

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, DECEMBER 16, 2009 AT 9:00 A. M.

A. Roll Call

B. Silent Meditation

C. Approval of the Minutes/Bills

D. Citizens to be Heard

District Justice Tom Carney, re. Judicial Comments

Ma rk Dobeck, 1050 East 38th, Street, re. Sewage Backup

Randy Barnes, 109 Walten Point, re. "Erie-A Major Source of Hazardous Air Pollution"

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,689, Pending Official File Ordinance #67-2009
an ordinance fixing the **tax rate** for all city purposes for the fiscal year 2010
(beginning on January 1, 2010 and ending on December 31, 2010).
2. Council File Ordinance #15,690, Pending Official File Ordinance #68-2009
an ordinance adopting the **General Fund** and certain other budgets for the fiscal year
beginning January 1, 2010 and ending December 31, 2010.
3. Council File Ordinance #15,693, Pending Official File Ordinance #69-2009
an ordinance appropriating the sum of **\$6,500.00** from unappropriated and
anticipated revenue from Account #215-0613-0000-3342 Police Drug & Vice Account
and providing for the expenditure thereof by allocating said funds to Account
#21 5-0613-0000-4078 Machinery & Equipment.
4. Council File Ordinance #15,694, Pending Official File Ordinance #70-2009
an ordinance amending the Streets, Utilities and Public Services Code of the
City of Erie, Article 951, **Residential Refuse**, by increasing the annual fee from
\$155.00 to \$192.00 per year for each dwelling containing not more than four
dwelling units. The \$192.00 collection fee shall be assessed against each
dwelling unit.
5. Council File Ordinance 15,695, Pending Official File Ordinance #71-2009
an ordinance amending the **Sewer Rental Ordinance** of the City of Erie, Article
933, Section 933.02 by increasing the Meter Quantity Charges to read as follows:
"The sewer meter rate schedule applicable to all users, in addition to a service
charge of twelve dollars (\$12.00) per bill, shall be as follows:
Meter Quantity Charges Rate per
100 Cubic Feet Per Quarter 100 Cubic Feet
First 70 \$ (1.85) \$2.20
Next 4,930 \$ (1.75) \$2.10
All over 5,000 \$ (1.55) \$2.00
6. Council File Ordinance #15,696, Pending Official File Ordinance #72-2009
an ordinance amending the General Offenses Code of the City of Erie, Part 7, by
adding a new Article 739 Prohibition of **Driving with Hand-held Mobile Phones** and
providing for penalties for violation thereof.

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,697
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).

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
concerning the usage of **Wind Energy Systems** including height requirements
performance standards and decommissioning processes.

G. NEW BUSINESS

1. Resolution sponsored by Councilman Patrick Cappabianca tributing **Mrs. Rubye
Jenkins-Husband** and her achievements during the past twelve years as a member
of Erie City Council.
2. Resolution sponsored by Councilman Mark Aleksandrowicz authorizing and
directing the City Solicitor to prepare an ordinance amending the Rules of
Council by creating the position of **vice-president of City Council**.
Immediately following the election of a president of City Council for the new
year, there will be nominations accepted for this position with a following
election for same. There is to be no change in salary as this position is to
only provide a consistent replacement to chair the Council meetings in the
absence of the Council President.
3. Resolution sponsored by Councilwoman Jessica Horan-Kunco, authorizing and
directing the City Clerk to advertise notice of a Public Hearing to be held
on Wednesday, **January 6, 2009 at 10:00 a.m.** to consider an amendment to the
City of Erie Zoning Code by adding a provision for the **creation and
installation of Urban Solar Farms** within the City of Erie.

4. Resolution sponsored by Councilwoman Jessica Horan-Kunco appointing **Marcella Plonski** to the Erie Sewer Authority for a five year term of office, beginning on January 1, 2010. (Ms. Plonski was previously appointed to serve the unexpired term of John Kohler which expired December 31, 2009)
5. Resolution authorizing and directing the Mayor and City Controller to execute the Federal Aid Reimbursement Agreement No. 010R36 between the City of Erie and the Commonwealth of Pennsylvania, Department of Transportation for the construction for the **Union Square Redevelopment and Streetscape Improvements** from West 12th Street to West 14th Street and from State Street to Sassafras Street in the reimbursement amount of \$3,350,000.00.
6. Resolution receiving the communication from Attorney William G. Sesler for and on behalf of the **City Mission of the Evangelical Churches of Erie**, (commonly referred to as Erie City Mission), including a bid for the purchase of property located at **916 German Street**, (located north of Bethany Lutheran Church and being some 30 x 82-1/2 feet in area), identified by Erie County Assessment Index #(15) 2011-103, for the sum of \$250.00, plus payment of back taxes in the amount of \$407.06, for a total purchase price of \$657.06.
7. Resolution approving the proposed Repository Sale of Property commonly known as **1022 McCarter Avenue**, Erie, Pa., and identified by Erie County Assessment Index #14-010-035.0-219.00 by the Erie County Tax Claim Bureau to Debra Goetz of Stillwater Property Management LLC, for the sum of \$250.00.
8. Resolution approving the proposed Repository Sale of Property commonly known as **Plum Street ET West 11th Street**, being 30 x 82.5 feet in area, and identified by Erie County Assessment Index #16-030-046.0-200.00 by the Erie County Tax Claim Bureau to Ernesto Vazquez, for the sum of \$250.00.
9. Resolution authorizing Change Order #1 on the contract of **Russell Standard Corporation**, P. O. Box 86, Union City, Pa. for the 2009 proposed milling and asphalt resurfacing of various City Streets and installation of Concrete Curb Ramps-1, Bid #1636-09 adding the sum of \$109,669.79 to the original contract price of \$1,033,344.28, revising the contract price to \$1,143,014.07.

TRANSFERS:

1. In the Community Development Block Grant accounts, the sum of **\$26,982.32** from various #501-1252-2007-40xx accounts to #501-1251-2007-4017 Pension Contribution.
2. In the Police General Fund Accounts, the sum of \$45,000.00 from #0603 Police Civilians from 4006 Overtime with \$33,000.00 to #4011 Salaries and \$12,000.00 to #4014 Crossing Guards; \$150,000.00 from Police Accounts #0613 Group Insurance with \$30,000.00 being transferred to #4006 Overtime; \$15,000.00 to #4007 Shift Differential; \$100,000.00 to #4011 Salaries and \$5,000.00 to #4016 FICA, and \$5,500.00 in #0617 Traffic Court with \$5,200.00 to 4011 Salaries and \$300.00 to #4016 FICA, for a transfer totaling **\$200,500.00**.
3. In the Office of General Government and Bureau of Fire, the sum of \$65,000.00 from #002-0963-0000-4012 Employee Payouts and \$200,000.00 from #002-0639-0000-4018 Group Insurance with \$115,000.00 being transferred to #002-0639-0000-4006 Overtime and \$250,000.00 to #002-0639-0000-4011 Salaries for a transfer totaling **\$265,000.00**.

PURCHASE ORDERS:

1. **Urban Engineers of Erie, Inc.**, 1319 Sassafras Street, Erie, Pa., for the proposed inspection of the McBride Viaduct (East Avenue Bridge) for the sum of \$9,300.00.
2. **Traffic Products, Inc.**, 385 Lancaster Avenue, Malvern, Pa., for traffic signal Controllers for the Bureau of Traffic Engineering, at a total cost of \$5,330.00.
3. **Overhead Door of Franklin**, 204 Mercer Road, Franklin, Pa. for the installation of a Door for the Public Works Department Carwash for the Municipal Garage in the sum of \$3,360.00.
4. **Washtronics**, 521 Ridgeview Drive, Erie, Pa. for Repair Maintenance Services to the Carwash at the Municipal Garage for the sum of \$4,146.25.
5. **Gerster Trane**, 45 Earhart Drive, Suite 103, 5 & 8, Buffalo, New York, for a one (1) year Service Agreement for the plant chillers for the Bureau of Sewers, at for the sum of \$6,426.00.
6. **David Milano Construction**, 1827 West 36th Street, Erie, Pa., for Repair Services at a street cave-in at 18th & Peach Streets for \$9,996.53 and installing a new Catch Basin and Pavement at 12th & French Streets for the sum of \$7,851.94.

H. COMMITTEE REPORTS

I. ADJOURNMENT