

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, JULY 15, 2009 at 7:30 P. M.

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

**Patty Puline**, Erie County Department of Health, re. the new Skatepark  
**Randy Barnes**, 109 Walten Point, re. "Is It Safe"  
**Chester Lee**, 60 Pinewood Lane, re. installation of native bee propagation poles  
**Jana Finder**, 5541 Beverly Place, re. Ordinance #15,668-Lost or Stolen Handguns  
**Councilman Bruce Kraus**, Pittsburgh, Pa., re. proposed Ordinance #15,668

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,662, Pending Official File Ordinance #38-2009 an ordinance approving the plan of the Erie Sewer Authority for the issuance of an aggregate amount not to exceed **\$15,500,000.00 Sewer Revenue Bonds**, Series of 2009 and setting forth the amount, interest rates and maturity dates of the bonds; authorizing the authority to proceed with the plan of financing; authorizing the execution and delivery of a lease agreement and the incurrence of lease rental debt thereby, authorizing the specified officers of the City of Erie to prepare and certify the debt statement and to do all other acts necessary to carry out the provisions of the ordinance; setting forth the payment of the Sewer Revenue Bonds and the source of such payments, repealing all inconsistent ordinances and providing that the ordinance is effective immediately.
2. Council File Ordinance #15,663, Pending Official file Ordinance #39-2009, an ordinance appropriating the sum of **\$93,848.61** from unappropriated and anticipated revenue from Account #231-0613-2008-3337 Insurance Fraud Prevention and providing for the expenditure thereof by allocating said funds to various #231-0613-2009-40xx accounts. (This grant covers partial salary and overtime for the Insurance Fraud Investigator. It also covers the vehicle lease, gasoline, equipment purchases and cell phone service for the Insurance Fraud office. This grant is funded by the Commonwealth of Pennsylvania Insurance Fraud Prevention Authority.)
3. Council File Ordinance #15,664, Pending Official File Ordinance #40-2009, an ordinance appropriating the sum of **\$210,500.00** from unappropriated and anticipated revenue from Account #261-0613-2008-3336 Weed & Seed Quality of Life and providing for the expenditure thereof by allocating said sum to various #261-0613-2008-40xx accounts. (This grant s funded by PCCD for the grant period of 7/1/09 to 6/30/10. Funds will be used for overtime, supplies, training and consultant expenses for various initiatives.)
4. Council File Ordinance #15,665, Pending Official File Ordinance #41-2009, an ordinance appropriating the sum of **\$953,386.00** from unappropriated and anticipated revenue from Account #501-0000-0000-3301 Federal Operating Grant - U. S. Department of Housing and Urban Development (HUD) and providing for the expenditure thereof by allocating said funds to Account #501-1237-2008-4075 Bridges and Streets. (These additional CDBG funds were made available to the City under the American Recovery and Reinvestment Act of 2009. The funds will be used for street resurfacing in low to moderate income neighborhoods at various locations throughout the City.)

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,666 an ordinance amending Official File Ordinance #80-2005, known as the Zoning Ordinance of the City of Erie, by amending the definition of "**Dormitory**", revising the parking requirement for Dormitories and enacting regulations for "**Massage Therapist**" with new Special Regulation criteria and changing the dimensional maximum for directional or panel communication antennas.
2. Council File Ordinance #15,667 an ordinance designating a portion of East 21<sup>st</sup> Street between Ash and Reed Streets, as "**Clara's Way**" as an honorary tribute to her works of charity in the Erie community.
3. Council File Ordinance #15,668 an ordinance supplementing the Codified Ordinances of the City of Erie, Part Seven (General Offenses Code), by adding new article 739 (**Loss or Stolen Handguns**) which requires the owner of a handgun to report its loss or theft within 72 hours and providing penalties for violation thereof.
4. Council File Ordinance #15,669 an ordinance amending Official Ordinance #26-1958 known and cited as the Traffic Code of the City of Erie, by installing **Stop Signs** at six (6) intersections that are currently uncontrolled:
  - 1) East 2<sup>nd</sup> Street and Pennsylvania Avenue - Stopping East 2<sup>nd</sup> Street
  - 2) East 4<sup>th</sup> Street and Dunn Blvd. - Stopping East 4<sup>th</sup> Street
  - 3) East 5<sup>th</sup> Street and Dunn Blvd. - Stopping East 5<sup>th</sup> Street
  - 4) West 4<sup>th</sup> Street and Beverly Drive - Stopping West 4<sup>th</sup> Street
  - 5) East 19<sup>th</sup> Street and Wallace Street - Stopping Wallace Street
  - 6) Parade Blvd. and East Lakeview Blvd. - Stopping southbound Parade and Lakeview Blvd.

5. Council File Ordinance #15,670  
an ordinance appropriating the sum of **\$55,600.00** from unappropriated and unanticipated revenue #280-1280-0000-3331 IT Projects Grant Income and providing for the expenditure thereof by allocating said funds to account #280-1280-0000-4078 IT Projects Grant Machinery & Equipment.

**F. OLD BUSINESS**

**G. NEW BUSINESS**

1. Resolution sponsored by Councilman Mark Aleksandrowicz tributing **Joe Kane** on his 95<sup>th</sup> birthday and celebrating his lifetime achievements and contributions to the citizens of Erie.
2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband tributing **Clara Ward** for her selfless acts of charity on behalf of children and youth in our community.
3. Resolution sponsored by Councilwoman Rubye Jenkins-Husband **tributing John Maleno and Maleno Real Estate and Development Corporation** for their participation in constructing a home for Clara Ward within eight days in conjunction with the "Extreme Home Makeover Home Edition" television program and creating the Maleno Family-to-Family Fund to continue this tradition by helping those in need.
4. Resolution authorizing and directing the Mayor and City Controller to execute the **Landowner-Grants Agreement** between the City Sewer Authority (Landowner) and the City of Erie (Grantee) for implementation of a litter trap consisting of a reinforced concrete box and floating boom located at the City of Erie Wastewater Treatment Plant, 68 Port Access Road (Project Premises) as part of the PA DP Growing Greener Grants Program. This project is expected to result in measurable impact in the reduction of the volume of litter on the shores of Presque Isle Bay and Presque Isle State Park.
5. Resolution for Plan Revision for New Land Development for **Hamot Medical Center**, land developer, for a parcel of land identified as the Womens & Childrens Hospital, 118 East 2<sup>nd</sup> Street, for Sewer Tap-ins, in accordance with Section 5 of the "Pennsylvania Sewage Facilities Act", as amended, and the Rules and Regulations of the PA DEP.
6. Resolution approving the proposed Repository Sale of property commonly known as **902 East 5<sup>th</sup> Street**, Erie County Assessment Index #14-010-032.0-237.00 to Troy Aderholdt in the amount of \$250.00.
7. Financial Statements and Independent Auditor's Report for the **Erie City Water Authority** as compiled by Sean T. Sullivan, CPA. PC., for the years ending December 31, 2008 and 2007; City Council receive and order placed on file in the Office of Accounts, Finance & Budget.
8. Financial Statements and Independent Auditor's Report for the **Erie County Convention Center Authority** as compiled by Knowledge to Solutions, PC, for the year ending December 31, 2008; City Council receive and order placed on file in the Office of Accounts, Finance & Budget.
9. Resolution authorizing Change Order #1 on the contract of **Russell Standard Corporation**, P O. Box 86, Union City, Pa., for the 2008 proposed Milling and Asphalt Resurfacing of various City Streets and Installation of Concrete Curb Ramps-1, adding the sum of \$15,737.84, due to the adjustment from estimated plan quantities to actual field quantities and the increase of the milling and resurfacing quantities a total of 5,868 SY, thereby increasing the amount of the contract from \$844,585.86 to \$860,323.70.

**TRANSFERS:**

1. In the 2008 Weed & Seed Grant, the sum of **\$8,863.65** from various accounts including FICA, Valic, Operating Supplies, Repair & Maintenance Services and Other Services & Charges to #261-0613-2008-4006 Overtime.

**CONTRACTS:**

Resolutions authorizing and directing the Mayor and City Controller to execute contracts between the City of Erie and the following individuals and/or companies for goods and/or services as noted and charging same to the respective Budget Code Numbers:

1. **Sunguard Pentamation**, 3 West Broad Street, Bethlehem, PA, for new hardware, software and training for the new automated system designed for the collection of all employee timecard related data for the Computer Service Department of the City of Erie at a total cost of \$35,133.00.

2. **Dave Hallman Chevrolet, Inc.**, 1925 State Street, Erie, Pa., for (2) 1/2 ton Silverado 4x4 Trucks for the Bureau of Parks for the sum of \$45,400.00.
3. **Bob Ferrando World**, Rt. 20, Girard, Pa. for (2) 3/4 ton Ford F250 4x4 Trucks for the Bureau of Parks for the sum of \$45,809.00.
4. **Bank Capital Services Corporation**, 1853 Highway 315, Pittston, Pa., for a four year lease of a 2009 Chevrolet Traverse 4x4, for the Insurance Fraud Investigation Unit, Bureau of Police, at a total cost of \$31,075.68 (16 quarterly payments @ \$1,042.23 each) plus a \$300 documentation fee for a term of 7/25/09 to 4/25/12.
5. **XL Excavating, Inc.**, P. O. Box 9736, Erie, Pa., lowest of four bids received for the East 7<sup>th</sup> Street Storm Sewer Project, Bid #1638-09 for the sum of \$89,033.19.
6. **Tom Tushak, Inc.**, 318 Mechanic Street, Girard, Pa. for the 2009 Curb and Sidewalk Replacement at various locations, Bid #1637-09 for the sum of \$21,315.45, lowest of two bids received.
7. **Guzik Concrete & Masonry**, RD 2, Box 2740, Union City, Pa., for the 2009 Curb Ramps Project, Bid 1639-09, lowest of four bidders in the sum of \$334,181.38.
8. **William T. Spaeder Co.**, 1602 East 18th Street, Erie, Pa., lowest of three bidders for the Mill Creek Litter Trap, Bid #1635-09, in the amount of \$74,490.00.
9. **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, lowest of three bids in the sum of \$1,033,344.28.

Note: Approval of the above resolution is contingent upon the receipt of an executed agreement from HUD for CDBG-R funding by the date of the City Council meeting, July 15, 2009. If said agreement is not received by that date, the resolution will be withdrawn and in order that these services can be commenced at the earliest possible date this season, it has been requested that City Council schedule a special meeting to award this resolution at a date and time to be determined after the Agreement from HUD is received and executed. See memo in reference to this matter to City Council dated July 9<sup>th</sup>.

#### **PURCHASE ORDERS:**

Resolutions authorizing and directing the City Purchasing Agent to issue purchase orders to the following individuals and/or companies for goods and/or services as noted and charging same to the respective Budget Code Numbers:

1. **CDW-Government**, 75 Remittance Drive, Suite 1515, Chicago, Illinois for PC Replacement in Payroll and Human Resources for the Computer Service Department for the sum of \$4,913.00.
2. **William J. Miller, Esq.**, 106 Rampart Lane, Ligonier, Pa., for Arbitration Services for the City Solicitor's Office for \$2,103.70.
3. **Michael E. Zobrak**, 1227 Pleasant Street, Aliquippa, Pa., for Arbitration Services for the City Solicitor's Office for \$5,063.83.
4. **Traffic Detectors & Signs**, 7521 Forest Hill, Youngstown, Ohio, for Repairs to broken Loop Detectors at the intersection of: East 26<sup>th</sup> and Wayne Streets; East 26<sup>th</sup> and Brandes Streets; West 12<sup>th</sup> & Cherry Streets and West 32<sup>nd</sup> & Pittsburgh Avenue, for the Traffic Engineering Division for the sum of \$9,350.00.
5. **Leo's Pneumatics & Hydraulics, Inc.**, 1821 Franklin Avenue, Erie, Pa., for a Commercial Cylinder for Tandem #1003 for the Bureau of Streets at a cost of \$2,024.12.
6. **Vulcan Signs**, 408 East Berry Avenue, P. O. Box 1850, Foley, AL, for Sign Faces and Aluminum Sign Blanks for the Bureau of Streets for \$3,261.57.
7. **High Tread International Ltd.**, 490 Ohio Street, Lockport, NY, for Tire Disposal for the Bureau of Refuse at a cost of \$5,400.00.

#### **H. COMMITTEE REPORTS**

#### **I. ADJOURNMENT**