceed to hold a **Public Hearing** at approximately **10:00 a.m.** regarding an amendment to Zoning Ordinance #80-2005 by adding a provision for the **creation and installation of Urban Solar Farms** within the City of Erie.

G. NEW BUSINESS

1. Resolution sponsored by Councilman James Thompson authorizing and directing the City Solicitor to prepare an ordinance amending Official Ordinance #72-2009, known as the ordinance banning the use of hand-held mobile phones while driving within the City of Erie, by providing for an exemption for **Public Safety Personnel** while using hand-held mobile phones during emergency situations and official business.
2. Resolution sponsored by Councilwoman Jessica Horan-Kunco amending the **Investment Policy Statement** for the Water Reserve Fund, pursuant to recent review by City Council and changes to the policy by the Water Reserve Investment Committee by removing the option of investing funds in Alternative Investments.
3. Resolution sponsored by Councilwoman Jessica Horan-Kunco authorizing and directing **Merrill Lynch**, the City of Erie Water Reserve Fund Consultants, to draft a letter to be signed by the City Council President informing Morgan Stanley that the City of Erie is liquidating all funds from the **Water Reserve Accounts** and instructing Morgan Stanley to transfer said funds to PNC Bank, the custodian of the Water Reserve Fund as of January 6, 2010.
4. Resolution sponsored by Councilwoman Jessica Horan-Kunco designating **PNC Bank** as the **official custodian** of all Water Reserve Fund monies and authorizing PNC Bank to allocate said funds as directed in the allocation schedule set by the City Council and the Water Reserve Investment Committee into individual accounts managed by the City of Erie Aggregate Pension Fund Money Managers.
5. Resolution sponsored by Councilwoman Jessica Horan-Kunco directing **PNC Bank**, as custodian of the Water Reserve Fund, to release **\$219,805.00** to the City of Erie 2010 Capital Fund Budget for **the expenses as submitted by the Administration attached hereto**, as the City of Erie has requested to draw down 4% of the September 30, 2009 Water Reserve Fund value to fund the 2010 Capital Allocation Budget as set forth in the Investment Policy as adopted and amended by City Council on January 6, 2010.
6. Resolution sponsored by Councilwoman Jessica Horan-Kunco withdrawing the sum of **\$95,367.13** from the **Water Reserve** account in accordance with attached documentation and placing said amount in the City of Erie Capital Improvement Account, as the City has incurred capital expenses during 2009 and is requesting reimbursement for said expenses from the Water Reserve account in said amount as no funds were withdrawn in 2009 from the Water Reserve Fund.

7. Resolution authorizing and directing the proper City officials to execute a Quit Claim Deed for property located at **3971 Pine Avenue**, further identified by Erie County Assessment Index #(18) 5383-217, for the purpose of clearing a cloud on the title of the property dating back to July 6, 1939 in favor of Jacqueline A. Grygier.
8. Resolution approving the proposed Repository Sale of Property commonly known as **313 Poplar Street** and identified by Erie County Assessment Index #17-040-021.0-126.00 by the Erie County Tax Claim Bureau to Melvin M. Marinkovic, for the sum of \$250.00.
9. Resolutions appointing the following individuals as **Probationary Patrolmen** in the City of Erie, Bureau of Police, as they appear on the current Civil Service Eligibility List, for the probation period of one year from the date of their appointment Monday, January 11, 2010:
 1. Matthew David Eicher (Veteran) 1325 East 8th Street, Erie, Pa. 16503
 2. Jason Anthony Lantzy, 9125 Perry Highway, Waterford Pa. 16441
 3. Curtis John Richard Waite (Veteran) 19 Willow Street, Union City, Pa. 16438
 4. Felipe C. Velez, 1824 West 37th Street, Erie, Pa. 16508
 5. Peter Vincent Balesk, 34713 Mt. Pleasant Road, Union City, Pa. 16438
 6. Jason Thomas Luschini, 7 Vo Tech Drive, Apt. 12D, Oil City, Pa. 16301
 7. Frank Samuel Trigilio, 3209 West 23rd Street, Erie, Pa. 16506

10. Communication from Mayor Joseph E. Sinnott notifying City Council that he has appointed the following individuals to the **Erie Metropolitan Transit Authority Board**:

Mike Martin, replacing Bill DeLuca, who had been serving on an expired term. Mr. Martin will serve the balance of the current term which will expire December 31, 2011, and

George Munro, replacing Lucinda Hendrickson, who has been serving on an expired term. Mr. Munro will serve the balance of the current term, which will expire December 31, 2011.

TRANSFERS:

1. In the **Office of Municipal Garage, Parks & Recreations, and Refuse & Recycling**, the sum of \$15,400.00 from #002-0719-0000-4033 Operating Supplies; \$2,700.00 from 4047 Utilities; \$4,100.00 from #002-0725-0000-4033 Operating Supplies and \$5,650.00 from #008-0731-0000-4033 Operating Supplies with \$9,500.00 being transferred to #002-0719-0000-4035 Repair & Maintenance; \$8,600.00 to 4059 Other Services; \$4,100.00 to #002-0725-0000-4035 Repair & Maintenance and \$5,650 to #008-0731-0000-4059 Other Services, for a transfer totaling \$27,850.00.

PURCHASE ORDERS:

1. **PA Chiefs of Police Association**, 3905 North Front Street, Harrisburg, Pa. for a one (1) year maintenance Agreement for Livescan CPIN (mugshots) software and hardware (\$3,950.00) and fingerprint system maintenance agreement (\$4,225.00), for the Bureau Police, for a total cost of \$8,175.00.
2. **Five Star International**, P. O. Box 64006, Baltimore, MD, for Transmission Repairs for the Bureau of Refuse, for the sum of \$8,425.49.

H. COMMITTEE REPORTS

I. ADJOURNMENT