

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, SEPTEMBER 2, 2009 at 9:00 A.M.

- A. Roll Call**
- B. Silent Meditation**
- C. Approval of the Minutes/Bills**
- D. Citizens to be Heard**

Randy Barnes, 109 Walten Point, re. Trust and Truth - Why We Need a CEMS Ordinance - Part II

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,673, Pending Official File Ordinance #49-2009, an ordinance amending Article 1503 Uniform Construction Code, Section 1503.21 Standards, to adopt the **International Property Maintenance Code 2009** and incorporate same by reference.
2. Council File Ordinance #15,674, Pending Official File Ordinance #50-2009, an ordinance appropriating the sum of **\$34,991.10** from unappropriated and anticipated revenue from Account #264-0707-0000-3332 State Operating Grant-PennDOT (\$11,480.03) and 3111 Fund Balance (\$23,511.07) and providing for the expenditure thereof by allocating said funds to Account #264-0707-0000-4075 Bridges and Streets.
3. Council File Ordinance #15,675, Pending Official File Ordinance #51-2009, an ordinance appropriating the sum of **\$300,000.00** from unappropriated revenue from Account #013-1291-0000-1213 Liquid Fuels Tax Fund and providing for the expenditure thereof by allocating said funds to Account #013-1291-0000-4035 Repair and Maintenance Supplies (\$100,000.00) and 4075 Bridges and Streets (\$200,000.00).
4. Council File Ordinance #15,676, Pending Official File Ordinance #52-2009, an ordinance appropriating the sum of **\$375,367.00** from unappropriated and anticipated revenue from Account #241-0613-0000-3304 JAG Recovery Act Grant and providing for the expenditure thereof by allocating said funds to Account #241-0613-0000-4006 JAG Recovery Act (\$11,000.00); 4016 FICA/Medicare (\$161.00); 4021 Valic (\$100.01); 4059 Other Services & Charges (\$89,450.49) and 4078 Machinery & Equipment (\$274,655.50).

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,677 an ordinance appropriating the sum of **\$6,800.00** 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 into Account #215-0613-0000-4078 Machinery & Equipment.
2. Council File Ordinance #15,678 an ordinance appropriating the sum of **\$10,508.00** from unappropriated and anticipated revenue from Account #274-0613-2009-3331 PLCB Underage Drinking Grant (\$7,620.00) and #215-613-0000-3342 Police Drug Vice Program (\$2,888.00) and providing for the expenditure thereof by allocating said funds to #274-0613-2009-4006 Overtime (\$8,368.00); #4016 FICA/Medicare (\$100.00); #4021 Valic (\$300.00); 4039 Consumable Items (\$740.00); #4059 Other Services & Charges (\$1,000.00).
3. Council File Ordinance #15,679 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 to Account #222-0613-0000-4039 Consumable Items (\$2,000.00) and #4045 Communications (\$15,000.00).
4. Council File Ordinance #15,680 an ordinance appropriating the sum of **\$7,495.00** from unappropriated and anticipated revenue from Account #501-0000-0000-3301 Federal Operating Grant/ Department of Housing and Urban Development (HUD) and providing for the expenditure thereof by allocating said sum to Account #501-1245-2009-4072 Land & Buildings.
5. Council File Ordinance #15,681 an ordinance appropriating the sum of **\$1,125.00** from unappropriated and anticipated revenue from Account #328-1328-0000-3699 Miscellaneous Sources and providing for the expenditure thereof by allocating said funds to Account #328-1328-0000-4059 Other Services & Charges.
6. Council File Ordinance #15,682 an ordinance appropriating the sum of **\$27,320.00** from unappropriated and anticipated revenue from Account #507-1242-0000-3699 Miscellaneous Sources and providing for the expenditure thereof by allocating said funds to Account #507-1242-0000-4052 Advertising (\$10,000.00) and 4059 Other Services & Charges (\$17,320.00).
7. Council File Ordinance #15,683 an ordinance appropriating the sum of **\$1,458,364.00** from unappropriated and anticipated revenue from Account #508-1244-0000-3308 Federal Operating Grant - HUD-HPRP and providing for the expenditure thereof by allocating said funds to Account #508-1244-0000-4011 Salaries (\$28,700.00); 4016 FICA/Medicare Tax (\$2,200.00); #4017 Pension Contribution (\$3,100.00); #4018 Group Insurance (\$9,200.00); #4021 Deferred Compensation (\$551.00); and #4441 Erie County MHMR (\$1,414,613.00).

F. OLD BUSINESS

ZONING:

Pursuant to the provisions of Zoning Ordinance #80-2005 and the proper legal advertising, the City Council will proceed to hold a **Public Hearing** on Wednesday, **September 2, 2009** commencing at approximately 10:00 a.m. regarding a request from the Bayfront East Side Task Force to allow for a Waterfront Conditional Use classification for property known as **132 Parade Street**, for the construction of a single family dwelling.

Resolution sponsored by Council President Joseph Schember approving the request from the Bayfront East Side Task Force to allow for a Waterfront Conditional Use classification for property known as **132 Parade Street**, for the construction of a single family dwelling.

REPOSITORY SALES:

Resolutions approving the following proposed repository Sales of property by the Erie County Tax Claim Bureau to the individuals noted:

1. To **Malinda Elko** of SBBC Holdings LLC, for property known as 721-23 East 8th Street, Index #15-020-034.0-217.00, for the sum of \$250.00.
2. To **Malinda Elko** of SBBC Holdings LLC, for property known as SS Buffalo Road between Pear & Camphausen, Index #18-051-013.0-202.00, for the sum of \$250.00.
3. To **Verna Montanez** of VEM Investments LLC, for property known as 512-1/2 West 3rd Street, Rear Bl, Index #17-040-018.0-254.00, for the sum of \$250.00.
4. To **Verna Montanez** of VEM Investments LLC, for property known as 1012 Ash Street, Index #15-020-027.0-204.00, for the sum of \$250.00.

G. NEW BUSINESS

1. Resolution sponsored by Councilwoman Rubye Jenkins-Husband expressing sincere condolences to the family of **United States Senator Ted Kennedy** upon his passing on Tuesday, August 25, 2009, and taking time to honor his great service to his country over the past forty years that he served in the United States Senate.
2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband tributing **Sharde Muhammad**, Volunteer Youth Coordinator and the numerous young volunteers that participated in the Rodger Young Neighborhood Clean-up Project and also **Mr. Dan Serafin** for his selfless gifts, contributions and donations that helped with the clean-up of this area.
3. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the City Solicitor to draft legislative ordinance to establish an independent **Citizen Police Review Board**.
4. Resolution sponsored by Councilwoman Jessica Horan-Kunco appointing **Marcella Plonski**, 3911 Washington Avenue, Erie, Pa., to the **Erie Sewer Authority** to fill the unexpired term of Jack Kohler, to December 31, 2009.
5. Resolution supporting Mr. Chester Lee's initiative to encourage habitat for **native bees** and recognizing the significant role in the pollination of plants and food.
6. Resolution concurring with the appointments of Mayor Joseph Sinnott of the following individuals as **Tax Collection Committee delegates** for the City of Erie:
 1. Primary voting delegate: Ronald Komorek
 2. First Alternate voting delegate: Casimir Kwitowski
 3. Second Alternate voting delegate: Paul LichtenwalterSaid appointments are to become effective immediately.
7. Resolution authorizing Change Order #2 on the contract of **Environmental Remediation & Recovery, Inc.**, 4250 Route 6N, Edinboro, Pa.. for the proposed Act II Environmental Remediation and Site closure at the Erie Golf Course Expansion Site adding the sum of \$18,070.73 to the contract for Soil Removal; Rubber Excavation and removal of waste materials; hand picking of non-media solids and clearing/grubbing of A02 and A0C3 and grading & removal of non-media solids, stumps & debris A0C2, increasing the amount of the contract from \$85,638.00 to \$103,708.73.

TRANSFER:

1. In the Sewer Revenue Fund, the sum of **\$38,000.00** from #007-0773-0000-4078 Machinery & Equipment and 4033 Operating Supplies to #007-0773-0000-4035 Repair & Maintenance Supplies. (The inventory of castings needed to raise catch basins and manholes has been exhausted. This transfer will pay for a portion of a castings order and leave a small amount of money to pay for additional sewer repair materials to be purchased through the end of the current year.)

CONTRACTS:

1. **Serius Computer Solutions**, 613 N. W. Loop 410, Suite 1000, San Antonio, Texas, for two IBM eServer 1 Series replacements (A & B), for the Bureau of Computer Services at a total cost of \$44,108.00. (Government Discount Program)
2. **CDW-Government Inc.**, 75 Remittance Drive, Suite 1515, Chicago, IL, for a Network Switch Replacement for the Bureau of Computer Services in the sum of \$48,502.00. (COSTARS State contract)
3. **City of Corry Police Department**, 20 East South, Corry, Pa., approving the reimbursement for grant purchases of Police Vehicles for a total amount of \$19,430.43 per JAG Grant award #2009-SB-B9-2081. (The City of Erie will administer the grant and funds will be reimbursed to them upon receipt of their requisition of funds)
4. **Millcreek Township Police Department**, 3606 West 26th Street, Erie, Pa., approving the reimbursement for grant purchases of Mobile Data Terminals for a total amount of \$24,506.81 per JAG Grant award #2009-SB-B9-2081 under the same stipulations noted above.
5. **District Attorney of Erie County**, 140 West Sixth Street, Erie, Pa., approving the reimbursement for grant purchases of Police vehicle and radios for a total amount of \$45,513.25 per JAG Grant award #3009-SB-B9-2081 under the above stipulations.
6. **Smoracy, LLC**, 6750 Millbrook Road, Remus, MI, for Various Parts for the Beast for the Composting Department, at a total cost of \$14,899.39.

PURCHASE ORDERS:

1. **Softmart**, 450 Acorn Lane, Downingtown, Pa., for Antivirus Support Contract Renewal for the Bureau of Computer Services, in the sum of \$3,870.00.
2. **Flint Trading, Inc.**, 115 Todd Court, Thomasville, NC, for Thermoplastic Parade Street Pavement Markings, for the Bureau of Traffic Engineering, Department of Public Works, at a total cost of \$4,746.60. (State Contract)
3. **Ferrando Ford**, 8868 Ridge Road, Girard, Pa., for a 2006 Ford Explorer SUV for the Bureau of Police for the sum of \$6,500.00.
4. **Electrical Repair Technology, LLC**, 5323 Woodside Drive, Erie, Pa., for the repair of two (2) Return Activated Sludge Pumps at the Wastewater Treatment Plant for the Bureau of Sewers for the sum of \$5,765.00.
5. **David Milano Construction**, 1827 West 36th Street, Erie, Pa., for Cleaning Drift Catcher at Glenwood for the Bureau of Sewers for the sum of \$2,257.50. (Material Costs Only)
6. **David Milano Construction**, 1827 West 36th Street, Erie, Pa. for Blacktopping Winter Cuts at 49th & Stanley; 814 Cherry Street, 1151 West 5th Street; 815 West 27th Street; 2530 Poplar Street and 1550 West 31st Street for a total cost of \$5,712.00. (Material Costs Only)
7. **Slickbar Products Corp.**, 18 Beach Street, Seymour, CT, for Repair Parts for the Cascade Creek debris room for the Bureau of Sewers for the sum of \$6,190.00.
8. **David Milano Construction Co.**, 1827 West 36th Street, Erie, Pa., for (1) installing two Catch Basins, Manhole, and Storm Relief Sewer at 6th & Myrtle Street, for the sum of \$4,056.54 and (2) installing new Basin & Relief Storm Sewer in the alley on 10th Street between Peach & State Streets, for the sum of \$9,926.70. (Material Costs Only)

H. COMMITTEE REPORTS**I. ADJOURNMENT**