

**AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, APRIL 3, 2019  
AT 9:00 A.M.**

- A. Roll Call**
- B. Silent Meditation**
- C. Approval of Minutes/Bills**

**Repository Sales:**

- D. Citizens to Be Heard:**

**E. ORDINANCES: FOR FINAL PASSAGE**

- 1. Council File No. 16,083 Pending Official Ordinance 23-2019

An ordinance appropriating the sum of **\$24,998.00** from unappropriated and unanticipated revenue for the expenditure thereof (contribution is from the **Siebenbuerger Club**) for the purchase of a Heat, Humidity, Fuming Chamber for the ID Unit, Bureau of Police.

- 2. Council File No. 16,084 Pending Official Ordinance 24-2019

AN ORDINANCE AUTHORIZING AN INCREASE IN THE **NON-ELECTORAL DEBT** OF THE CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA BY AUTHORIZING AND APPROVING THE ISSUANCE AND SALE IN THE AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$87,235,000 FEDERALLY TAXABLE, [GENERAL OBLIGATION NOTES, SERIES A OF 2019 \(THE "2019A NOTES"\)](#), [GENERAL OBLIGATION NOTES, SERIES B OF 2019 \(THE "2019B NOTES"\)](#) AND GENERAL OBLIGATION BONDS, SERIES C OF 2019 (THE "2019C BONDS") FOR THE PURPOSES RECITED HEREIN; DIRECTING THE CITY CLERK TO PREPARE, CERTIFY AND FILE THE REQUIRED DEBT STATEMENT AND TO TAKE ALL OTHER NECESSARY ACTION; COVENANTING THAT THE CITY SHALL INCLUDE THE AMOUNT OF ANNUAL DEBT SERVICE IN ITS BUDGET FOR EACH FISCAL YEAR; PROVIDING FOR REGISTERED NOTES AND BONDS, DATE OF THE NOTES AND BONDS AND PAYMENT DATES; PROVIDING FOR FACSIMILE SIGNATURES, SEAL AND AUTHENTICATION; APPROVING THE FORM OF THE NOTES AND BONDS, PAYING AGENT'S AUTHENTICATION CERTIFICATE, ENDORSEMENT AND REGISTRATION; PROVIDING FOR TEMPORARY NOTES AND BONDS; PROVIDING FOR THE MAXIMUM STATED PRINCIPAL MATURITY AMOUNTS AND FIXING THE MAXIMUM RATES OF INTEREST ON THE NOTES AND BONDS; AWARDING THE NOTES AND BONDS AT PRIVATE SALE; CREATING SINKING FUNDS; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO CONTRACT WITH A BANK FOR ITS SERVICES AS A SINKING FUND DEPOSITORY AND PAYING AGENT; AUTHORIZING AND DIRECTING THE CITY CLERK TO CERTIFY AND FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT CERTIFIED COPIES OF THE NECESSARY PROCEEDINGS; COVENANTING THAT THE PROCEEDS OF THE 2019B NOTES AND 2019C BONDS SHALL NOT BE USED IN SUCH MANNER AS TO CAUSE THE 2019B NOTES AND 2019C BONDS TO BE ARBITRAGE NOTES OR BONDS UNDER FEDERAL TAX LAW PROVISIONS; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO DO ALL THINGS NECESSARY TO CARRY OUT THE ORDINANCE; PROVIDING FOR MUNICIPAL BOND INSURANCE; AND RESCINDING ALL INCONSISTENT ORDINANCES.

- 3. Council File No. 16,085 Pending Official Ordinance 25-2019

An ordinance appropriating the sum of **\$14,811.36** from unappropriated and unanticipated revenue from **PA Emergency Management Agency (PEMA)** for [Firefighting](#), training and rescue equipment.

**ORDINANCES: FOR FIRST READING**

- 1. Council File No. 16,086

An ordinance appropriating the sum of **\$150,000.00** from unappropriated and unanticipated revenue received from a Commonwealth of Pennsylvania Greenways, Trails and Recreation Grant and providing for the expenditure thereof for the Bayview Park Improvement Project.

2. Council File No. 16,087  
An ordinance amending the **Uniform Construction Code** of the City of Erie's Codified Ordinances to adopt and incorporate by reference the 2015 versions of various codes and to increase certain fees and licensing requirements.
3. Council File No. 16,088  
An ordinance appropriating the sum of **\$2,500.00** from unappropriated and unanticipated revenue from **National Night Out**.

**F. OLD BUSINESS**

1. That pursuant to the provisions of **Zoning Ordinance 80-2005** and a public hearing held on Wednesday, March 20, 2019 in City Council Chambers, 626 State Street, Erie, PA 16501 **to consider a request submitted by the City Planning Commission to amend Section 201.14 RLB (Residential Limited Business) Use District to add 'Eating and Drinking Establishment' and 'Limited Retail Business' uses to the Permitted Uses list; and Amend Section 205 LOT, YARD AND HEIGHT REQUIREMENTS to increase the Maximum Height of Structure (Feet) from 35 to 45 in the RLB Use District is hereby approved by City Council. The City Solicitor is authorized and directed to prepare an ordinance for the above stated request.**
2. Pursuant to the provisions of **Zoning Ordinance 80-2005** and a public hearing held on Wednesday, March 20, 2019 in City Council Chambers, 626 State Street, Erie, PA 16501 to consider a request submitted by Atty. John Mehler of MacDonald Illig Zones and Britton representing Chiari Endeavors LLC, **requesting the rezoning of three parcels** (Index Nos. 7-41-02-101.105 and 114 from R3 (High Density Residential) to RLB (Residential Limited Business) as amended be hereby approved by City Council and the City Solicitor be authorized and directed to prepare an ordinance for the above stated request.

**G. NEW BUSINESS**

1. A resolution that the Enterprise Zone Loan Review Committee approval for the following loan be formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
Myrtle Street Realty Company (New Directions Healthcare)	\$1,000,000.00	15 Years	\$5,000.00

2. A resolution by Councilwoman Kathy Schaaf to formally write a letter through Erie City Council's governing body to the Department of Environmental Protection **regarding the toxic pollution emerging from the Erie Coke Plant**. Whereas the Erie Coke Plant has in the past been non-compliant, this Council wishes to make certain that they follow the specific rules of operating their plan within the mandates of the Environmental Protection Agency.
3. A resolution receiving the communication from Mayor Joe Schember that **Dr. Matthew White**, 3306 Stough Avenue, Erie, PA 16508 be hereby appointed to the **Erie County Convention Center Authority** for a four (4) year term expiring 12/31/22. Dr. replaces Atty. Chris Sinnott whose term had expired.
4. A resolution receiving the recommendation from Mayor Joe Schember that **Mr. Jason Pero**, 3355 Zimmerly Road, be hereby appointed to the **Erie Land Bank Board**. Mr. Pero replaces board member Jay Alberstadt and will fulfill the remainder of his term which expires 12/8/19 and then be eligible for a three (3) year term.
5. A resolution authorizing and directing the proper City officials **enter into an Agreement** between the City of Erie and Gary N. Horton in settlement of his personal injury lawsuit in the Erie County Court of Common Pleas at No. 12671-2016 in the amount of \$3,000.00.
6. A resolution authorizing and directing the proper City officials to execute an **Easement Agreement** between the City of Erie and Andora's Bubble, tenant of **516 State Street**, Erie, PA 16501, for the installation of a thirteen foot (13') long temporary dining area that will protrude seven feet (7') into the public right-of-way on the west side of State Street, between West 5<sup>th</sup> Street and West 4<sup>th</sup> Street, in compliance with the attached City Engineer's metes and bounds description and exhibit.

7. A resolution receiving the request from Jones Petrie Rafinski on behalf of the Erie County Convention Center Authority for **vacation of a portion of 9<sup>th</sup> Street**, West of UPMC Park.

Beginning at a point in the north line of East 9<sup>th</sup> Street (60'R/W); said point being a distance of 117.44 easterly of the east line of French Street (60'R/W);

Thence easterly, along the north line of said East 9<sup>th</sup> Street, a distance of 89.30' to the current terminus of said East 9<sup>th</sup> Street;

Thence southerly, along said terminus and parallel to the west line of Holland Street, a distance of 60.00' to the south line of said East 9<sup>th</sup> Street;

Thence westerly, along said south line of East 9<sup>th</sup> Street, a distance of 89.32' to the northeast corner of the parcel bearing Erie County Index No. 15 020 006.0 111.00;

Thence northerly and parallel to the east line of said French Street, a distance of 60.00' to the Point of Beginning.

Containing 5,359 SF/0.123 Acre of land more or less.

Attached to this request are Exhibits A and B which depict the portion of 9<sup>th</sup> Street to be vacated. The undersigned requests that this portion of 9<sup>th</sup> Street be vacated for the following reasons.

1. A new main left field entrance to UPMC Park and an addition to Erie Insurance Arena integrating the two venues are proposed in this location. The addition is programmed to include Team store and office space for both the Seawolves and Otters organizations as well as a new Club Level group venue overlooking the ballpark on the top floor. The left field entrance configuration will result in improved vehicular circulation on 9<sup>th</sup> Street.
2. As part of the original stadium construction, approximately 450' of the 9<sup>th</sup> Street Right of Way was vacated from Holland Street to the West boundary of the stadium property.

Be it further resolved that this resolution be forwarded to the City Planning Commission for recommendation and report thereon.

## TRANSFERS

That the following amounts be transferred in [Liquid Fuels](#)

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 20,000.00	013-1291-0000-4039	Consumable Items	\$ 20,000.00	013-1291-0000-4056	Repair/Maint Services

## CONTRACTS

1. **Dave Hallman Fleet Service**, 1925 State Street, Erie, PA 16501 for two (2) 2019 [Chevrolet Traverses](#) for the Department of Public Works, at a cost of \$29,555.00 each, for a total amount of \$59,111.00
2. **Bob Ferrando Ford Lincoln Sales, Inc.**, 8868 West Ridge Road, Girard, PA 16423 for one (1) 2019 [Ford F-150](#) Truck for the Department of Public Works, at a total amount of \$24,479.00.

## PURCHASE ORDERS

1. **Executive Pulse, Inc.**, 11 East 4<sup>th</sup> Street, Erie, PA 16507 for a one-year contract to provide web hosting, system maintenance and normal & customary system upgrades for the [Rental Licensing Software](#) Program for the Bureau of Code Enforcement at a total cost of \$20,000.00.
2. **Executive Pulse, Inc.**, 11 East 4<sup>th</sup> Street, Erie, PA 16507 for the software customization for the Rental Licensing Software Program for the Bureau of Code Enforcement at a total cost of \$15,000.00.
3. **Dollamur**, 1734 East El Paso Street, Fort Worth, TX 76102 for three (3) training mats used when [officers](#) attend quarterly training.
4. **Stop stick, LTD**, 365 Industrial Drive, Harrison, OH 45030 for fifteen (15) 9" Stop Sticks to be placed in front line [patrol vehicles](#) and used during pursuits to stop vehicles for the Bureau of Police at a total amount of \$7,288.00.
5. **Markl Supply Company, Inc.**, 904 Perry Highway, Pittsburgh, PA 15229 for training and department issue [ammunition and misc.](#) supplies for the training and SWAT units for the Bureau of Police at a total amount of \$9,779.23.

6. **CZ-USA**, P.O. Box 17103, Kansas City, KS 66117-0073 for five (5) CZ Scorpion 9mm Pistols and magpull foregrips for the [SWAT](#) Unit for the Bureau of Police at a total amount of \$8,625.00.
7. **Axon Enterprise, Inc.**, 17800 North 85<sup>th</sup> Street, Scottsdale, AZ 85255 for ten (1) [new tasers](#), holsters, cartridges and battery packs for the Bureau of Police at a total amount of \$14,202.00.
8. **Law Enforcement Targets**, 8802 West 35W Service Drive NE, Blaine, MN 55449-6740 for various targets and backers for use in the [firearms range](#) for the Bureau of Police at a total amount of \$5,917.30.
9. **Praetorian Digital (PoliceOne.com)**, 5217 Tennyson Parkway, Suite 500, Plano, TX 75024 for the set-up fee and for fifty (50) user [subscription licenses](#) for the Bureau of Police at a total amount of \$3,050.00.
10. **SBM Electronics, Inc.**, 628 California Avenue, Pittsburgh, PA 15202 for the annual maintenance agreement for the [Police Radio](#) & Telephone Recording System for the Bureau of Police at a total amount of \$3,1995.00.
11. **Potters Industries**, P.O. Box 90414, Chicago, IL, for 22,000 lbs. of [Fiberglass beads](#) for the Bureau of Streets, at a cost of \$9,460.00.
12. **Allen Heavy Equipment Repair**, 9176 Finley Lake Road, North East, PA 16428, for [Milling Machine repairs](#) for the Bureau of Streets, at a cost of \$16,924.88.
13. **Bay City Millwork, LLC**, 959 West 12<sup>th</sup> Street, Suite, 5, Erie, PA 16501 for twenty-seven (27) [elevator panels](#) for the City Hall elevators for the Department of Public Works, Public Buildings, in the amount of \$2,240.00.
14. **Lowe's Home Center, Inc.**, 1930 Keystone Drive, Erie, PA 16509 for material costs for three (3) revision pavilions to be installed at [Glenwood Park](#) for the Bureau of Parks at a cost of \$10,274.28.
15. **Wm. T. Spaeder**, 1602 East 18<sup>th</sup> Street, Erie, PA 16514 for the replacement and installation of the Controller for the [Cooling Tower](#) at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of \$2,040.00.
16. **ErieTec, Inc.**, 1432 East 12<sup>th</sup> Street, Erie, PA 16503 for the replacement of the [Variable Frequency](#) Drive for the #1 Scrubber Pump at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of \$7,071.02.
17. **ErieTec, Inc.**, 1432 East 12<sup>th</sup> Street, Erie, PA 16503 for the replacement of a Sprocket for the #3 [Grit Chamber](#) at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of \$3,552.38.
18. **ErieTec, Inc.**, 1432 East 12<sup>th</sup> Street, Erie, PA 16503 for internal parts for the [#3](#) Scrubber Pump at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of \$2,631.48.

**H. COMMITTEE REPORTS**  
**I. ADJOURNMENT**

\*\*Listening devices are available upon request prior to the council meeting by calling the City Clerk's office at 870-1291 or upon request at the council meeting.

A brief finance meeting will be held immediately following the City Council meeting.

Representatives from the ECCCA will be making a presentation to City Council concerning the [UPMC ball park upgrades](#).

\*\* House of Representatives Hon. Robert Merski will have satellite office hours every 1<sup>st</sup> Wednesday of the month from 8:30 - 11:30 am in the lobby of city hall.