

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, AUGUST 6, 2008 AT 9:00 A. M.

- A. Roll Call
- B. Silent Meditation/Pledge of Allegiance
- C. Approval of the Minutes/Bills
- D. Mayor Joseph Sinnott will be present at the City Council meeting to give the Mid-Year Report
- E. Citizens to the Heard:  
Randy Barnes, 109 Walten Point, re. "Emissions Ordinance"

F. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,598, Pending Official File Ordinance #36-2008, an ordinance appropriating the sum of **\$6,000.00** from unappropriated and anticipated revenue from Account #261-0613-2007-3336 Weed & Seed Quality of Life and providing for the expenditure thereof by allocating said funds to Account #261-0613-2007-4059 Other Services & Charges. (To be used to cover the consultant fees, supplies, catering and rental fees for the training session at the Leadership Training Seminar to be held in July, September and November 2008 at Gannon University.)

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,599 an ordinance appropriating the sum of **\$5,000.00** from unappropriated and anticipated revenue to be received from Account #332-1332-0000-3363 Local Operating Unit-County of Erie for providing for the expenditures thereof by allocating said sum to Account #332-1332-0000-4561 Gannon University for the Lead Hazard Control Grant Strategic Plan Project.
2. Council File Ordinance #15,600 an ordinance appropriating the sum of **\$50,000.00** from unappropriated and anticipated revenue from Account #328-1328-2000-3383 U.S. Conference of Mayors and providing for the expenditure thereof by allocating said sum to Account #328-1328-0000-4033 Operating Supplies (\$3,500.00); 4043 Education & Training (\$800.00); 4566 St. Martin Center (\$5,700.00) and #4576 ERA Lead Based Paint (\$40,000.00) for the Lead Conscious Landlord Program.
3. Council File Ordinance #15,601 an ordinance appropriating the sum of **\$10,500.00** from unappropriated and anticipated revenue from Account #274-0613-2008-3331 PLCB Underage Drinking Grant (\$7,620.00) and #215-0613-0000-3342 Police Drug Vice Program (\$2,880.00) and providing for the expenditure thereof by allocating said funds to Account #274-0613-2008-4006 Overtime (\$8,360.00); 4016 FICA/Medicare (\$100.00); 4021 Valic (\$300.00); 4039 Consumable Items (\$740.00); and 4059 Other Services & Charges (\$1,000.00).
4. Council File Ordinance #15,602 an ordinance appropriating the sum of **\$50,000.00** from unappropriated and anticipated revenue from Account #245-0613-0000-3331 Police Vehicle Grant DCED and providing for the expenditure thereof by allocating said funds to Account #245-0613-0000-4078 Machinery & Equipment for the purpose of purchasing eight (8) replacement motorcycles.
5. Council File Ordinance #15,603 an ordinance appropriating the sum of **\$65,000.00** from unappropriated and anticipated revenue from Account #273-0613-2008-3336 Weed & Seed Delinquency Program and providing for the expenditure thereof by allocating said funds to #273-0613-2008-4059 Other Services & Charges. (Weed & Seed Delinquency Program - These funds will be distributed to various agencies thru the St. Martin Center. A "Pass Thru Agreement" has been approved for St. Martin Center to act as a sub-contractor for management services for the delinquency program. The grant period is 7/1/08 to 6/30/09)
6. Council File Ordinance #15,604 an ordinance appropriating the sum of **\$2,500,000.00** from unappropriated and unanticipated revenue from Account #460-0000-0000-3447 Erie City Water Authority Lease Extension Fee and providing for the expenditure thereof by allocating said funds to Account #460-1061-0000-4090 Debt Service (\$2,250,000.00) and #460-0963-0000-4078 Machinery & Equipment (\$250,000.00).

G. OLD BUSINESS

Pursuant to the provisions of Zoning Ordinance #80-2005 and proper legal advertisement, the City Council will proceed to hold a Public Hearing at **10:00 a.m.** regarding a request to change the classification of property located at **3809 Wood Street**, from R-1 (Low Density Residential District) to C-2 (General Commercial District) which has been amended to consider rezoning said property to an RLB (Residential Limited Business District) with certain stipulations to be agreed to by the owner. (At the request of Barbara Cochis and Francine Scarpino)

Resolution authorizing and directing the City Clerk to schedule and advertise for a **Public Hearing** to be held on **Wednesday, September 3, 2008** commencing at **10:00 a.m.** regarding amendments to the City Zoning Ordinance, Section 405 and 405.10 which would transfer "Permitted Uses" under Section 204.20, i.e. Asphalt Products Manufacturing and Storage, Chemical Processing and Production, Power Plants and Landfill/Solid Waste Transfer Facility to "Conditional Uses" in Section 204.20, M-2 (Heavy Manufacturing Zoning District).

**H. NEW BUSINESS**

1. Resolution sponsored by Council President Curtis Jones authorizing and directing the City Solicitor to prepare an ordinance designating the baseball/softball field at West 2<sup>nd</sup> & Cherry Streets as **Pontiac Field** in honor and recognition of the former Negro League Baseball Team which numerous Erie residents both played and starred in during the 1940's and 1950's. (This field is located within Bayview Park in Erie's 4<sup>th</sup> Ward)
2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband respectfully requesting the City Solicitor to review the City of Erie's 1988 "Smoking Prohibited in Public Places" ordinance, **Article 1127** of the Codified Ordinances of the City of Erie, to reflect State Law # P.S. 27 and refer their recommendations for appropriate action to City Council.
3. Resolution sponsored by Councilman Joseph Schember endorsing passage of **House Bill #2018** which has been referred to the Committee on Local Government for study and recommendation to the full House and, if adopted, would provide an annual revenue sharing program for municipalities relating to tax-exempt real property, establish the Tax-Exempt Property Municipal Assistance Fund under the jurisdiction of the PA Department of Community & Economic Development to assist municipalities in recovery of lost real estate tax revenue from those properties listed on the Tax-Exempt Rolls and strongly urging our local State legislators to support and vote for this new legislation.
4. Resolution of City Council giving its consent and approval to the **Erie Regional Airport Authority** to incur debt in the amount of a \$4.8 million dollar term loan with Erie Bank in order for the Authority to meet its obligation under the Intergovernmental Cooperation Agreement to fund a portion of the local share of the Construction Fund for the Runway Extension Project.
5. Resolution authorizing and directing the Mayor and appropriate officials to submit an application to the Pennsylvania Department of Community and Economic Development under the Land Use Planning and Technical Assistance Program (LUPTAP) for a Basic Grant up to **\$60,000.00** to be used to assist with the development of a Comprehensive Plan addressing land use, transportation, infrastructure, housing, public services, community development, economic development and the social needs of our community and further authorizing the proper City officials to enter into a contract with the PA DCED upon approval of the basic grant.
6. Resolution authorizing and directing the proper City officials to file a County Aid Application for the reimbursement of **Liquid Fuels Tax** monies for 2008 in the sum of \$168,098.00.
7. Resolution ratifying a loan previously approved by the Enterprise Zone Loan Review Committee with funds made available through the Commonwealth of Pennsylvania Enterprise Loan Fund and loan repayments to (1) **T.W.L. Corp**, in the amount of \$194,736.00 for 7 years with a fee of \$973.68 and (2) **Custom Engineering Co.**, for the sum of \$250,000.00 for 15 years with a fee of \$1,250.00, both at an interest rate of 4.50% per annum and authorizing and directing the proper City officials to execute the necessary documents and agreement to effectuate said transaction.
8. Resolution approving the proposed Repository Sale of Property commonly known as Schaal Sub Lot 5, 40 x 130 and identified by Erie County Assessment Index #15-021-010.0-123.00 by the Erie County Tax Claim Bureau to **Nora Hamilton** for the sum of \$250.00, subject to payment of outstanding taxes.
9. Resolution receiving the communications and data from the various **Authorities** of the City of Erie forwarded pursuant to Act 339, listing the names of their respective employees with positions and salaries as of June 30, 2008 and ordering same placed on file in the Office of Accounts, Finance and Budget:  
The Erie Metropolitan Transit Authority      The Erie Parking Authority  
The Erie Regional Airport Authority      The Erie Housing Authority  
The Erie-Western PA Port Authority      The Erie City Water Authority  
The Erie Redevelopment Authority      The Erie Park Authority/  
The Erie County Convention Center Authority      Erie Zoological Society

**TRANSFERS:**

1. In Human Resources, the sum of **\$5,400.00** from #002-0521-0000-4059 Other Services & Charges to 4041 Professional Services.
2. In the 2007 Weed & Seed Quality of Life Grant, the sum of **\$6,881.21** from #261-0613-2007-4033 Operating Supplies (\$3,994.90); 4039 Consumable Items (\$214.04) and 4059 Other Services & Charges (\$2,672.27) with \$6,586.09 being transferred to 4006 Overtime; \$98.17 to 4016 FICA-Medicare and \$196.95 to 4021 Valic.

**CONTRACTS:**

Resolutions authorizing the Mayor and City Controller to execute contracts between the City of Erie and the following individuals and/or companies:

1. **Sovereign Bank**, 3 Huntington Quad, Suite 101N, Melville, N.Y. for a four year lease of a 2008 Chevy Impala for the 2008 Auto Theft Prevention Authority, for the Bureau of Police at a total cost of \$20,720.00 (16 quarterly payments @ \$1,295.00 each)
2. **Guzik Concrete & Masonry**, RD 2, Box 2740, Union City, Pa., for the 2008 Curb Ramps Project II, Bid 1622-08 for the sum of \$217,108.50, they being the lowest of four bidders. (This project will construct 80 ADA compliant curb ramps in accordance with the requirements of the Consent Decree. The proposed curb ramps are in various locations throughout the City)

**PURCHASE ORDERS:**

Resolutions authorizing and directing the City Purchasing Agent to issue purchase orders to the following individuals and/or companies:

1. **Department of Community & Economic Development**, Governor's Center for Local Government Services, Commonwealth Keystone Blvd., Harrisburg, Pa., for 779 Building Permits @ \$4.00 each for the sum of \$3,116.00.
2. **Stellarbeats.Com**, 32 West 8<sup>th</sup> Street, Suite 207, Erie, Pa., for Website Setup and Design for the Bureau of Police for the sum of \$2,500.00.
3. **Ikon Office Solutions**, P. O. Box 802558, Chicago, Illinois, for a one year maintenance agreement for a Cannon IR330S in Central Records for the Bureau of Police for the sum of \$2,712.54.
4. **Erie County Sheriff Department of Erie County**, 141 West 6<sup>th</sup> Street, Erie, Pa., for Overtime Reimbursement for Weed and Seed Quality of Life Saturation Patrols, for the Bureau of Police for the sum of \$3,000.00.
5. **Commonwealth of Pennsylvania**, PA State Police, Enterprise Network System, 1800 Elmerton Avenue, Harrisburg, Pa., for the annual recurring Data Circuit Lease for NCIS/Clean System, for the Bureau of Police for the sum of \$3,500.00.
6. **District Attorney of Erie County**, 140 West 6<sup>th</sup> Street, Erie, Pa. for Overtime Reimbursement for Weed and Seed Quality of Life Saturation Patrols for the Bureau of Police for the sum of \$7,000.00.
7. **Fontaine USA**, 3 Executive Park Drive, Bedford, NH 03110, for a Large Yoke for a Bar Screen for the Bureau of Sewers, for the sum of \$2,475.00.
8. **Kinzua Environmental**, 1176 East 38<sup>th</sup> Street, Cleveland, Ohio 44114, for the Root Removal, Homogenizer, Degreaser and Sanitizer for the Bureau of Sewers in the amount of \$9,024.75.
9. **Buffalino Industrial Contractors**, 25069 Highway 408, Cambridge Springs, Pa., for the Installation of a Skimmer Beach Plate in Flotation Tank #4 for the Bureau of Sewers for the sum of \$9,475.00.
10. **David Milano Construction**, 1827 West 36<sup>th</sup> Street, Erie, Pa., for performing repair services for the Bureau of Sewers at various locations for the sum of \$17,357.41 (Material Costs Only) for the Wastewater Treatment Plant. (Under Contract)

**I. COMMITTEE REPORTS**

**J. ADJOURNMENT**

**NOTE:**

**A Continuing Emissions Monitoring Committee Meeting is scheduled for Thursday, August 7, 2008 at 6:00 p.m. in the Council Chambers**

