

AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, JULY 11, 2007 AT 7:30 P. M.

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

E. **ORDINANCES: FOR FINAL PASSAGE:**

1. Council File Ordinance #15,531, Pending Official File Ordinance #40-2007, an ordinance appropriating the sum of **\$67,000.00** from unappropriated and unanticipated revenue from Account #002-0000-0000-3641 Contributions (Mercyhurst College) and providing for the expenditure thereof by allocating said funds to Account #002-0963-0000-4160 July 4th Celebration.
2. Council File Ordinance #15,532, Pending Official File Ordinance #41-2007 an ordinance appropriating the sum of **\$85,052.23** from unappropriated and anticipated revenue from Account #231-0613-2007-3337 Insurance Fraud Prevention and providing for the expenditure thereof by allocating said funds to various #231-0613-2007-40xx accounts. (2007 Insurance Fraud Prevention)
3. Council File Ordinance #15,533, Pending Official File Ordinance #42-2007 an ordinance appropriating the sum of **\$93,242.23** from unappropriated and anticipated revenue from Account #230-0613-2007-3337 Auto Theft Prevention and providing for the expenditure thereof by allocating said funds to various #231-0613-2007-40xx accounts (2007 Auto Theft Prevention)

ORDINANCES: FOR FIRST READING:

1. Council File Ordinance #15,534 an ordinance appropriating the sum of **\$5,000.00** from unappropriated and anticipated revenue from Account 261-0613-2006-3336 Weed & Seed Quality of Life and providing for the expenditure thereof by allocating said funds to Account #261-0613-2006-4033 Operating Supplies.
2. Council File Ordinance #15,535 an ordinance appropriating the sum of **\$6,000.00** from unappropriated and anticipated revenue from Account #222-0613-0000-3304 Federal Forfeiture Revenue and providing for the expenditure thereof by allocating said funds to Account #222-0613-0000-4045 Communications.

F. **OLD BUSINESS**

Pursuant to the provisions of Zoning Ordinance #80-2005 and the proper legal advertisement, the City Council will proceed to hold Public Hearings regarding the following requests to amend said Zoning Ordinance commencing at approximately 8:00 p.m. and following in the order so noted:

1. A request for Waterfront Conditional Use approval from BEST and Port Harbor Homes for the development of a single-family dwelling located at **434 East 2nd Street.**
2. A proposal to amend Section 204.20 to include Commercial Recreation as a permitted use within the **M-2 Zoning District** and amend **Article 6,** Definition for Commercial Recreation to add "or Institutional" in relation to the type of facility. (In regard to a request from Cathedral Prep)
3. A request from Vernon Brown to rezone property located on and around **1909 Franklin Avenue** from R-1 (Low Density Residential District) to C-2 (General Commercial District) for the construction of a retail plaza.
4. A request for Waterfront Conditional Use approval from Hamot Medical Center for property located on the northwest corner of **West 2nd and Peach streets** for construction of a 4 floor Medical Office Building with the possibility of a drive-thru banking facility
5. A request for Waterfront Conditional Use approval from John Britton for property located between **Liberty Park and the Park and Ride** along the West Bayfront for the proposed new construction of the Jr's Building (Eating and Drinking Establishment) which will be 160 ft. long and contain restaurant seating for 80 and showroom seating for 300.

G. **NEW BUSINESS**

1. Resolution sponsored by Councilman Curtis Jones urging the Congress and the President of the United States to act immediately to ensure comprehensive, equitable and just restitution and recovery for those affected by **Katrina-Rita** and its aftermath including the establishment of an independent commission representative of communities hardest hit to monitor, evaluate and participate in recovery related decision making, establishment of adequate victims compensation, support for the right of residents to return including renters and public housing residents, and adequate resources for complete recovery and restitution.
2. Resolution sponsored by Councilman Joseph Sember adopting the **Investment Policy Statement** of the City of Erie Water Authority Reserve Funds (Sinking Fund) as recommended and presented for acceptance by the City of Erie Sinking Fund Committee, as submitted on June 18, 2007.

3. Resolution authorizing and directing the City Solicitor to prepare an ordinance amending Zoning Ordinance #80-2005 by changing the classification of property at **857 East 9th Street** from M-1 (Light Industrial District) to that of C-1 (Local Business District) and to refer said ordinance to the City Planning Commission for recommendation and report thereon.
(Sponsored by Councilman James Thompson on the initiative of City Council at the request of the Erie Federal Credit Union for the construction of a 3,000 square foot branch office facility with drive-thru service-Accompanied by the requisite filing fee in the sum of \$500.00)
4. Resolution authorizing the Mayor and other appropriate City officials to enter into an agreement between the City of Erie and **Rocco's Auction and Appraisal Services**, 5041 East Avenue, McKean, Pa., for services related to conducting a public auction of the contents of the **Dickson Tavern** on August 11, 2007, with total compensation to be paid to Rocco's Auction and Appraisal Service sunder the agreement not to exceed a flat fee of \$500.00 or 5% of the gross proceeds, whichever is greater, in addition to \$300.00 for labor. It is further agreed that the promotional expenses, estimated to be approximately \$850.00 will the responsibility of the City of Erie. (The City of Erie entered into an agreement to sell the property to developer Pat Black who will refurbish the historical building. Prior to that sale or the beginning of renovations, the remaining items in the tavern need to be sold.)
5. Resolution authorizing the Mayor and appropriate City officials to execute an agreement by and among the City of Erie, the Redevelopment Authority of the City of Erie, **Radnor Property Group and Fourth River Development LLC** (Radnor and Fourth River are to be referred to collectively as "Developer" having offices at 116 Federal Street, Suite 260, Pittsburgh, Pa.) for the creation and implementation of a "Master Development Plan" for four (4) target areas within the General Business District of the City of Erie, collectively described as the "Erie Downtown Revitalization Plan", which agreement defines the roles, responsibilities and obligations of each party. The Plan will focus on the Griswold Area which shall include a timeline, funding plan and a plan for the construction of townhouses, mixed use and/or live/work projects. In addition, the City and the Redevelopment Authority further agree to reimburse the "Developer" for expenses incurred by the "Developer" in the creation of the Master Development Plan, in an amount not to exceed \$30,000.00. The reimbursement funds will be paid by the Erie Redevelopment Authority through a PA DCED Housing and Redevelopment Assistance Grant already secured by the Redevelopment Authority.
6. Resolution receiving the Annual Report of Municipal Authorities and the audited financial statements as submitted to the Department of Economic and Community Development for the **Erie Airport Authority** for the year 2006; City Council refer to and order placed on file in the Department of Accounts, Finance and Budget.
7. Resolutions authorizing the proper City officials to execute Easement Agreements between the City of Erie and the following individuals and/or companies, in compliance with the attached City Engineer's metes and bounds description:
 - a) **Heidi Corporation**, owner of 1313 State Street, for the construction of an identification sign "Adult Mart", which will protrude 2.5 feet into the State Street right-of-way and will be located 13.5 feet above the sidewalk;
 - b) **Julius and Cornelia Yacobozzi**, owner of 263 West 18th Street, for the construction of two (2) entrances, including a handicap accessible ramp, with both entrances protruding 3 feet into the Myrtle Street right-of-way. (An adequate width of sidewalk will remain for pedestrian travel)
 - c) **Thomas Dworzanski**, owner of 29 West 5th Street, for the construction of a stair/landing assembly and an awning, which will protrude 4 feet into the West 5th Street right-of-way. (An adequate width of sidewalk will remain for pedestrian travel)

CONTRACTS:

1. **Tom Tushak, Inc.**, 328 Mechanic Street, Girard, Pa., for Fire Alarm Box Base Removal and Sidewalk Replacement at various areas of the city, for the sum of \$5,780.00.
2. **Mayer Bros. Construction Co.**, 1902 Cherry Street, Erie, Pa., for 2007 Curb Ramps-1, for the sum of \$289,877.05, they being the lowest of two bids received.
 3. **McCormick Structural Systems, Inc.**, 1345 West 12th Street, Erie, Pa., for the demolition of three properties at a total cost of \$17,200.00; they being the lowest of two bidders:

669 Hess Avenue, Index #2202-236	\$8,200.00
932 West 26 th Street (Front), Index #6028-133	- \$7,200.00
932 West 26 th Street (Rear), Index #6028-133	- \$1,800.00

3. 4. **Printing Concepts, Inc.**, 4982 Pacific Avenue, Erie, Pa., for printing of the 2007 Summer Parks and Recreation Guide for the sum of \$3,855.00. (Funds to be drawn from the Summer Recreation Program, Account #259-1219-2007-4552)
4. 5. **Printing Concepts, Inc.**, 4982 Pacific Avenue, Erie, Pa., for Printing and Distribution of the 2007 Summer Parks and Recreation Guide for the sum of \$7,464.00. (Funds to be drawn from the Pennsylvania DEP, Act 101 Recycling Grant, Account #263-0731-2005-4041)
6. **Bitting**, P. O. Box 6445, Harrisburg, Pa. for Engineered Wood Fiber to maintain Safety Zones in City Parks, for the sum of \$5,835.00.

PURCHASE ORDERS:

1. **McCormick Structural Systems**, 1345 West 12th Street, Erie, Pa., for the Demolition of 328 Wilson Street, Index #2028-110, of the Department of Economic and Community Development for the sum of \$5,700.00; lowest of two bids.
2. **Five Star International**, P. O. Box 64006, Baltimore, MD, for an Engine to repair Streets Vehicle #784 for the Bureau of Streets for the sum of \$6,350.00.
3. **Endress Hauser % Fortberg Scientific**, 12446 Plaza Drive, Cleveland, Ohio, for four (4) Chart Recorders for Life Station, for the Bureau of Sewers at a total cost of \$7,177.08 (\$1,756.77 each)
4. **Robinson Pipe Cleaning Company**, P. O. Box 396, Eighty Four, Pa, for the emergency Cleaning of a 30 inch sewer line for the Bureau of Sewers for the sum of \$6,363.00.

- H. COMMITTEE REPORTS
- I. ADJOURNMENT

NOTE: CITY COUNCIL WILL MEET IN STUDY SESSION ON WEDNESDAY, JULY 11, 2007 AT 6:30 P.M.