

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

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

Brian Scott, Flagship Niagara League, re. Support of the Flagship Niagara Sailing Program

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

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,642, Pending Official File Ordinance #18-2009 an ordinance appropriating the sum of **\$566.00** from unappropriated and anticipated revenue from Account #259-1219-0000-3641 Contributions (Erie Community Foundation) and providing for the expenditure thereof by allocating said sum to Account #259-1219-000-4552 Summer Recreation Program.
2. Council File Ordinance #15,643, Pending Official File Ordinance #19-2009 an ordinance appropriating the sum of **\$612,146.56** from unappropriated and anticipated revenue from Account #264-0707-0000-3332 State Operating Grant-PennDOT and providing for the expenditure thereof by allocating said funds to Account #264-0707-0000-4075 Bridges and Streets.

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,644 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.

F. OLD BUSINESS

G. NEW BUSINESS

1. Resolution sponsored by Councilwoman Rubye Jenkins-Husband tributing the **Gannon University Men's Basketball Team** for completing a successful season by winning the PSAC League Championship and the 2009 PSAC State Tournament and being selected to host the first round games of the NCAA Division II Atlantic Region Tournament Championships.
2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband tributing the **Gannon University Women's Basketball Team** for completing a successful season finishing with a record of 26 wins against only four losses and ending their season as runner-up in the NCAA Division II Atlantic Regional Tournament.
- 3 Resolution sponsored by Councilwoman Rubye Jenkins-Husband recognizing and endorsing a proclamation in support of **"Save the Planet Week"**, from April 17th thru 26th, encouraging our citizens to participate in the event scheduled during this time in supporting our environment.
4. Resolution sponsored by Councilwoman Rubye Jenkins-Husband recognizing **Arbor Day** as Friday, April 24, 2009 and encouraging all residents to participate in organizing and actively engaging in Arbor Day activities in their neighborhoods.
- 5 Resolution sponsored by Councilwoman Jessica Horan-Kunco recognizing Saturday, April 25, 2009 as the **United Way Day of Caring** and encouraging all citizens of Erie to volunteer their time to beautify Erie's neighborhoods, streets, parks and playgrounds and inviting members of City Council to participate in graffiti clean-up with the Graffiti Task Force.
6. Resolution sponsored by Council President Joseph Schember supporting the inclusion of the City of Erie in the proposed **High Speed Rail Routes** through the Great Lakes Region which will provide a critical connection between New York and Ohio and synergize economic activity throughout the Northeast while providing a crucial connection to the Midwest.
7. Resolution sponsored by Councilman Patrick Cappabianca respectfully requesting the Erie County Medical Society, the Erie County Board of Health and the American Lung Association to review the **Inhalation Risk Assessment Report** provided by **Erie Renewable Energy** and make their findings known to the Erie City Council and the general public.
8. Resolution sponsored by Councilman Patrick Cappabianca to approve the hiring of **private legal counsel** to represent City Council in appealing the decision of the Zoning Hearing Board in reference to their overruling of the City Zoning Ordinance which invalidated part of Section 205, Yard, Lot and Height Requirements in M-2 Heavy Industrial Districts.

9. Resolution sponsored by Councilwoman Rubye Jenkins-Husband notifying the Department of Environmental Protection of City Council's concerns for **public health** and furthermore that **Erie Renewal Energy's (ERE)** proposed emission project according to studies could potentially affect the health of our public, officially stating that we say "no" to this proposed Project in the residential area.
10. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the City Traffic Engineer to study **Truck Traffic signage issues** along Fairmont Parkway between Broad Street and McClelland Avenue and report her findings thereon to City Council.
11. Resolution sponsored by Councilman James Thompson respectfully requesting the proper officials of the City Administration to study the feasibility of adopting an ordinance similar to one in Pittsburgh requiring gun owners to **report the loss or theft of a firearm** to an appropriate law enforcement agency within 24 hours of said loss or theft and prescribing penalties for failure to do so and to report their findings thereon to City Council.
12. Resolution authorizing and directing the Mayor and City Controller to execute the **Federal Aid Reimbursement Agreement** No. 010R20 between the City of Erie and the Commonwealth of Pennsylvania, Department of Transportation for the construction of Parade Street Phase 2 from East 12th Street to East 15th Street in the total amount of **\$800,000.00**.
13. Resolution authorizing and directing the Mayor and City Controller to execute a **Reimbursement Agreement** between the City of Erie and the Erie Redevelopment Authority for the construction of the Parade Street Revitalization and Streetscape from East 6th Street to East 12th Street, for a reimbursement not to exceed **\$475,488.96**.
14. Resolution authorizing and directing the Mayor to file an application for financial assistance with the **U. S. Department of Housing and Urban Development** for a grant to carry out the CDBG Program in the amount of \$3,511,461; Home in the amount of \$971,094 and ESG in the amount of \$156,342 under the Annual Plan for the FY 2009 funding year. (In addition to the entitlement funds, the City expects to receive \$80,000 in program income and \$545,459 in reprogramming funds).
15. Resolution authorizing the Mayor and appropriate City officials to enter into a grant agreement with the Pennsylvania Department of Health for a **Healthy Homes Foster Care Grant** in the sum of \$164,380, to provide approximately 20 Healthy Home assessments/inspections and 10 Healthy Home remediations for City of Erie Foster Care families and further authorizing and directing the Mayor and City Controller to execute a contract between the City of Erie and Penn State University in the sum of \$26,440.00 for Healthy Homes Trainings and a contract between the City of Erie and St. Martin's Center in the sum of \$106,000 for Healthy Homes Foster Care inspections/assessments, remediation and other incidental costs.
16. Resolution authorizing and directing the proper City officials to file a Renewal Application with the Pennsylvania Liquor Control Board for the purpose of exempting the area identified as Zone 1 (Cranberry Street to Parade Street, North edge of Second Street to the Water's Edge) and Zone 2 (Holland Street to Peach Street, Fourteenth Street north to the northern edge of Second Street) on the map attached hereto as Exhibit A from the Board's regulations regarding **amplified music being heard off-premises**. (Council authorized the initial Application by resolution March 8, 2006. The Renewal Application shall be for a 2-year period if the Board approves. The City will enforce its own Noise Control Ordinance at Article 705 of the Codified Ordinances.)
17. Resolution authorizing and directing the proper City officials to file an application for a grant from the Pennsylvania Department of Conservation and Natural Resources for the **Perry Square Renovation Project**.
18. Resolution authorizing and directing the Mayor and City Controller to file a Grant Application to the **Erie County Regional Assets Funding Committee** in the amount of \$18,000 to assist in the presentation of the City's 4th of July Boom Over the Bay celebration.

TRANSFERS:

1. In the Office of Debt Service and Risk Management Fund, the sum of **\$21,000.00** from Account #460-0963-0000-4870 Note Interest (\$14,000.00) and #024-0563-0000-4041 Professional Services with the sum of \$14,000.00 to 4895 Washington County Authority Expense and \$7,000.00 to 4065 Misc. Insurance and Bonds.

CONTRACTS:

1. **Oasis Design Group, Inc.**, 1608 Eastern Avenue, Baltimore, Maryland, for Professional Services in designing of a Master Site Plan for McClelland Park, for the total cost of \$22,499.00 with the majority paid by DCNR conservation Planning Grant funds plus \$3,000.00 in matching city funds.
2. **W. C. Weil Company**, P. O. Box 199, Allison Park, Pa., for the Perry Square Fountain Pump, they being the sole bidder in the amount of \$15,947.00.
3. **Golden Equipment**, P. O. Box 873, Mars, Pa., for Streets Equipment Sweeper Parts for the Bureau of Streets for the sum of \$10,000.00.
4. **A & H Equipment Co.**, P. O. Box 337, Bridgeville, Pa., for Streets Equipment Sweeper Parts for the Bureau of Streets for the sum of \$10,000.00.

PURCHASE ORDERS:

1. **Miller Brothers Fencing Co.**, 201 East 14th Street, Erie, Pa., for a Zero Turn Mower for the Bureau of Parks for \$7,151.76.
2. **Miller Brothers Fencing Co.**, 201 East 14th Street, Erie, Pa., for replacement Backstop Panels at various parks for the Bureau of Parks for \$7,608.40.
3. **Bitting (Gametime)**, P. O. Box 6445, Harrisburg, Pa., for Playground Repair and Replacement Items for the Parks and Recreation Department for the sum of \$9,579.51.
4. **S & S Processing**, P. O. Box 373, Old River Road, West Pittsburgh, Pa., for Fielder's Choice Infield Mix for the Parks and Recreation Department for \$5,104.00.
5. **Ehrich**, 2667 West 12th Street, Erie, Pa., for monthly extermination services at city firehouses from May through October 2009 for the Bureau of Fire @ \$45.00/month per house or a total cost of \$2,160.00.
6. **CDW-Government, Inc.**, 75 Remittance drive, Suite 1515, Chicago, IL, for Scanners, Printer and Media Tray/Feeder for the Bureau of Police for the sum of \$3,867.58.
7. **APEX Hydraulic & Machine Co.**, 2859 Phillipsburg Bigler Highway, Phillipsburg, Pa., for a Tailgate Cylinder for the Municipal Garage for \$2,463.00.
8. **Ram Industrial Services**, 5860B Pottsville Pike, P. O. Box 748, Leesport, Pa., for parts for the Belt Press Sludge Feed Pumps for the Bureau of Sewers for the sum of \$7,034.26.
9. **Kaman Industrial Technologies**, 2335 West 50th Street, Erie, Pa., for a Replacement Chain for a Grit Chambers for the Bureau of Sewers for \$7,483.32.
10. **NWL**, 312 Rising Sun, Bordertown, NJ, for Emergency Repairs/Retrofit of HV Controls for the Bureau of Sewers for the sum of \$9,950.00.
11. **David Milano Construction**, 1827 West 36th Street, Erie, Pa., for performing Repair Services (Material Costs Only) for the Bureau of Sewers:

Repair Street Cut on 7 th between Liberty & Poplar Streets	\$8,841.00
Repair Sanitary Main at 801 East 7 th Street	\$2,220.75
Street Repairs on Liberty Street between 21st & 27 th	\$3,248.71

H. COMMITTEE REPORTS

I. ADJOURNMENT

NOTE: City Council has scheduled a Finance Meeting on Wednesday, April 22nd at 10:30 a.m. in Room 500.