

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, OCTOBER 7, 2009 at 9:00 A.M.

A. Roll Call

B. Silent Meditation

C. Approval of the Minutes/Bills

- D. **Presentation** as requested by Councilwoman Rubye Jenkins-Husband by the Breakfast Bunch, of the Erie Health & Aging, 4th & Peach Streets
Presentation by **Bill Jackson**, CEO, United Way of Erie County and collaborating partner with **Mercyhurst College** and **GECAC** on the Erie initiative to fight poverty

E. Citizens to be Heard

Sue Weber, Erie County Controller, re. Water

Mike Beightol, 126 West 38th Street, re. Flood Damage

Randy Barnes, 109 Walten Point, re. Trust and Truth - Why Erie Needs a CEMS Ordinance

F. **ORDINANCES: FOR FINAL PASSAGE:**

1. Council File Ordinance #15,679, Pending Official File Ordinance #55-2009 an ordinance appropriating the sum of **\$17,000.00** from unappropriated and anticipated revenue from Account #222-0613-0000-3304 Federal Forfeiture Revenue and providing for the expenditure thereof by allocating said funds into Account #222-0613-0000-4039 Consumable Items (\$2,000) and 4045 Communications (\$15,000).
2. Council File Ordinance #15,684, Pending Official File Ordinance #60-2009 an ordinance appropriating the sum of **\$2,089,416.00** from unappropriated and anticipated revenue from Account #387-1387-0000-3336-State Operating Grant-PA Department of Community and Economic Development and providing for the expenditure thereof by allocating said funds to various #387-1387-0000-40XX accounts.

ORDINANCES: FOR FIRST READING:

1. City Council Ordinance #15,685 an ordinance appropriating the sum of **\$1,100,000.00** from unappropriated and anticipated revenue from Account #271-0707-0000-3332 State Operating Grant-PennDOT and providing for the expenditure thereof by allocating said sum to Account #271-0707-0000-4075 Bridges and Streets for the construction phase of State Street Enhancements from the Bayfront Parkway to Dobbins Landing.
2. Council File Ordinance #15,686 an ordinance appropriating the sum of **\$1,031,500.00** from unappropriated and anticipated revenue from Account #016-0707-0000-3310 Federal Operating Grant-Department of Energy and providing for the expenditure thereof by allocating said sum to Account #016-0707-0000-4077 Other Improvements.

G. **OLD BUSINESS**

H. **NEW BUSINESS**

1. Resolution sponsored by Councilwoman Rubye Jenkins-Husband recognizing October as **Breast Cancer Awareness Month** and encouraging public support for research, education and screening to save more lives and win the battle over this deadly disease.
2. Resolution sponsored by Councilman Patrick Cappabianca extending the Letter of Engagement with **Michael Fiorentino, Esq.**, to include the addition of \$5,000.00 to continue to represent City Council in the preparation, filing and litigation of a Land Use Appeal of the Zoning Hearing Board's decision to invalidate a portion of the City of Erie's Zoning Ordinance pertaining to height restrictions in the M2 district.
3. Resolution sponsored by Councilman Patrick Cappabianca transferring the sum of **\$5,000.00** from Account #002-0301-0000-4041 Professional Services (City Controller) to Account #002-0101-0000-4041 (Professional Services (City Council)).
4. Resolution sponsored by Councilwoman Jessica Horan-Kunco, adopting the Investment Policy for the **City of Erie Water Authority Reserve Fund**, as prepared by Merrill Lynch, for the City Council and recommended by the Sinking Fund Committee, effective October 7, 2009.
5. Resolution sponsored by Councilwoman Rubye Jenkins-Husband, respectfully requesting a Study Session with City Council and the Administration to discuss some recommendations for reducing the **POVERTY RATE in the City of Erie**.
6. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting City Council's approved consent to the expansion of **Public Access Channel 2** to areas of Time-Warner Cable beyond the limits of the City of Erie.

7. Resolution authorizing and directing the proper City officials to execute an amendment to an Agreement between the City of Erie and **Hamot Medical Center** for the 2009 Pilot Agreement adding approximately 169 various listed properties as submitted to the original Pilot Agreement dated June 1996.
8. Resolution receiving the recommendation of the City Planning Commission regarding the request for **Waterfront Conditional Use** submitted by Jim McCormick of Port Harbor Homes in conjunction with the Bayfront Eastside Task Force for construction of a single family dwelling located at **537 East 2nd Street** and authorizing and directing the City Clerk to advertise notice of a Public Hearing to be held before City Council on Wednesday, **November 4, 2009 at 10:00 a.m.**
9. Resolution authorizing and directing the Mayor and City Controller to approve the recommendation to change the time requirement for taking the **Fire Promotion test** from five (5) years to eight (8) years as a firefighter before taking the Lieutenant's test, and two (2) years as Lieutenant before taking the Captain's test. Candidates will be required to have Firefighter I (Advanced Training) at the time of promotion. Promotion List effective June 1, 2010.
10. Resolution authorizing and directing the appropriate City officials to satisfy the City's demolition lien against the property at **250 West 17th Street**, with a current debt of approximately \$9,334.90 as said parcel has been acquired by HANDS as part of its redevelopment of the area commonly referred to as Historic Little Italy and should have been forgiven as part of that acquisition. (The Solicitor's office has reviewed this request by Charles G. Scalise, President/CEO of HANDS and defers to Council's discretion in discharging the lien.)
11. Resolution authorizing and directing the appropriate City officials to satisfy the City's demolition lien against the property at **254 West 17th Street**, with a current debt of approximately \$6,542.61 as said parcel has been acquired by HANDS as part of its redevelopment of the area commonly referred to as Historic Little Italy and should have been forgiven as part of that acquisition. (The Solicitor's office has reviewed this request by Charles G. Scalise, President/CEO of HANDS and defers to Council's discretion in discharging the lien.)
12. Resolution submitted pursuant to Section 5 of the Act of January 24, 1966, known as the "Pennsylvania Sewage Facilities Act" approving the installation of sewer tap-ins, at the request of **HANDS, Inc.**, land developer, for development of a parcel of land identified as North Coast Place Apartments on the northeast corner of **West 18th and Hickory Streets**, and submitting same to the Department of environmental Protection for its approval.
13. Resolution authorizing and directing the proper City officials to execute an Easement Agreement between the City of Erie and **Blue Wireless**, tenant of 929 State Street, Index No. (15) 2001-113, in compliance with the City Engineer's metes and bounds description, locating an identification sign in the State Street right-of-way.
14. Resolution approving the proposed Repository Sale of property commonly known as **240 East 22nd Street**, and identified by Erie County Assessment Index #18-050-009.0-141.00 by the Erie County Tax Claim Bureau to the Erie Redevelopment Authority for the sum of \$255.00.
15. Resolution approving the proposed Repository Sale of property commonly known as **631 East 21st Street**, and identified by Erie County Assessment Index #18-050-025.0-108.00 by the Erie County Tax Claim Bureau to the Redevelopment Authority for the sum of \$255.00.

TRANSFER:

1. In the Public Works Department, Bureau of Municipal Garage, the sum of **\$110,000.00** from Account #002-0719-0000-4033 Operating Supplies to Account #4035 Repair & Maintenance Supplies.

CONTRACTS:

1. **Fire & Police Selection, Inc.**, 193 Blue Raven Road, Folsom, CA, for Test Prep Booklets for Fire for the Human Resources Department at a total cost of \$12,428.95.
2. **McLallen Construction, Inc**, 8349 Edinboro Road, Erie, Pa., for Emergency Repairs to the site of the Ore Dock Road bridge which invoice includes all mobilization, equipment, labor, and material necessary to successfully complete the project, for the sum of \$16,051.30.

PURCHASE ORDERS:

1. **Patricia A. Ambrose**, 319 West 8th Street, Erie, Pa., for Police & Fire Psychological Evaluations for the Human Resources Department at a total cost of \$2,250.00.
2. **McCarty Printing Corporation**, 246 East 7th Street, Erie, Pa., for 6,700 LEAD Hazard Control 2010 Calendars for the Department of Economic and Community Development at a total cost of \$6,248.00.
3. **Traffic Detectors & Signs**, 7521 Forest Hill, Youngstown, Ohio, for three (3) Detector Loops at 38th and State Street at \$850.00 each for the Bureau of Traffic Engineering at a total cost of \$2,550.00.
4. **Hagan Business Machines**, 1112 Peach Street, Erie, Pa., for a Lease of a Ricoh MP 6000 Machine for the Print Shop at a total cost of \$25,515.00 (\$405.00 per month) for a period of 63 months. (COSTARS Contract)
5. **Kolaja Fire Equipment Sales**, 36820 Lake Road, Union City, Pa., for lights, flashers, siren, speakers and brackets for the Chief's Impala for the Bureau of Police at a total cost of \$2,014.34.
6. **Potter Silkscreening Co.**, 155 East 10th Street, Erie, Pa., for the purchase of 190 Shirts and 50 Hats for the Project Safe Neighborhood Grant for the Bureau of Police for the sum of \$2,192.00.
7. **Erie General Tire, Inc.**, 121 West 12th Street, Erie, Pa., for 30 Tires for the Bureau of Police for the sum of \$2,995.50.
8. **Markl Supply Co.**, 904 Perry Highway, Pittsburgh, Pa., for six (6) Replacement Ballistic Vests for the Quebec Unit Officers whose current vests expire soon, for the Bureau of Police at a total cost of \$4,734.00.
9. **Al Xander Co., Inc.**, 36 East South Street, Corry, Pa., for 275 gallons of Intercool NFC Concentrate for the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$2,525.00 (only supplier)
10. **RAM Industrial Service**, 5460B Pottsville Pike, Leesport, Pa., for Repair Parts for the Flotation Sludge Pumps for the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$2,814.35.
11. **Wm. T. Spaeder Co.**, 1602 East 18th Street, P. O. Box 10066, Erie, Pa, for an Emergency Storm Sewer Repair for the Bureau of Sewers for the sum of \$3,583.64.
12. **David Milano Construction**, 1827 West 36th Street, Erie Pa., for performing Repair Services for the Bureau of Sewers by repairing the Catch Basin & Street Cave-in at 1629 West 44th Street, for the sum of \$4,366.36 and rebuilding the Storm Chamber at 6th & Myrtle Streets for the sum of \$5,613.17 (both for material costs only).
13. **David Milano Construction**, 1827 West 36th Street, Erie, Pa., for replacing the Sanitary Sewer Main at 248 East 3rd Street for the Bureau of Sewers for the sum of \$13,366.50 (material costs only).

I. COMMITTEE REPORTS

City Controller Casimir Kwitowski will present City Council with the City of Erie Employees Pension Plans 2010 Minimum Municipal Obligation Report based on the January 1, 2007 Actuarial Valuation Report.

J. ADJOURNMENT