

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, SEPTEMBER 3, 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. Public Safety and Tire Incineration
 - Char Mashyna, 3 East 4th Street, re. Amusement Tax
 - David Stepp, 1101 East 11th Street, re. Justice in the Erie County Court House
- F. ORDINANCES: FOR FIRST READING:
 - 1. Council File Ordinance #15,606
an ordinance appropriating the sum of **\$2,880.00** from unappropriated and anticipated revenue from Account #215-0613-0000-3342 Police Drug & Vice PAOpr Account and providing for the expenditure thereof by allocating said sum to Account #215-0613-0000-4096 Operating Transfer Out Account.
 - 2. Council File Ordinance #15,607
an ordinance appropriating the sum of **\$21,033.00** from unappropriated and anticipated revenue from Account #241-0613-2008-3304 Justice Assistance Grant and providing for the expenditure thereof by allocating said sum to Account #241-0613-2008-4078 Machinery & Equipment.
- G. OLD BUSINESS
- H. NEW BUSINESS
 - 1. Resolution sponsored by Councilman Patrick Cappabianca appointing **Richard Wagner**, 4228 State Street, Erie, Pa., to the Zoning Hearing Board to fill the unexpired term of Jeffrey Johnson (resigned) for a term expiring on December 31, 2008. (Note: See Item #9)
 - 2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the City Traffic Engineer to study the feasibility of installing a traffic light signal at **Cranberry Street and the Bayfront Parkway** and to report her findings thereon to City Council.
 - 3. Resolution authorizing the consent of City Council to the compromise of the delinquent taxes for property located at **1404 East Avenue** (former Horwath Electric Motors) which is subject to delinquent real estate taxes, interest and penalties to the City of Erie in the amount of \$62,435.00; Erie County in the amount of \$29,965.00 and City of Erie School District in the amount of \$99,612.00 and is also encumbered by two mortgages with the principal amount of interest and late fees in the total amount of \$823,592.00, presently under the ownership of the Erie Industrial Development Company of Erie County (EIDCO, Inc.) who has procured a purchaser for the property in the amount of \$175,000.00 and wishes to offer a compromise for the total delinquent mortgage lien and delinquent taxes in the amount of the sale price of the property and proposes to divide the proceeds of the sale among the various lienholders in the proportion of their liens to the whole of the proceeds and intends to commence with a court proceeding under Section 2 of the Act of November 23, 1938, P. L. 90, 72 P.S. 5552 in order to seek court approval of the tax lien compromise as the opinion has been formulated that the total amount of the delinquent taxes, penalties, interest and costs due the City exceed the net amount which could be realized at a tax sale of the subject property upon which the taxes have been levied and the amount owed the City exceeds that which could be achieved by an enforced collection proceeding against EIDCO, Inc., with the stipulation that consent to the compromise by all other taxing bodies and lienholders and favorable approval by the Court of Common Pleas be obtained.
 - 4. Resolution authorizing and directing the proper City officials to enter into an agreement to issue payment in the amount of \$4,000.00 for settlement of the **Civil Penalty** imposed by the Commonwealth of Pennsylvania's Department of Environmental Protection due to improper transportation of solid waste which occurred on June 24, 2008; to be charged against Budget Code Numbers 002-0713-0000-4059 (\$2,000) and 007-0771-0000-4059 (\$2,000).
 - 5. Resolution authorizing the proper City officials to enter into an agreement with Mercyhurst College under which Mercyhurst will pay overtime and expenses to the City for the services of building code inspectors to conduct inspections at properties occupied by Mercyhurst students.
 - 6. Resolution approving the proposed Repository Sale of property commonly known as **401 Wilson Street**, Index #14-010-028.0-223.00 by the Erie County Tax Claim Bureau to Willie K. Norton for the sum of \$250.00.
 - 7. Resolution approving the proposed Repository Sale of property commonly known as **1517 Buffalo Road**, Index #18-051-013.0-0-215.00 by the Erie County Tax Claim Bureau to Nathan Long for the sum of \$250.00.

8. Resolution authorizing Change Order #1 on the contract for proposed Perry Square Renovation Phase 1-Electrical Construction to **Doan Pyramid, LLC Keystone Electric Division**, 3125 Brandes Street, Erie, Pa., adding the sum of \$16,250.00 for Fountain Electrical Upgrades for code compliance, thereby increasing the original contract amount from \$348,610.00 to \$364,860.00.
9. Resolution receiving the communication from **Jeffrey Johnson** submitting his resignation from the Zoning Hearing Board effective August 27, 2008; City Council receive and enter in the minutes for information.
10. Communication from Mayor Joseph Sinnott notifying the City Council that he has appointed **Jeffrey Johnson** to the Erie Planning Commission to fill the unexpired term of Tom DeBello who resigned August 11, 2008, to end December 2010 and also appointing **Nedra Lehrian** to replace Jeff Kidder who resigned on July 23, 2008 to fill his unexpired term ending December 2009; City Council receive and confirm.
11. Communications from Mayor Joseph Sinnott notifying City Council that he has appointed **Christopher P. Mong** to the Erie Redevelopment Authority replacing Dinah Durr whose term expired August 19, 2008, to serve a five year term expiring August 19, 2013 and has also appointed **Shelly Buehler** to the Design Review Committee replacing Kim Peden (resigned) to her unexpired term ending December 2008; City Council receive and enter in the minutes for information.

TRANSFERS:

1. In the Community Development Block Grant, the sum of **\$3,000.00** from #501-1255-2008-4039 Consumable Supplies to #501-1255-2008-4033 Operating Supplies.
*** City Council failed to adopt the following five transfers and they are being re-submitted for consideration after obtaining additional information and discussion at the recent Finance Committee meeting:
2. In the Community Development Block Grant, the sum of **\$7,875.00** from #501-1251-2007-4041 Professional Services to 4011 Salaries.
3. In the Community Development Block Grant, the sum of **\$8,200.00** from #501-1253-2007-4018 Group Insurance (\$5,800.00) and Worker Compensation (\$2,400.00) with \$7,800.00 being transferred to 4011 Salaries and \$400.00 to 4016 FICA/Medicare.
4. In the Community Development Block Grant, the sum of **\$15,200.00** from #501-1251-2001-4041 Professional Services to 4011 Salaries.
5. In the Community Development Block Grant, the sum of **\$41,250.00** from #501-1251-2002-4041 Professional Services (\$41,199.64) and 4039 Consumable Items (\$50.36) to 4011 Salaries.
6. In the Community Development Block Grant, the sum of **\$26,985.62** from various 501-1251-2006-40xx accounts, with \$667.85 being transferred to 4011 Salaries; \$26,040.41 to 4018 Group Insurance and \$277.36 to 4021 Deferred Compensation.

CONTRACTS:

1. **Rohrer Trucking**, 3180 Route 6N, Waterford, Pa., for the emergency Demolition of 901 East 21st Street for the Department of Economic and Community Development for the sum of \$5,625.00.

PURCHASE ORDERS:

1. **Tom Tushak**, 318 Mechanic Street, Girard, Pa., for Crack Filling at Frontier Park tennis courts for the sum of \$3,204.00.
2. **Witmer Associates**, 104 Independence Way, Coatesville, Pa., for 5 Tasers and Holsters with a 4 year extended warranty @ \$984.45 each and 16 Air cartridges @ \$22.90 each, for the Bureau of Police for the sum of \$5,288.65.
3. **A & H Equipment**, P. O. Box 337, 1124 McLaughlin Run Road, Bridgeville, Pa., for a Bottom Water Tank for the Municipal Garage for the sum of \$2,114.54.
4. **HACH/American Sigma**, 5600 Lindberg Drive, Loveland, CO, for an SD 900 Compact Portable Sampler for the Bureau of Sewers for the sum of \$2,385.00.
5. **Newark**, P. O. Box 94151, Palentine, IL., for a Fluke Ti10 Thermal Imager for the Bureau of Sewers for the sum of \$3,957.41.

I. COMMITTEE REPORTS

J. ADJOURNMENT

NOTE: A Study Session is scheduled for Thursday, September 4, 2008 at 5:00 p.m. to continue reviewing the recommendations of the City of Erie Planning Commission concerning proposed amendments to the City of Erie Zoning Ordinance.

