

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, NOVEMBER 5, 2008 AT 9:00 A. M.

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

Randy Barnes, 109 Walten Point, re. "Ethics and Responsibility"
Tom Poorman, 756 East 9th Street, re: Problems on Lower Eastside

E. ORDINANCES: FOR FINAL PASSAGE:

- 1. Council File Ordinance #15,615, Pending Official File Ordinance #51-2008
an ordinance appropriating the sum of **\$200,000.00** from unappropriated and anticipated revenue from Account #245-0613-0000-3331 Police Vehicle Grant and providing for the expenditure thereof by allocating said funds to Account #245-0613-0000-4078 Machinery & Equipment. (Grant received from DCED for the purpose of purchasing four (4) police cruisers and to pay the balance of eight (8) replacement police motorcycles from the \$50,000 DCED Grant received in August of this year.)

ORDINANCES: FOR FIRST READING:

- 1. Council File Ordinance #15,616
an ordinance appropriating the sum of **\$42,500.00** from unappropriated revenue from Account #265-0727-0000-3641 Contributions and providing for the expenditure thereof by allocating said funds to Account #265-0727-0000-4059 Other Services & Charges.
- 2. Council File Ordinance #15,617
an ordinance amending Official Ordinance #26-1958, known as the Traffic Code of the City of Erie, by installing **Stop Signs** at 8 intersections that are currently uncontrolled:
East 20th and Wayne Street - stopping East 20th Street
East 20th and Perry Street - stopping Perry Street
East 19th and Commercial - stopping East 19th Street
East 43rd and Woodbine Terrace - stopping East 43rd Street
Woodbine Terrace and Pin Oak Drive - stopping Pin Oak drive
Woodbine Terrace and East 41st Street - stopping Woodbine Terrace
East 6th Street at Bacon Street - stopping East 6th Street
Marne Road at Oneida Street - stopping Marne Road
- 3. Council File Ordinance #15,618
an ordinance amending Traffic Code #26-1958, Article 512.02 (a), **Parking on Snow Emergency Routes**, by adding Saturday and Sunday to the odd-even parking regulations during a snow emergency. Also amending Article 512.03 (a) and (b) Condition of Motor Vehicles; Article 512.04 Stalled Vehicle to include "or during an odd-even parking prohibition", Article 512.09 Removal Impounding and Return of Vehicle to add paragraph (a) (4) to read "The vehicle is parked in violation of a parking restriction based on a declaration of snow emergency", and Article 521.09 (a)(1)(b) Winter and Summer Parking Regulations for Inner City Parking Area to add at the end of paragraph 2 "or if a snow emergency is declared pursuant to Article 512.05".

F. OLD BUSINESS

The following resolution was Tabled at the City Council meeting of October 15, 2008:

Resolution authorizing and directing the proper City officials to file a proposal for funds with the Department of Community and Economic Development (DCED) for a **Main Street Downtown Reinvestment Development Grant** in the amount of \$250,000.00, which will be used for the planning of the overall Downtown Master Streetscape Plan and the design of the 12th Street and Union Square Street Improvement Project, with the Redevelopment Authority providing \$50,000 in matching funds and The Downtown Partnership to consider providing \$50,000 at their October 15th meeting. The total cost of the design/plan budget is expected to be \$350,000.00.

G. NEW BUSINESS

- 1. Resolution sponsored by Councilman Patrick S. Cappabianca, re-appointing **Ben Pizzo** to the Erie Sewer Authority for a five-year term expiring December 31, 2013.
- 2. Resolution authorizing and directing the proper City officials to execute documents closing out **Community Conservation Partnerships Grant Project** (BRC-TAG-10 153 (Eastside Greenway Plan) for the East Side Bayfront Access area, stating that the project was completed in accordance with the Grant Agreement.

3. Resolution authorizing and directing the proper City officials to execute the necessary documents to effectuate a loan from funds made available through the Commonwealth of Pennsylvania Enterprise Zone Program and the Erie Enterprise Zone Revolving Loan Fund and Loan Repayments to **KD Industries, Inc., 1525 East Lake Road**, in the amount of \$200,000 for a term of 7 years at a fixed interest rate of 4.50% with a one-time loan processing fee based on 1/2 of 1.0% not to exceed \$1,000.00.
4. Resolutions authorizing action to expand certain Keystone Opportunity Zone (KOZ) and Keystone Opportunity Expansion Zone (KOEZ) Sites and to provide for the extension of KOZ benefits for certain parcels within KOZ Area One and KOEZ Area 2:
 - a) Resolution designating the Northwest Regional Planning and Development Commission to act on behalf of the City of Erie to submit a request to the Pennsylvania Department of Economic and Community Development (DCED) for an expansion of certain Erie City **Keystone Opportunity Zones** and to seek an extension of the term of Keystone Opportunity benefits as relates to certain parcels that are presently designated as Erie City Keystone Opportunity Zones (KOZ), Keystone Opportunity Expansion Zones (KOEZ) and Keystone Opportunity Improvement Zone (KOIZ) in the City of Erie.
 - b) Resolution submitted in conjunction with the above resolution pertaining to the submission of an application to DCED for an expansion of certain Erie City Keystone Opportunity Zones authorizing:
 - 1) Real Property Tax on the described tract(s) is 100% exempt in accordance with the Act, such exemption to terminate of 12/31/2020 for certain KOZ and KOEZ parcels as defined in exhibit "A"
 - 2) Earned Income and Net Profits Taxes; Business Privilege and Mercantile Taxes. The City of Erie of Erie County also waives business gross receipts tax for operations conducted by a qualified business, earned income received by a resident and/or net profits of a qualified business received by a resident or nonresident of the Proposed expanded KOZ, KOEZ, or KOIZ attributable to business activity conducted with said zone terminating on 12/31/2020.
 - 3) The provisions of the Act not herein enumerated, shall nevertheless, be incorporated as part of the resolution by reference.
 - 4) The resolution shall become effective immediately upon execution, contingent upon the approval of the application by DCED.
5. Resolution authorizing and directing the proper City officials to enter into a Renewal with **Saint Vincent Health Center** for the PILOT (Payment in Lieu of Taxes) Agreement, effective for the tax years 2008 through 2012 on the same terms as the existing agreement as included in Exhibit A.
6. Resolution authorizing the proper City officials to execute the Agreement between the City of Erie and the **Housing Authority** (HACE) for the continuation of on-site community policing officers in public housing communities for a term of two (2) years, commencing September 1, 2008 through August 31, 2010, not to exceed \$800,000.00.
7. Resolution authorizing and directing the proper City officials to satisfy the municipal lien of record dated January 8, 1975 and filed at CLD #46 at Page 387 against the property located at **232 East 22nd Street**, Erie, Pa. County Assessment Index #(18) 5009-137 in the amount of \$583.00. Erie City Council authorized the transfer of said City-owned property by resolution dated August 20, 2008 to the Redevelopment Authority which transfer was to include satisfaction of any and all municipal liens of record.
8. Resolution approving the proposed Repository Sale by the Erie County Tax Claim Bureau of the property commonly known as **1909 Whitley Avenue**, Erie, Pa. Tax ID #15-021-008.0-220.00 to the Housing Authority of the City of Erie, for the consideration in the amount of \$250.00.
9. Financial Statements and Independent Auditors' Report for the **Erie County Convention Center Authority** as compiled by K2S PC (Knowledge to Solutions) for the year ending December 31, 2007; City Council receive and order placed on file in the Office of Accounts, Finance and Budget.
10. Resolution authorizing Change Order #2 on the contract of **GraybaR**, 1220 Myrtle Street, Erie, Pa., for Electrical Equipment for the Perry Square Renovation adding the sum of \$2,755.20 for 64 GFCI receptacles and 8 Milbank pedestal change and design change, increasing the amount of the contract from \$50,634.12 to \$53,389.32.

CONTRACTS:

1. For proposed Griswold Park Renovations Project - Peach Street between West 13th & 14th Streets:
 - a) **Graybar Electric Co.**, 1220 Myrtle Street, Erie, Pa., only bid received for the sum of \$33,575.85.
 - b) **Doan Pyramid, LLC**, Keystone Electric Division, 3125 Brandes Street, Erie, Pa., lowest of two bids received for Electrical Construction for the sum of \$47,117.00.
 - c) **Eriez Construction, Inc.**, 2218 East 30th Street, Erie, Pa., for General Construction, lowest of four bids received, for the sum of \$628,927.30.
2. **Yardmaster of PA, LLC**, 2016 Baur Lane, Erie, Pa., for planting 45 Trees at various locations at a total cost of \$16,680.00.
3. **Jemko Petroleum Equipment**, 4895 East Lake Road, for furnishing and placing of one 20' x 20' single leg canopy with four LSI Scottsdale canopy lights at the Public Works Complex located at 2001 French Street for the sum of \$24,300.00.
4. **H. H. Rauh Contracting Co.**, P. O. Box 2, Lakewood, NY, for the Demolition of 5 properties for the Department of Economic and Community Development in the total sum of \$25,300.00, as noted:

260-62 West 16th Street - \$4,400	1821 Chestnut Street - \$4,200
623 West 3 rd Street - \$4,300	549 West 17th Street - \$6,900
459 East 16th Street - \$5,500	
5. **Day Fleet Sales**, 1800 Golden Mile Highway, Monroeville, Pa., for six (6) Ford Crown Victoria Police Cruisers for the Bureau of Police at a total cost of \$150,258.00 (\$25,043.00 each).
6. **Smoracy, LLC**, 6750 Millbrook Road, Remus, MI, for the Main Drive for the Beast Grinder, for the Municipal Garage for the sum of \$19,452.53.
7. **W. C. Weil Co.**, P. O. Box 199, Allison Park, Pa., for supplying the necessary pumps and equipment for the Erie Yacht Club Lift Station for the Bureau of Sewers at a total cost of \$58,647.00.

PURCHASE ORDERS:

1. **Northwest Restoration, Inc.**, 4460 Phyllis Drive, Erie, Pa., for proposed Deck Joint Repairs to the McBride Viaduct (East Avenue Bridge) for the sum of \$4,400.00.
2. **DLT Solutions, Inc.**, 13861 Sunrise Valley Drive, Suite 400, Herndon, Va., for two AutoCAD Civil 3D 2009 Crossgrade, for the Bureau of Engineering for the sum of \$2,682.58.
3. **Gannon University Small Business Center**, for reimbursement of expenses for the Micro-Enterprise Program (part of Weed & Seed Program), for the Bureau of Police at a total cost of \$3,613.29.
4. **Real Vision Software**, P. O. Box 12958, Alexandria, LA, for an annual maintenance agreement for the scanning system in the Central Records Unit, for the Bureau of Police at a total cost of \$4,500.00. (October 2008 - September 2009)
5. **Nuance Communications, Inc.**, P. O. Box 2661, Carol Stream, IL, for an annual maintenance agreement for the dictation system in the Central Records Unit, for the Bureau of Police for the sum of \$5,280.00.
6. **Glacier Computer**, 10 Northern Blvd., Amherst, NH, for mobile data terminals, internal UPS, cables, etc., for two Police cruisers (\$4,606.86 each), for the Bureau of Police at a total cost of \$9,213.72. (COSTARS Contract)
7. **Bill Danyko & Son Excavating, Inc.**, 10330 Osborne Road, McKean, Pa., for the demolition of 653 West 4th Street for the Department of Economic & Community Development for the sum of \$5,800.00.
8. **Great Lakes Excavating**, P. O. Box 276, Erie, Pa., for the demolition of 549-1/2 West 17th Street and 1608 Wallace Street, for the Department of Economic & Community Development for a total cost of \$9,000.00. (Lowest of five bids)
9. **Builders Hardware**, 2002 West 16th Street, Erie, Pa., for gasketing, lockset, etc., for the Municipal Garage for the sum of \$2,494.60.
10. **Smoracy LLC**, Dept. #77982, P. O. Box 77000, Detroit, MI, for Carbide Teeth, Nuts, Washers, and Bolts for the Beast Grinder for the Municipal Garage for the sum of \$3,332.63.
11. **Dukes Root Control**, 1020 Hiawatha Blvd., West Syracuse, NY, for Root Control in 8" x 15" sewer lines for the Bureau of Sewers for the sum of \$3,285.29.
12. **Environmental Resources, Inc.**, P. O. Box 786, 278 Rocky Point Road, Pewaukee, WI, for 50 feet of Grit Chain for the East Headworks Building for the Bureau of Sewers at a cost of \$3,725.00.

H. COMMITTEE REPORTS**I. ADJOURNMENT****NOTE:**

The City Council Continuous Emissions Monitoring Committee will meet in Study Session on Thursday, November 6, 2008 at 6:00 p.m. in Council Chambers.