

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, MAY 6, 2009 at 9:00 A. M.

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

Debra Johnson, 459 East 7th Street, re. Diversity
Randy Barnes, 109 Walten Point, re. "Continuous Emissions Monitoring Systems Ordinance".

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,644, Pending Official File Ordinance #20-2009, an ordinance closing and vacating two public alleyways, the first being located on **Walnut Street between West 16th and West 17th Street** and the other located on West 16th Street between Walnut Street and Cherry Street, both being adjacent to St. Paul's Clinic and being approximately 10' x 160' in length.

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,645
an ordinance appropriating the sum of **\$2,149,750.21** from unappropriated and unanticipated revenue from Account #460-0000-0000-3911 Debt Service Sale of Fixed Assets - and providing for the expenditure thereof by allocating said funds to Account #460-0963-0000-4895 Washington County Authority expense (\$2,125,485.34) and #4041 Professional Services (\$24,264.87).
2. Council File Ordinance #15,646
an ordinance appropriating the sum of **\$800,000.00** from unappropriated and anticipated revenue from Account #271-0707-0000-3332 State Operating Grant - PennDOT and providing for the expenditure thereof by allocating said funds to Account #271-0707-0000-4075 Bridges and Streets. (For the construction phase of Parade Street Phase 2 from East 12th Street and East 15th Street)
3. Council File Ordinance #15,647
an ordinance appropriating the sum of **\$164,380.00** from unappropriated and anticipated revenue from Account #338-1338-0000-3340 State Operating Grant-Department of Health and providing for the expenditure thereof by allocating said funds to various #338-1338 accounts:
#4566 St. Martin Center - \$105,994.05 #4623 Penn State - \$26,444.00
#4011 Salaries - \$19,130.98 #4016 FICA/Medicare - \$1,463.52
#4017 Pension Cont. - \$2,415.15 #4018 Group Insurance- \$5,236.51
#4021 Deferred Comp - \$259.00 #4031 Office Supplies- \$1,907.19
#4039 Consumable Items- \$900.00 #4043 Education/Trng.- \$ 629.60
4. Council File Ordinance #15,648
an ordinance appropriating the sum of **\$63,450.00** from unappropriated and anticipated revenue from Account #262-0725-0000-3333 DCNR Conservation Development Grant and providing for the expenditure thereof by allocating said funds to Account #262-0725-0000-4072 Land & Buildings. (For the development and construction of a skate park facility at Columbus Park)

F. OLD BUSINESS

1. At approximately **10:00 a.m.**, the City Council will proceed to hold a **Public Hearing** regarding the approval of a substantial amendment to the City's FY2008 Annual Consolidated Plan for the inclusion of the Homeless Prevention and Rapid Re-housing Program Fund (HPRP), Title XII of the American Recovery and Reinvestment Act of 2009, whereby the City will receive entitlement funds in the amount of **\$1,458,364.00**.
2. In conjunction with the above, the City Council will consider approval of a resolution authorizing and directing the Mayor and appropriate City officials to provide such assurances and/or certifications as required by the **Homeless Prevention and Rapid Re-housing Program** and/or execute any agreements necessitated to effectuate said transaction.
3. Resolution authorizing and directing the City Clerk to advertise legal notice of a **Public Hearing** to be held on **Wednesday, June 3, 2009** at approximately **10:00 a.m.**, regarding the amendment/addition to Zoning Ordinance #80-2005 by 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; amending Section 305.16 Fraternities, Sororities and Dormitories to provide that one off-street parking space shall be required for each 4 residential occupants; 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 amending Section 305.45 (b) by establishing a 15 square footage maximum of directional or panel communications antennas.

G. NEW BUSINESS

1. Resolution sponsored by Councilwoman Rubye Jenkins-Husband, tributing the **Northwest Pennsylvania Collegiate Academy High School Academic Sports League Team** upon winning the Pennsylvania State Championship eight of the last nine years and placing first in Division III competition at the United State Academic Decathlon in Memphis, Tennessee.
2. Resolution sponsored by Councilman Mark Aleksandrowicz respectfully requesting the City Solicitor to attend a City Council Study Session scheduled as soon as possible to discuss the progress of his work involving the preparation of the **Continuous Emissions Monitoring Systems Ordinance (CEMS)**, thus allowing City Council to review its current status and offer suggestions and assistance, if needed, to aid the City Solicitor in his final draft of said ordinance and after these final discussions again request that the first reading of the CEMS Ordinance appear on our Council agenda no later than the meeting of June 3, 2009.
3. Resolution sponsored by Councilman Mark Aleksandrowicz respectfully requesting the City Administration along with the Special Events Coordinator and the Public Works Department to designate either portions of streets or other special close available areas as **handicapped only parking**. This is to provide close at hand parking for events held on State Street or other adjoining streets, which are organized by the Erie Downtown Partnership or other similar promoters, in which the main purpose of the specified event is to attract large crowds into the downtown area at which times either portion(s) of State Street or other adjoining streets may be closed temporarily to vehicular traffic for the duration of these events. An appropriate number of handicapped only parking spaces will be provided, as determined by the nature and specifics of the event. The purpose of this is to provide special events handicapped parking in the immediate vicinity of the downtown special event location.
4. Resolution sponsored by Councilwoman Jessica Horan-Kunco authorizing and directing the City Solicitor to prepare amendments to the **Downtown Improvement District Ordinance #42-2004**, as submitted by the Erie Downtown Partnership and approved by City Council.
5. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the City Administration to explore available Grant Options for **Police and Community Diversity Training**.
6. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting a feasibility study by our Solicitor's office regarding **Citizens Review Boards and Ordinances** in various cities and to report their findings thereon to City Council.
7. Resolution receiving the **Notice of Claim and Civil Action** as submitted by Attorney Howard Hain on behalf of his client **Steven E. Lunger**, 620 East 26th Street, alleging that a City of Erie vehicle was involved in a hit and run accident at East 21st and Parade Street on April 8, 2009 which resulted in injury to Mr. Lunger and forwarding same to the Office of the City Solicitor.
8. Resolution authorizing and directing the Mayor and appropriate officials to request an amendment from the Pennsylvania Department of Community and Economic Development of our **New Communities Program Grant** Contract #C000036836 (July 1, 2008 - June 30, 2011), which amendment will increase the contract from \$50,000 to \$100,000 for upcoming fiscal year July 1, 2009 - June 30, 2010. This funding pays part of the salary of the Zone Coordinator, thus enabling the operation of the Zone, whereby the Zone Coordinator can provide loan and technical services to manufacturing, industrial and certain other business clients leading to job creation and job preservation within the Zone. The City of Erie will reimburse the Commonwealth of Pennsylvania for the State's share of any expenditure found by DCED to be ineligible.
9. Resolution authorizing and directing the Mayor and appropriate City officials to execute agreements between the City of Erie and the **Greater Erie Industrial Development Corporation** to obtain a loan from the Commonwealth of PA. Enterprise Zone Program and the Erie Enterprise Revolving Loan Fund with loan repayments in the amount of \$250,000 for a term of 10 years at a 3% per annum fixed interest rate and a one-time loan-processing fee based on 1/2 of 1.0%, (\$1,250.00).

10. Resolution receiving the Financial Statements of the **Erie Regional Airport Authority** as compiled by Malin Bergquist & Company, LLC for the years ending December 2008 and 2007 and forwarding same to the Office of Accounts, Finance and Budget to be placed on file.
11. Resolution authorizing and directing the proper City officials to execute an agreement authorizing the City of Erie and FEMA, the **United States Federal Emergency Management Agency**, to enter into reoccurring grant agreements benefitting the City of Erie Fire Department with funds received by the City of Erie Fire Department from FEMA under these agreements to be used to purchase fire employee turnout gear, Fire Department equipment, training and fees for instructors and proctors as specified in the City of Erie grant application.
12. Resolution authorizing and directing the proper City officials to execute an Easement Agreement between the City of Erie and Richard Hodges, tenant of **1660-62 West 8th Street** (Avanti's Restaurant and Variety Store), Index #(17) 4114-226, for location of an outside dining area in the West 8th Street right-of-way in accordance with the City Engineer's metes and bounds description.
13. Resolution authorizing and directing the proper City officials to execute an Easement Agreement between the City of Erie and Arlene R. Kubit, DMD, owner of **3703 Old French Road**, Index No. (18) 5365-101, for construction/location of an accessible ramp, stairs, porch and canopy in the East 37th Street right-of-way, in accordance with the City Engineer's metes and bounds description.
14. Resolution authorizing **Change Order #1** on the contract of **Environmental Remediation and Recovery, Inc.**, 4250 Route 67N, Edinboro, Pa., for the proposed Act 2 Environmental Remediation and Site Closure at the Erie Golf Course Expansion Site, for excavation of Solid Waste in AOC1 not to exceed the additional sum of \$5,978.00 and Grading and Cover in AOC2 with removal of flagged debris in AOC3, not to exceed the additional sum of \$20,619.00. The original contract amount was not to exceed \$59,041.00 and the revised contract amount is not to exceed \$85,638.00.

CONTRACTS:

1. **American Red Cross**, 4961 Pittsburgh Avenue, Erie, Pa., for Summer Learn to Swim Recreation Program in the sum of \$73,000.11.
2. **The Greater Erie Auto Auction**, 770 Avonia Road, Fairview, Pa. to conduct public auctions for the sale of used surplus city equipment at their site in Fairview. (Obsolete equipment, vehicles and miscellaneous parts from the City of Erie, Water Authority, Parking Authority and other governmental agencies will be sold)
3. **Kolaja Fire Equipment Sales**, 36820 Lake Road, Union City, Pa., for Light Bars for 8 new Motorcycles for the Bureau of Police at a total cost of \$13,268.00. (COSTARS State Contract)
4. **North Eastern Uniforms & Equipment, Inc.**, 2305 West 12th Street, Erie, Pa., for Work Uniform Items for the Department of Public Works, at unit prices.
5. **Scott Electric**, 1000 South Main Street, Greensburg, Pa., for Jackets and Overalls for the Department of Public Works, at unit prices.
6. **Raven Rock Workwear**, 7610 McEwen Road, Dayton, Ohio, for Screen Printed Items and Work Shoes for the Department of Public Works, at unit prices.
7. **Mayer Brothers Construction Co.**, 1225 West 18th Street, Erie, Pa., for Street and Road Maintenance Materials for the Bureau of Streets at unit prices (per COG bid).
8. **Joseph McCormick Construction Co**, 5340 Pearl Avenue, Erie, Pa., for Street and Road Maintenance Materials for the Bureau of Streets at unit prices (per COG bid)
9. **Russell Standard Corporation**, P. O. Box 86, Union City, Pa., for Street and Road Maintenance Materials for the Bureau of Streets at unit prices (per COG bid)

PURCHASE ORDERS:

1. **Pitney Bowes**, 1 Elmcroft Road, Stamford, CT, for one DA 300 Envelope Printer and Envelope Designer plus Software for the sum of \$3,755.50.
2. **Gannon University Small Business Development Center**, 120 West 9th Street, Erie, Pa. for the reimbursement of expenses for the Micro-Enterprise Program as part of the Weed & Seed Initiative for the City of Erie Police Department in the total sum of \$5,064.26.
3. **Thayer Power Communication Construction Co.**, 5700 Market Road, Fairview, Pa., for the Installation of Poles at (1) West 12th & Chestnut Streets; (2) Bayfront Parkway & Chestnut Street and (3) Bayfront Parkway & East 10th Street in the sum of \$5,700.00, for the Bureau of Traffic Engineering.

4. **Creative Imprint Systems, Inc.**, 2670 West 11th Street, Erie, Pa., for LEAD Outreach Materials for the Department of Economic & Community Development for the sum of \$4,642.73.
5. **APEX Hydraulic & Machine Co.**, 2859 Philipsburg Bigler Highway, Philipsburg, Pa., for Rebuilding of an Air/Hydraulic Shop Press and Ram for the Bureau of Municipal Garage for \$3,560.00.
6. **Smoracy LLC**, P. O. Box 77000, Detroit, MI, for Carbide Teeth, Nuts, Washers and Bolts for the Beast Grinder for the Bureau of Municipal Garage in the sum of \$3,654.54.
7. **David Milano Construction**, 1827 West 36th Street, Erie, Pa., for performing Repair Services to the Sanitary Sewer Connection at 17 West 4th Street for \$2,522.10 and Installing Sanitary Manhole for \$2,402.95 (both material costs only).
8. **HACH Co.**, P. O. Box 608, Loveland, CO, for replacement of the PH Meter and Probe West Discharge Line for the Bureau of Sewers for the sum of \$3,203.47.
9. **Kaman Industrial Technologies**, 2335 West 50th Street, Erie, Pa., for 12 replacement Sprockets for a Grit Chamber for the Bureau of Sewers at a total cost of \$7,462.00.
10. **NWL**, 312 Rising Sun, Bordentown, NJ, for Spare Parts for the Wet Electrostatic Precipitator Units at the Wastewater Treatment Plant for the Bureau of Sewers in the sum of \$4,483.73.
11. **Master Fire & Security System**, 1019 West 26th Street, Erie, Pa., for Upgrading the Building Security System for the Wastewater Treatment Plant for the sum of \$6,650.00.

H. COMMITTEE REPORTS

I. ADJOURNMENT