

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, JUNE 17, 2009 at 7:30 P. M.

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

Richard McVay, 913 State Street, re. Health Care Reform

Randy Barnes, 109 Walten Point, re. "Continuous Emissions Monitoring Systems Ordinance".

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,654, Pending Official File Ordinance #30-2009, an ordinance appropriating the sum of \$3,527,557.00 from unappropriated and anticipated revenue to be received from the U.S. Housing and Urban Development (HUD); \$545,459.00 reprogrammed funds from previous Community Development Block Grant (CDBG) years; and \$80,000.00 program income for a total of **\$4,153,016.00** and allocating said funds to various 35<sup>th</sup> year projects in Account Nos. 501-1227; 1238; 1245; 1251; 1252; 1253; 1255; 1264 and 1283-2009-4xxx.
2. Council File Ordinance #15,655, Pending Official File Ordinance #31-2009, an ordinance appropriating the sum of **\$1,079,902.00** from unappropriated and anticipated revenue to be received from the U. S. Department of Housing and Urban Development (HUD), Account #505-0000-0000-3305 Federal Operating Grant HUD HOME Projects and providing for the expenditure thereof by allocating said funds to various #505-1239-2009-4xxx accounts.
3. Council File Ordinance #15,656, Pending Official File Ordinance #32-2009, an ordinance appropriating the sum of **\$156,342.00** from unappropriated and anticipated revenue to be received from the U. S. Department of Housing and Urban Development (HUD), Account #506-0000-0000-3306 HUD Emergency Shelter Services and providing for the expenditure thereof by allocating said funds to various #506-1254-2009-4xxx accounts.
4. Council File Ordinance #15,657, Pending Official File Ordinance #33-2009, an ordinance amending Article 330 (**Landlord and Rental**), by amending Section 330.02 (Definitions) to add a definition for "conditional approval" and renumbering the definitions section as necessary by amending Section 330.02(1) (Definitions) to clarify the definition of immediate family as including parents, parents-in-law and adult children; by amending Section 330.04(a) (Residential Rental License Required) to add Section 330.04(a)(7) to provide that owner occupied flats and duplexes shall not be subject to the annual fee and will not be inspected provided that other units remain vacant; by amending Section 330.04(a) (Residential Rental License Required) to add Section 330.04(a)(8) to provide that the fee and inspection requirements will be temporarily suspended for buildings under construction or rehabilitation that have obtained a building permit to perform approved construction; by amending Section 330.05(a) (Exemptions) to clarify that registration and licensing shall not be required of properties by the Housing Authority of the City which are inspected by third parties according to HUD requirement; by amending Section 330.06 (Appeals from Revocation of Conditional Rental Registration or Residential Rental License) to provide that appeals shall be submitted to the Building Code Official for review by the Blighted Property Review Committee/Property Maintenance Appeals Board; and by amending Section 330.09 (Fees) to change the fee deadlines.

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,658 an ordinance appropriating the sum of **\$149,519.06** from the Paving and Sewer Revolving account fund balance #017-0000-0000-3001 and providing for the expenditure thereof by allocating said funds to Account #017-0707-0000-4075 Bridges and Streets.
2. Council File Ordinance #15,659 an ordinance appropriating the sum of **\$75,180.00** from unappropriated revenue received from a PADEP-Growing Greener Grant #270-0707-0000-3330 contributions and providing for the expenditure thereof by allocating said funds to Account #270-0707-0000-4077 Other Improvements.
3. Council File Ordinance #15,660 an ordinance appropriating the sum of **\$27,814.00** from unappropriated and anticipated revenue from Account #250-0613-0000-3111 Tobacco Compliance Grant Fund Balance and providing for the expenditure thereof by allocating said funds to various 0613 account including 4006 Overtime (\$22,000.00; 4016 FICA/Medicare (\$814.00); 4021 Valic/Deferred Comp (\$1,000.00) and 4059 Other Services & Charges (\$4,000.00).
4. Council File Ordinance 15,661 an ordinance appropriating the sum of **\$20,000.00** from unappropriated and anticipated revenue from Account #260-0613-2009-3699 2009 Weed & Seed Mini-Grants and providing for the expenditure thereof by allocating said funds to Account #260-0613-2009-4059 Other Services & Charges. (These funds are for Administrative Services by Stephan Chatman and for Neighborhood Mini-Grants for the City and County neighborhoods with a maximum amount of \$500.00 per grant.)

**F. OLD BUSINESS**

Resolution sponsored by Councilwoman Jessica Horan-Kunco authorizing and directing the City Solicitor to prepare **an ordinance amending the Zoning Code** of the City of Erie #80-2005 by (1) adding a new Section 305.51 Licensed Massage Therapy which requires a degree or certificate of all persons performing therapeutic massage techniques and grandfathering existing practitioners, as provided by new Pennsylvania legislation and amending the definitional provision of the ordinance accordingly, (2) amending Section 205.16 Fraternities, Sororities and Dormitories to provide that one off-street parking space shall be required for each 4 residential occupants, (3) amending the Definition of Dormitory by reducing from five to four the minimum number of persons qualifying for a Dormitory, deleting reference to cooking and eating areas and excluding single and two-family dwellings and (4) amending Section 305.45(b) by establishing a 15 square footage maximum of directional or panel communications antennas. (Public Hearing was held on Wednesday, June 3, 2009)

**G. NEW BUSINESS**

1. Resolution sponsored by Councilwoman Rubye Jenkins-Husband recognizing the **Arts Council of Erie** for their outstanding works performed throughout our community.
2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the United States Congress to support President Obama's **Quality Affordable Health Care Legislation** for all Americans, especially the uninsured and underinsured.
3. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the scheduling of a **Study Session** and timeline for reviewing the "Citizens Review Board options".
4. Resolution authorizing and directing the Mayor and City Controller to apply for and receive funding based on Title V, Subtitle E, **Energy Efficiency and Conservation Block Grant**, Sections 541(3)(A) or 5413)(B) of EISA 2007, Public Law 110-140 which is a program funded by the American Recovery and Reinvestment Act and will provide a formula-based grant to the City of Erie in the amount of **\$1,031,500.00** to be used for projects that reduce total energy use and fossil fuel emissions and improve energy efficiency and further certifying that the City Engineer is authorized to receive funds on behalf of the city and implement the EECBG Program.
5. Resolution authorizing and directing the Mayor and appropriate City officials to execute the necessary agreements with subrecipients to carry out thirty-two (32) **Community Development Block Grant (FY 2009) Projects**.
6. Resolution authorizing and directing the Mayor and appropriate city officials to execute the necessary agreements with subrecipients to carry out nine (9) **Emergency Shelter Grant (FY 2009) Projects**.
7. Resolution authorizing and directing the Mayor and appropriate City officials to execute the necessary agreements with subrecipients to carry out seven (7) **HOME Projects**.
8. Resolution authorizing and directing the Mayor and appropriate City Officials to execute the necessary agreements with subrecipients to carry out six (6) **HOME (FY 2009) Projects**.
9. Resolution authorizing and directing the proper City officials to execute a Quit Claim Deed for a parcel located on the easterly portion of **Berst Avenue**, a twenty-five (25) foot wide street previously vacated by City Council by Ordinance #23-1968 in order to resolve any potential clouds on the title of said parcel.
10. Resolution authorizing Change Order #1 on the contract of **Joseph McCormick Construction Co.**, P. O. Box 176, Erie, Pa., for the 2008 Proposed Milling and Asphalt Resurfacing of various City Streets and the installation of Concrete Curb Ramps-II, increasing the original amount of the contract by \$21,874.49 from \$778,835.11 to \$800,709.60.

**EASEMENT AGREEMENTS:**

Resolutions authorizing and directing the proper City officials to execute\ Easement Agreements between the City of Erie and the following:

1. **The Erie Downtown Partnership** for the placement of banners and trash/cigarette containers in city rights-of-way within the District's boundaries.
2. **The Erie Metropolitan Transit Authority (EMTA)** locating two (2) bus shelters in the State Street right-of-way.
3. **John T. and Caryl M. Nash**, owners of 3201 Peach Street, Index #(18) 5329-112 locating an accessible ramp in the Metz Street right-of-way.

**REPOSITORY SALES:**

Resolutions approving the following proposed Repository Sales for \$250.00 each:

1. **Michael Neal**, for property known as 511 East 14<sup>th</sup> Street.
2. **Albert Morante** of Land Liquidator, for property known as 116 East 24<sup>th</sup> Street.
3. **Svetlana Kostenko**, for property known as 639 East 7<sup>th</sup> Street.
4. **Svetlana Kostenko**, for property known as Brindle Farm Sub Lots 116 and 118.

**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. **Paragon Print Systems, Inc.**, 2021 Paragon Drive, Erie, Pa., for 150,000 Traffic/Parking Tickets at \$42.94/M for the Bureau of Police and the Erie Parking Authority at a total cost of \$6,441.00.
2. **Rohrer Trucking**, 3180 Route 6N, Waterford, Pa., for the Emergency demolition of 805 East 8<sup>th</sup> Street, for the Department of Economic and Community Development at a total cost of \$5,500.00.
3. **ISS Facility Services**, P. O. Box 118, New Castle, Pa., for cleaning of the exterior windows and panels of the Municipal Building for the sum of \$6,245.00.
4. **Smoracy, LLC**, P. O. Box 77000, Detroit MI, for Carbide Teeth, Nuts, Washers and Bolts for the Beast Grinder for the Municipal Garage for the total cost of \$3,706.54.
5. **M-B Companies**, 79 Montgomery Street, Montgomery, Pa., for a Walk-Behind Line Sprayer, for the Bureau of Streets for the sum of \$9,975.00.
6. **HACH/American Sigma**, 580 Lindberg Drive, Loveland, CO, for one (1) Open Channel Flow Meter for the Sewer Maintenance Division of the Bureau of Sewers at a total cost of \$7,702.25.
7. **Bucks Fabricating**, 3547 Perry Highway, Hadley, Pa., for two (2) Roll-off Container Cans for the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$9,584.00.

**H. COMMITTEE REPORTS**

**I. ADJOURNMENT**

**NOTE:**

1. A City Council Finance Committee meeting has been scheduled for Wednesday, **June 24, 2009** in Room 500 at **10:30 a.m.**