

AGENDA FOR CITY COUNCIL MEETING OF WEDNESDAY, JANUARY 17, 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. Presentation of Capital Project Guaranty for Gannon University and Koehler Brewery Projects

F. ORDINANCES: FOR FINAL PASSAGE:

- 1. Council File Ordinance #15,495, Pending Official File Ordinance #4-2007, an ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the **Codified Ordinances** of the City of Erie.

G. OLD BUSINESS

H. NEW BUSINESS

- 1. Resolution sponsored by Council President Rubye Jenkins-Husband cancelling the City Council meeting scheduled for Wednesday, July 4, 2007 at 9:00 a.m. and rescheduling same to Wednesday, **July 11, 2007 at 9:00 a.m.**
  
- 2. Resolution ratifying the action initiated by the Loan Review Committee of the Erie Enterprise Zone Revolving Loan Committee on January 3, 2007 providing for the consent to the sale of Environmental Reclamation Services, Inc., in accordance with the language detailed in a Memorandum, Sale of Assets of ERS (Environmental Reclamation Services, Inc.); Lease of real Property, of December 22, 2006 from Michael A. Brown, Esq., Ballard, Spahr, Andrews and Ingersoll, LLP. Specifically, this transaction relates to Item 6 of the Memorandum which will allow for the distribution or sale by Environmental Reclamation Services, Inc., (ERS) of the Real Property and Real Property Lease to a new limited partnership to be formed by Terry Diadone and Dave Steffens, the owners of ERS, "Diadone/Steffens Realty LP", who will become our borrower. The original Mortgage Loan of \$200,000 was provided to ERS November 17, 2004; the current balance of \$178,848 at 4.0% mortgage is a shared second lien against ERS property on Ore Dock Road, Erie, Pa. This lien is shared with the Northwest Commission Small Business First and the Erie County Redevelopment revolving Loan funds. Terry Diadone and Dave Steffens will continue to personally guarantee this obligation. Our approval and consent to this transaction is contingent upon PNC Bank and Pennsylvania Industrial Development Authority approvals along with the approvals of the Northwest Commission Small Business First and the Erie County Development Revolving Loan.
  
- 3. Resolution authorizing the proper City officials to enter into a Cooperation Agreement with the Erie County General Authority, **Koehler Brewery Square LLC and 1890 LLC** in connection with a **\$5,000,000.00** Redevelopment Assistance Capital Program ("R-CAP") Grant for the Koehler Brewery Project. Under the terms of the Agreement and the Grant, the City of Erie will guaranty to reimburse the Commonwealth for any project expenditures utilizing grant funds that may later be determined by the Commonwealth to be ineligible expenditures. Koehler Brewery Square LLC, as sub-grantee, and 1890 LLC, as developer, agrees to indemnify and hold the City harmless for any such reimbursement obligations as well as any and all claims or actions of the Commonwealth or other parties resulting from the Grant. As a pre-condition to the effectiveness of the Cooperation Agreement, the members and spouses of members of Koehler Brewery Square LLC and 1890 LLC shall enter into written Guaranty Agreements guaranteeing to act as sureties for the obligations of Koehler and 1890.
  
- 4. Resolution authorizing the proper City officials to enter into a Cooperation Agreement with the Erie County General Authority, **Gannon University** and the Greater Erie Industrial Development Corporation in connection with a \$4,000,000.00 Redevelopment Assistance Capital Program ("R-CAP") Grant for the Gannon University Erie Technology Incubator Project. Under the terms of the Agreement and the Grant, the City of Erie will guaranty to reimburse the Commonwealth for any project expenditures utilizing grant funds that may later be determined by the Commonwealth to be ineligible expenditures. Gannon University, as sub-grantee, agrees to indemnify and hold the City harmless for any such reimbursement obligations as well as any and all claims or actions of the Commonwealth or other parties resulting from the Grant.

PURCHASE ORDERS:

1. **William Bolash**, 734 Winifred Way, The Villages, FL 32162 for Professional Consulting Services for the 2nd, 3rd and 4th quarters of 2005 for Erie City Council for the sum of \$4,500.00.
2. **American AGIP Company, Inc.**, 539 Marwood Road, Cabot, Pa., for Anti Wear Hydraulic Oil and Ultralene Motor Oil for the Municipal Garage for the sum of \$2,421.72.
3. **SOFCO**, 12765 Collections Center Drive, Chicago, Illinois 60693, for Soap, Bleach, Towels and other supplies for the Wastewater Treatment Plant for the Bureau of Sewers for the sum of \$3,036.19.
4. **Environmental Resources Association**, 6000 West 54th Avenue Arvada, for 2007 ERA Lab Standards for the Wastewater Treatment Plant for the Bureau of Sewers for the sum of \$4,305.36.
5. **Keystone Electric**, 3125 Brandes Street, Erie, Pa., for the Replacement of a Light Pole and Fixture at the Wastewater Treatment Plant for the Bureau of Sewers for the sum of \$4,500.00.

I. COMMITTEE REPORTS

J. ADJOURNMENT

**NOTE:** City Council will meet in caucus on Wednesday, January 17, 2007 at 6:30 p.m. to discuss State Capital Projects relating to the guaranty agreements for the Koehler and Gannon University Projects.