

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, MAY 21, 2008 AT 7:30 P. M.

- A. Roll Call
- B. Silent Meditation/Pledge of Allegiance
- C. Approval of the Minutes/Bills
The Urban Forest Tree Committee will report to City Council on Amendments to the Tree Ordinance

- D. Citizens to the Heard:
Randy Barnes, re: "East Side Cancer Factory"
Eugene Cline, 160 West 8th Street, re: Safety Issues

E. ORDINANCES: FOR FINAL PASSAGE:

1. Council File Ordinance #15,578, Pending Official File Ordinance #16-2008 an ordinance appropriating the sum of **\$5,000.00** from unappropriated and anticipated revenue from Weed and Seed Quality of Life Grant and providing for the expenditure thereof by allocating said funds to Account #261-0613-2007-4059 Other Services & Charges.
2. Council File Ordinance #15,579, Pending Official File Ordinance #17-2008 an ordinance appropriating the sum of **\$6,000.00** from unappropriated and anticipated revenue from Contributions received from Highmark Blue Cross/Blue Shield and providing for the expenditure thereof by allocating said funds to Account #259-1219-0000-4552 Summer Recreation Program.
3. Council File Ordinance #15,580, Pending Official File Ordinance #18-2008 an ordinance appropriating the sum of **\$40,000.00** from unappropriated and anticipated revenue received from the Erie School District and providing for the expenditure thereof by allocating said funds to Account #259-1219-0000-4552 Summer Recreation Program.
4. Council File Ordinance #15,581, Pending Official File Ordinance #19-2008 an ordinance appropriating the sum of **\$250,000.00** from unappropriated revenue to be received from the Liquid Fuels Tax Fund and providing for the expenditure thereof by allocating said funds to Account #013-1291-0000-4075 Bridges/Streets.
5. Council File Ordinance #15,582, Pending Official File Ordinance #20-2008 an ordinance appropriating the sum of **\$513,231.51** from unappropriated revenue from Account #021-0000-0000-3001 Fund Balance and providing for the expenditure thereof by allocating said funds to Account #021-0713-0000-4075 Bridges and Streets.
6. Council File Ordinance #15,583, Pending Official File Ordinance #21-2008 an ordinance appropriating the sum of **\$715,812.00** from unappropriated revenue from #018-0000-0000-3001 Fund Balance and providing for the expenditure thereof by allocating said funds to Account #018-0713-0000-4075 Bridges/Streets.
7. Council File Ordinance #15,584, Pending Official File Ordinance #22-2008 an ordinance amending the Codified Ordinances, Part 5 (Traffic), Title Five (Stopping, Standing and Parking), Article 527 (Impounding of Vehicles) by amending Section 4 (c) (**Storage Charges**) to provide for a change of the day of accrual of storage fees to the day of the tow for vehicles towed from any location in the City.

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,585 an ordinance appropriating the sum of **\$150,000.00** from unappropriated and anticipated revenue to Account #3929 - Operating Transfer - Erie Insurance Exchange BUDAG and providing for the expenditure thereof by allocating said funds to Account #314-1314-0000-4402 Bayfront East Side Taskforce-UDAG Renovation Project.
2. Council File Ordinance #15,586 an ordinance appropriating the sum of **\$71,000.00** from unappropriated and anticipated revenue from Account #267-0613-2008-3336 Project Safe Neighborhood and providing for the expenditure thereof by allocating said sum to various #267-0613-2008-40XX accounts. (Funds will be used for overtime for the Department's ATF Task Force and for additional saturation patrols. Funds will also cover the expenses and equipment for several program promotions). (See Memo to City Council)

F. OLD BUSINESS

Pursuant to the provisions of Zoning Ordinance #80-2005 and a Public Hearing held on Wednesday, May 7, 2008, a resolution authorizing and directing the City Solicitor to prepare an ordinance rezoning property located at the southeast corner of West 26th and **Cherry Streets** from C-4 (Traditional Neighborhood Commercial and R-2 (Medium Density Residential District) to C-2 (General Commercial District) by Lakeview Resale Company (owners Gerald and Carolyn Munsch), for used car sales.

G. NEW BUSINESS

1. Resolution sponsored by Councilwoman Rubye Jenkins-Husband tributing the **Northwest Pennsylvania Collegiate Academy High School Sports League Team** upon winning the Pennsylvania State Championship again this year and taking third place and the Bronze Medal in the National Competition earning several individuals honors while competing against 350 students from 41 states in ten subjects.

2. Resolution sponsored by Councilwoman Rubye Jenkins-Husband authorizing and directing the City Solicitor to draft amendments to the **Urban Forest Ordinance** regarding tree damage penalties including (e) imposing an administration fee of \$50.00 for every tree removal application upon the approval from the City Arborist (fee may be waived in the case of hazardous tree removals) and increasing fines to not less than \$500 (small) \$1,000 (medium) and \$1,500 (large growing tree species) for anyone who violates provisions of this article or fails to comply with any order of the Committee and/or the City Arborist.
 3. Resolution sponsored by Councilman James Thompson, submitted pursuant to the recommendation of the City Solicitor and City Treasurer, requesting the authorization to remove interests and costs of a paving lien on property known as **1804 East 7th Street**, Index #14-011-0100 12300 (01) (02) owned by Patricia B. and Donald G. Brewer be approved by City Council in the total amount of \$3,392.20 (owners will pay lien principle and costs totaling \$1,937.54).
 4. Resolution authorizing and directing the proper City officials to enter into an agreement with the School District of the City of Erie to convey the property located in the vicinity of East 19th Street being bounded by **East 19th, East 20th, German and Holland Streets**, being part of Parcel No. (18)-5008-100, consisting of 1.708 acres, for the purpose of constructing a building for the preparation of meals for the school district's elementary school students. The transfer is without consideration.
 5. Resolution authorizing and directing the proper City officials to execute an Easement Agreement between the City of Erie and **Michael D. Fullerton**, owner of 502 West 18th Street, Index #(16) 3026-100, for the installation of an accessible ramp in the Walnut Street Right of Way.
 6. Resolution authorizing and directing the proper City officials to execute an Easement Agreement between the City of Erie and **Liberty Iron & Metal, LLC**, 1515 East Avenue, for locating two (2) fences with two (2) sliding gates in the East Avenue right-of-way at the south end of the McBride Viaduct
7. **Resolution** receiving the Financial Statements of the **Erie Municipal Airport Authority** as of December 31, 2006 and 2007 as compiled by Malin, Bergquist and Company, LLP and ordering same placed on file in the Office of Accounts, Finance and Budget.

CONTRACTS:

1. **David Milano Construction**, 1827 West 36th Street, Erie, Pa., for Manhole Installation and Cave-In Repairs at various locations (530 East 19th Street; McBride Viaduct; City Hall; 505 East 10th Street; 815 Cascade Street; 229 Shenley Drive; 216 Chestnut Street; 5th & Wallace Street; 18th & Peach Streets; and 203 Liberty Street) for the total sum of \$24,504.76 (Material Costs Only) for the Wastewater Treatment Plant.
2. **American Red Cross**, 4961 Pittsburgh Avenue, Erie, Pa., for the Summer Learn to Swim Recreation Program in the amount of \$74,000.00.

PURCHASE ORDERS:

1. **General Exterminating**, 5526 Peach Street, Erie, Pa., for monthly extermination services at City Firehouses from May through October of 2008 for the Bureau of Fire for the sum of \$2,184.00.
2. **NETZSCH**, 119 Pickering Way, Exton, Pa., for a Progressive Cavity Pump for the Bureau of Sewers at a total cost of \$6,220.00.
3. **Buffalino Industrial Contractors**, 25069 Highway 408, Cambridge Springs, Pa., for the installation of new shafts and bearings in the East Headworks Building, for the Bureau of Sewers at a cost of \$9,950.00.
4. **Buffalino Industrial Contractors**, 25069 Highway 408, Cambridge Springs, Pa., for the installation of a skimmer beach plate in Flotation Tank #1, for the Bureau of Sewers, at a cost of \$9,950.00.

H. COMMITTEE REPORTS

I. ADJOURNMENT

NOTE: TO MEMBERS OF CITY COUNCIL - THE FOLLOWING MEETINGS ARE SCHEDULED:

1. **May 22, 2008 @ 6:00 p.m. Study Session - Andy Zimmerman will give a report on the Landlord Licensing & Inspection Program- City Council Chambers**
2. **May 28, 2008 @ 10:30 a.m. Finance Committee Meeting - Room 500**
3. **May 29, 2008 @ 7:00 p.m. Continuous Monitoring Emissions Committee Meeting with a representative from Trinity Services, Inc., Rochester, N.Y. who will speak on continuous monitoring of air pollutants - City Council Chambers**
4. **June 3, 2008 @ 3:00 p.m. Continuous Monitoring Emissions Committee Meeting with Pa DER representatives re. Tire -to- Energy Plant Permit Application - City Council Chambers**