

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, AUGUST 1, 2007 AT 9:00 A. M.

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

- 1. Pauline K. Puline, Injury Prevention, Erie County Department of Health, 606 West 2<sup>nd</sup> Street, re: Bicycle Safety Helmets
- 2. David Earl Stepp, Director, African American Heritage Society re. Sale of property in the Dickson Tavern.

E. ORDINANCES: FOR FINAL PASSAGE:

- 1. Council File Ordinance #15,536, Pending Official File Ordinance #45-2007, an ordinance appropriating the sum of **\$140,000.00** 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 various #261-0613-2007-40xx Accounts, including Overtime; FICA-Medicare; Valic; Operating Supplies; Consumable Items and Other Services & Charges.

ORDINANCES: FOR FIRST READING:

- 1. Council File Ordinance #15,537  
an ordinance amending Zoning Ordinance #80-2005 by changing the classification of property located at **1909 Franklin Avenue**, from R-1 (Low Density Residential District) to that of C-2 (Local Business District) for the development of business and retail offices.
- 2. Council File Ordinance #15,538  
an ordinance amending Zoning Ordinance #80-2005 by adding Commercial Recreation to the list of Permitted Uses within the **M-2 Zoning District** and amending Article 6, Definitions for Commercial Recreation to add "or Institutional" in relation to the type of facility. (Regarding a request from Cathedral Prep)

F. OLD BUSINESS

- 1. Pursuant to the provisions of Zoning Ordinance #80-2005 and of a Public Hearing held on Wednesday, July 11, 2007, a resolution approving a request from **Hamot Medical Center** for Waterfront Conditional Use for property located on the northwest corner of West 2<sup>nd</sup> and Peach Streets for construction of a four-floor Medical Office Building with the possibility of a drive-thru banking facility.
- 2. Pursuant to the provisions of Zoning Ordinance #80-2005, the City Clerk is authorized and directed to advertise notice of Public Hearings to be held before City Council in the Council Chambers, on Wednesday, September 5, 2007 commencing at approximately 9:30 a.m. and following in sequence noted:
  - a) A request to change the classification of property at **857 East 9<sup>th</sup> Street** from M-1 (Light Industrial District) to that of C-1 (Local Business District). (At the request of the Erie Federal Credit Union)
  - b) A request for Waterfront Conditional Use for property at **237-41 West Front Street** for the construction of a twelve unit residential structure, proposed by Chris Edgett.
  - c) A request for Waterfront Conditional Use for property located on the **western Presque Isle Bay** for construction of a three unit condominium on properties owned by David Bierig and Rentway. This site is the western-most piece of the Waterfront Commercial Zoning District and access to the proposed structures will be provided through Niagara Point.
  - d) A request for **revision to Section 405.10** to require a petition to rezone include the 500 foot radius notification as required or the notice prior to a public hearing; **revising the definitions** of Auto Repair and Service Garage to allow the sale of not more than five (5) vehicles (the current allotment of four vehicles is in violation of the State Code for automotive dealers which requires five); and **clarifying Section 205.26** to allow for an addition to infringe into the side and rear setback areas.
- 3. Resolutions authorizing and directing the proper City officials to execute Easement Agreements between the City of Erie and the following individuals and/or companies which are submitted to City Council in compliance with the City Engineer's metes and bounds description:
  - a) Heidi Corporation, owner of **1313 State Street** locating an identification sign in the State Street right-of-way
  - b) Thomas A. Dworzanski, owner of **29 West 5<sup>th</sup> Street**, locating a stair/landing assembly and an awning in the West 5th Street right-of-way.
  - c) Sugar Ray's, tenant of **1301 State Street**, locating one (1) entrance into the State Street right-of-way.

G. NEW BUSINESS

- 1. Resolution sponsored by Council President Rubye Jenkins-Husband recognizing the Neighborhood Watch Council for their participation in the National Night Out event on August 7, 2007 taking place throughout the City in conjunction with other Neighborhood Watch programs across the United States to heighten awareness for crime prevention.

2. Resolution sponsored by Council President Rubye Jenkins-Husband recognizing the week of August 5-11, 2007 as **National Health Center** Week with the theme of America's Health Centers "your Health Care Home", where Health Centers like Community Health Net have been providing continuous primary and preventative care that reduces the risk of new health care problems and lowers the overall potential cost of health care. Health Centers remove geographic language and cultural and financial barriers for patients who do not have a usual source of care. The emphasis this year on a health care home recognizes the importance of the health center mission to provide a health care home to all Americans in need.
3. Resolution sponsored by Council President Rubye Jenkins-Husband appointing Councilman **James Thompson** as Acting City Council President of the August 15<sup>th</sup> Council meeting.
4. Resolution sponsored by Council President Rubye Jenkins-Husband accepting communications from **PA. CareerLink** at 1309 French Street and forwarding same to the Traffic Engineers for a "crosswalk traffic study". In a January 2007 release, PennDot urges municipalities to improve pedestrian safety by installing free crosswalk signs.
5. Resolutions sponsored by Council President Rubye Jenkins-Husband receiving the communications from the Auditor General's Office including a copy of the Examination Report of the **Liquid Fuels Tax Fund** of the City of Erie for the year ended December 31, 2005.
6. Resolution authorizing and directing the Mayor and City Controller to execute a Reimbursement Agreement between the City of Erie and the Pennsylvania Department of Transportation, reimbursing the City 80% of costs incurred to inspect City owned bridges for inclusion in the 2007-2009 **Local Bridge Inventory and Inspection Program**. The maximum reimbursement amount is \$33,904.08.
7. Resolution confirming the Mayor's extension of the following **Enterprise Zone Loan Review Committee** Membership from September 1, 2007 as noted:

James Gehrlein, President of National City Bank	8/31/08
Mark Bliley, President of American Railing Company	8/31/09
Larry Bossolt, SVP of Greater Erie Industrial Development Corporation	8/31/10
James Ohrn, CPO of Custom Engineering Company	8/31/10
8. Resolutions approving proposed Repository Sales of Property to the following individuals, for the sum of \$250.00 each:
  - a) **Gloria Cooley**, for property known as 2006 Brooklyn Avenue, Index #15-021-021-102.00.
  - b) **Darlene Eastman**, for property known as SSE 20<sup>th</sup> Street, being 40 x 120 feet, Index #15-021-032.0-109.00.
  - c) **Redevelopment Authority of the City of Erie**, for property known as 341-1/2 East 24<sup>th</sup> (rear irr.) Index #18-050-015.0-241.00.
  - d) **Anthony Malozovsky of Oak Street Realty Equities, Ltd.**, for property known as Norwood Sub LT 98, being 40 x 165 feet in area, Index #18-051-027-0-107.00.
  - e) **Oak Street Realty Equities**, for property known as Liberty Park, Sub Lt 9, being 70 x 86.13, Index #14-011-026.110.00.
  - f) **John Blanks**, for property known as 514-1/2 West 3<sup>rd</sup> Street R BL, being 30 x 60, Index #17-040-018.0-247.00.
  - g) **Redevelopment Authority of the City of Erie**, for property known as 332 West 18<sup>th</sup> Street, being 26.5 x 100, Index #16-030-016.0-112.00.
  - h) **Redevelopment Authority of the City of Erie**, for property known as 254 West 17<sup>th</sup> Street, being 40 x 91.67, Index #16-030-011.0-326.00.
  - i) **Redevelopment Authority of the City of Erie**, for property known as 449 West 18<sup>th</sup> Street, Index #19-060-013-118.00.
  - j) **Christopher Roberts**, for property known as Holland St. Es, 42.5 x 105, Index #18-050-081.0-125.00.
9. Resolution recommending **Bruce A. Eicher**, 702 West 9<sup>th</sup> Street, Erie, Pa., for the appointment as Emergency Management Director for the City of Erie, (Replacing the previous director Thomas L. Lawson, Retired)
10. Resolution authorizing Change Order #1 on the contract of **Insituform Technologies, Inc.**, 702 Spirit 40 Park Drive, Chesterfield, MO, for the 2006 Cured-in-Place Pipe Relining, Bid No 1599-06 as recommended and concurred with by the Bureau of Engineering adding the sum of \$10,959.00 to the original contract amount of \$346,244.00 bringing the revised total amount to \$357,203.00.

11. Resolution authorizing and directing the proper City officials to enter into an agreement with the **Erie Police Credit Union** for leasing the former Traffic Court space on the first floor of the Municipal Building for a term of three years beginning September 1, 2007 with a 90 day cancellation provision for either party for the consideration of \$300.00 per month for the first year, \$325 per month for the second year and \$350.00 per month for the third year which shall renew on a year to year basis afterward.

**CONTRACTS:**

1. **JCI Jones Chemicals, Inc.**, 2500 Vanderhoof Road, Barberton, OH, extending the contract for one year for one (1) ton containers of Chlorine for the Wastewater Treatment Plant, at the same unit pricing of \$501.50/ton.

**PURCHASE ORDERS:**

1. **Allegheny Window Cleaning, Inc.**, 1113 Lincoln Avenue, Springdale, Pa., for the Cleaning of Windows (outside only), including black spandials at City Hall for a total cost of \$2,996.00. (Price includes labor, materials and insurance coverage)
2. **Networking Technologies**, 3910 Caughey Road, Suite 207, Erie, Pa. For the Renewal of the Checkpoint Firewall Support Contract for the Computer Services Department of the City of Erie for the sum of \$5,194.00.
3. **Bitting Recreation, Inc.**, P. O. Box 6445, Harrisburg, Pa., for Replacement Parts for City Playgrounds, for the Bureau of Parks, for the sum of \$7,885.39.
4. **Commonwealth of PA State Police**, Computer Operations Division, Enterprise Network Section, 1800 Elmerton Avenue, Harrisburg, PA., for Annual Recurring Data Circuit Lease and Equipment for NCIC, for the Bureau of Police for the sum of \$3,500.00.
5. **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.
6. **Erie County Sheriff Department of Erie County**, 1141 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 \$9,000.00.
7. **American Test Center**, 3540 Hoffman Road East, St. Paul, MN, for Testing and Inspection of a Bucket Truck (\$425.00) Manlift (\$400.00) and 4 Fire Trucks (\$2,100.00) for the Bureau of Fire for the sum of \$2,925.00.
8. **DCED**, Governor's Center for Local Government Services, Commonwealth Keystone Blvd., Harrisburg, Pa., for 952 Building Permits @ \$4.00 each for the Department of Economic and Community Development for the sum of \$3,808.00
9. **Five Star International**, 600 Wattsburg, Road, Erie, Pa., for a Transmission for the Municipal Garage for the Bureau of Streets for the sum of \$2,000.00.
10. **Five Star International**, 6100 Wattsburg Road, Erie, Pa., for Walking Beams and a Core Change for Refuse 1450 and a Turbo Charger Kit for Refuse 1310 for the Municipal Garage for the sum of \$3,173.17.
11. **Electrical & Mechanical Systems, Inc.**, 316 Cherry Street, Erie, Pa., for Repair and Maintenance performed on the City Hall Chiller. The parts and labor cost to start up the cooling & chilling towers is \$2,285.00. Payment is to be drawn from Account #002-0723-0000-4056.
12. **Commonwealth of PA Clean Air Fund**, DEP Air Quality Program, Northwest Regional Office, 230 Chestnut Street, Meadville, Pa, for the 2006 Emissions Fee, for the Bureau of Sewers of the City of Erie at a total cost of \$2,173.02.
13. **David Milano Construction**, 1827 West 36<sup>th</sup> Street, Erie, Pa., for Installing 2 new catch Basins and raising 2 storm manholes at 12<sup>th</sup> & Greengarden for the sum of \$2,457.50 (Material Costs Only).
14. **William T. Spaeder**, 1602 East 18<sup>th</sup> Street, P. O. Box 10066, Erie, Pa., for the Emergency Repair of a Water Line in the Ferric Pump Room for the Bureau of Sewers, for the sum of \$2,780.00.
15. **Eccentric Pumps**, P. O. Box 190159, Atlanta, GA, for one (1) Ferric Chloride Feed Pump, Drive and Spare Parts for the Bureau of Sewers for the sum of \$3,574.62.
16. **A & H Equipment Co.**, 1124 McLaughlin Run Road, Bridgeville, Pa., for Assorted Cleaning Nozzles, for the Bureau of Sewers for the sum of \$3,900.00.
17. **David Milano Construction**, 1827 West 36<sup>th</sup> Street, Erie, Pa., for Removing Sanitary Connection from Canal Sewer to Sanitary Sewer Main at 357 West 7<sup>th</sup> Street, for the sum of \$4,496.81. (Material Costs Only)

**H. COMMITTEE REPORTS**

**I. ADJOURNMENT**

**NOTE: CITY COUNCIL WILL MEET WITH THE MEMBERS OF THE COUNCIL OF GOVERNMENTS (COG) ON JULY 31, 2007 AT 12:00 NOON IN THE COUNCIL CHAMBERS**

