

AGENDA FOR CITY COUNCIL MEETING OF WEDNESDAY, FEBRUARY 7, 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

E. ORDINANCES: FOR FINAL PASSAGE

1. Council File Ordinance #15,497, Pending Official File Ordinance #6-2007, an ordinance amending Part Three of the Codified Ordinance of the City of Erie, Title Five (Article 511 Taxes) by amending Article 378, Section .02 (Imposition of Tax) and Section .03 (Rate of Tax) by deleting the requirement that the three percent (3%) **Amusement Tax** shall be imposed for only those admissions in excess of \$5.00.
2. Council File Ordinance #15,498, Pending Official File Ordinance #7-2007, an ordinance appropriating the sum of **\$402,368.00** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development for the EDI-Special Project Grant (Technology Incubator).

ORDINANCES; FOR FIRST READING:

1. Council File Ordinance #15,499 an ordinance amending Article 1503, Uniform Construction Code, Section 1503.21, Standards, to adopt and incorporate by reference the **International Property Maintenance Code 2006**.
2. Council File Ordinance #15,500 an ordinance amending Article 1503, Uniform Construction Code, Section 1502.77, Examinations, to allow the **International Code Council** to perform testing for journeyman and master plumbers.
3. Council File Ordinance #15,501 an ordinance amending the Codified Ordinances of the City of Erie, Part One (Administrative Code), Title Seven (Employment Provisions, Pensions), Article 147 (**Police Employees' Pension Plan**), Section 147.01 (Definitions), Subsection 147.01(q) (Final Pay) by amending the definition of "Final Payment" to meet the requirements for qualification of the Pension Plan under the Internal Revenue Code and eliminating Subsection 147.10 (Partial Lump Sum Distribution Option) in accordance with the repealer adopted by City Council on December 20, 2006.
4. Council File Ordinance #15,502 an ordinance amending the Codified Ordinances of the City of Erie, Part One (Administrative Code), Title Seven (Employment Provisions; Pensions), Article 149 (**Firefighters' Pension Fund**), Section 149.01 (Definitions), Subsection 149.01(o) (Final Pay) by amending the definition of "Final Pay" to meet the requirements for qualification of the Pension Fund under the Internal Revenue Code and eliminating Subsection 149.09 (Partial Lump Sum Distribution Option) in accordance with the repealer adopted by City Council on December 20, 2006.
5. Council File Ordinance #15,503 an ordinance amending Codified Ordinances of the City of Erie, Part One (Administrative Code), Title Seven (Employment Provisions; Pensions), Article 145 (**Officers' and Employees' Retirement System**), Section 145.02 (Definitions), Subsection 145.02(o) (Final Pay) by amending the definition of "Final Pay" to meet the requirements for qualification of the Retirement System under the Internal Revenue Code.
6. Council File Ordinance #15,504 an ordinance appropriating the sum of **\$4,563.36** from unappropriated and unanticipated revenue from Account #002-0000-0000-3672 Fire Training Reimbursement from the NWPARG Region 2 **Terrorism Task Force** for reimbursement for fire training and providing for the expenditure thereof from the General Fund by allocating said amount to Account #002-0639-0000-4043 Education & Training.
7. Council File Ordinance #15,505 an ordinance appropriating the sum of **\$14,000.00** from unappropriated and unanticipated revenue from Account #015-0000-0000-3641 Contributions (from the Sisters of Mercy and Sam's Club Foundation) for the purchase of fire prevention supplies and equipment for the Bureau of Fire, the purchase of law enforcement equipment for the Bureau of Police and for Winter Maintenance Equipment for the Bureau of Streets, and providing for the expenditure thereof by allocating said sums to Account #015-0613 (0639 and 0713) 0000-4078 Machinery & Equipment.
8. Council File Ordinance #15,506 an ordinance appropriating the cash balance of **\$67,535.74** from unappropriated 2003 Recycling Grant monies from Account #263-0731-2006-3334 DEP Recycling Grant-PA OPR GNT Environmental Resources and providing for the expenditure thereof by allocating said sum to Account #263-0731-2006-4078 Machinery and Equipment.

F. OLD BUSINESS

Pursuant to the provisions of Zoning Ordinance #80-2005 and the proper legal advertising, at 10:00 a.m., City Council will proceed to hold a Public Hearing regarding a request from the Erie-Western Pennsylvania Port Authority for the construction of a concession stand and restroom facilities at Liberty Park in a WC Zoning District.

G. NEW BUSINESS

1. Resolution sponsored by Council President Rubye Jenkins-Husband tributing the **Erie-Veterans Hospital and their patients** in honor of the **National Salute to Hospitalized Veterans Week**, which is being held on February 11-17, 2007.
2. Resolution sponsored by Councilman Curtis Jones appointing **Mr. Shantel Hilliard** to the **Erie City Water Authority**, for a term of five (5) years, expiring on the first Monday of January 2012 (replacing Ann DeMarco whose term has expired).
3. Resolution sponsored by Councilwoman Jessica Horan-Kunco, Seconded by Councilman Curtis Jones, receiving the communication from the **Greater Erie Industrial Development Corporation** requesting the rezoning of a parcel of property known as Lot #2, being 1.539 acres in area located on **East 10th Street and east of Gilson Avenue** on the initiative of City Council, is hereby referred to the City Solicitor for preparation of the required ordinance amending the Zoning Ordinance of the City of Erie from RLB (Residential Limited Business District) to that of M-1 (Light Industrial District) and after preparation to refer same to the City Planning Commission for recommendation and report thereon.
4. Resolution authorizing and directing the proper City officials to execute the necessary documents and agreements effectuating a loan to **Jave Technologies, L. P.**, with funds made available through the Commonwealth of Pennsylvania Enterprise Zone Program and the Erie Enterprise Zone Revolving Loan Fund and loan repayments, in the amount of **\$144,000.00** for a term of 15 years at a 5.0% interest rate with a one-time loan processing fee of \$720.00 (based on 1/2 of 1% of the amount financed) being assessed to the client. This funding is contingent upon County of Erie Redevelopment Authority revolving loan financing of \$144,000 and National City Bank financing of \$63,000. We will share a first mortgage lien on industrial property at 1527 East Lake Road.
5. Resolution approving payment of the Annual Membership Investment to the **Erie Regional Chamber and Growth Partnership**, 208 East Bayfront Parkway, Suite 100, Erie, Pa., for 2007 in the amount of **\$25,000** for the Economic and Community Development Department.
6. Resolution authorizing and directing the proper officials to enter into an Agreement with **Attorney Sumner Nichols II** for legal services for the Zoning Hearing Board from January 1, 2007 through December 31, 2007 for the sum of **\$1,200 per month**, not to exceed 10 hours per month.
7. Resolution authorizing and directing the proper City officials to enter into an agreement with **Ann McDonald** for Stenographic Services for both the Zoning Hearing Board and the Building Code Board of Appeals from January 1, 2007 to December 31, 2007 for a fee of **\$135.00 per hour** for up to 5 hours, with special meetings at \$27.00 per hour (portal to portal). Original transcript per page to be billed at \$25.00 per original page and copies of transcript per page to be \$2.50 per original page and copies of transcript per page to be billed at \$1.75 per copy page. Evening hours will be billed at \$85.00 for the first hour and a half and \$40.00 per hour thereafter.

CONTRACTS:

1. **Sidley Truck Center**, 3900 Depot Road, Erie, Pa., for a Replacement Engine for Refuse Vehicle #921 for the Refuse Department at a total cost of \$18,834.59.
2. **Free-Col Laboratories**, 11618 Cotton Road, Meadville, Pa., for providing all Laboratory Testing of effluents, sludge, etc., required for all the NPDES permits at the Wastewater Treatment Plant, a resolution extending their contract for an additional year at the same unit pricing with an additional cost of sample pickup or delivery at \$7.50 per request.

3. **Process and Data Automation**, 3025 French Street, Erie, Pa., to provide on-going support for the Wastewater Treatment Plant's Computer System at the rate of \$75.00 per hour and not to exceed \$25,000 effective till December 31, 2007.
4. **Polydyne, Inc.**, 1 Chemical Plant Road, Riceboro, GA, for extending the current contract for providing DAF Polymer per Bid #6200 for an additional year at the same rates per current contract which will now expire on January 9, 2008.

PURCHASE ORDERS:

1. **Stephen R. Chatman**, Interim Erie Weed and Seed Coordinator, for providing professional services and operations for the "Weed and Seed" Program, 1401 Wallace Street, for the City of Erie, Bureau of Police not to exceed the amount of \$3,200.00.
2. **Building Inspections Underwriters, Inc.**, 4538 Peach Street, Erie, Pa., for Plumbing Inspections performed from 10/1/06 to 11/30/06 for the Code Enforcement Department of the City of Erie at a total cost of \$6,390.61.
3. **Eagle Radio Technologies**, 1367 East 2nd Street, Jamestown, NY, for the purchase of three (3) Hand Held Radios for the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$2,341.50.
4. **Hach Company**, P. O. Box 608, Loveland, CO, for the purchase of a Hach Spectrophotometer DR800 for the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$2,510.10.
5. **William T. Spaeder Co.**, 1602 East 18th Street, Erie, Pa., for Emergency Repairs at the Cranch Avenue Lift Station for the Bureau of Sewers at a total cost of \$6,557.93.
6. **Rochester Midland Corporation**, 333 Hollenbeck Street, Rochester, NY, for furnishing and delivering of Chemicals to be used in the various water treatment systems at the Wastewater Treatment Plant for the Bureau of Sewers during the year 2007 through the end of the year 2008 at a total cost of \$8,950.00 per year.

H. COMMITTEE REPORTS

I. ADJOURNMENT

NOTE:

City Council will meet in Study Session on Thursday, **February 8, 2007** at **5:30 p.m.** with the submission of the 2007 CDBG Preliminary Budget. At **6:00 p.m.** Council will review the 2005 CAFRA with our auditors, McGill, Power and Bell Associates and at approximately **6:30 p.m.** Council will meet with John Elliott, Executive Director of the Redevelopment Authority for an update on the Blighted Property Review Committee and their tax liens.