

**AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY, MAY 1, 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. 16,089 Pending Official Ordinance 29-2019

An ordinance appropriating the sum of **\$18,147.00** from unappropriated and unanticipated revenue received from Our West Bayfront Neighborhood Group and providing for the expenditure thereof for the Bayview Park Improvement Project.

- 2. Council File No. 16,090 Pending Official Ordinance 30-2019

An ordinance amending **Article 204, Section 204.14 Article 205, Article 305, Sections 305.24, 305.25 and 305.44**, and **Article 6** to allow eating and drinking establishments and limited retail business to be located in the RLB District.

- 3. Council File No. 16,091 Pending Official Ordinance 31-2019

An ordinance Amending Official **Ordinance No. 80-2005** known as the Zoning Ordinance of the City of Erie by changing the classification of the property located at the southwest corner of West 5th Street and Cranberry Street (Index Nos: 17-41-02-101, 105 and 114) from R-3 High Density Residential to RLB Residential Limited Business, as amended.

ORDINANCES: FOR FIRST READING

- 1. Council File No. 16,092
An ordinance appropriating the sum of **\$2,253,301.00** from unappropriated and unanticipated revenue for the expenditure thereof from bond proceeds.

- 2. Council File No. 16,093
An ordinance amending the Codified Ordinances of the **City of Erie Part 5 (Traffic)**, (Title Five Stopping, Standing; and Parking), Article 527 (Impounding of Vehicles) by amending Articles 527.03 (Garage to Post Bond) and Article 527.04 (Towing and Storage Fees) to provide that the applicable bond, towing and storage fees apply to vehicles which are stored, as well as impounded, under the authority of Articles 527.03 and 527.04.

F. OLD BUSINESS

That pursuant to the **Public Hearing** held Wednesday April 17, 2019 and the provisions of Act 141 which requires the consent of the Pennsylvania Liquor Control Board, the request from Michael. Agresti, 300 State Street, Suite 300, Erie, Pennsylvania, 16507, requesting City Council approval for the transfer of PLCB liquor license D2947 for **Huskies Beer Distributor**, LLC, 6835 Buffalo Rd. Harborcreek, PA 16421 to 3820 Washington Avenue, A4 Erie, PA (commonly known as "Park Plaza" and also the former location of **Greengarden Beer Distributor**) be hereby approved.

G. NEW BUSINESS

- 1. A resolution sponsored by Council President James Winarski in support of **Restore Pennsylvania**, A \$4.5 billion Infrastructure Improvement Plan.
- 2. A resolution sponsored by Councilwoman Kathy Schaaf that **Sonya Byes** of 931 West 3rd Street, Apt. #1, Erie, PA 16507 be hereby appointed to the **Erie County Human Relations Commission Advisory Board** to replace Ms. Elizabeth E. Espinosa, who has resigned. Ms. Byes' term will expire August 31, 2022.

3. A resolution authorizing and directing the City Solicitor to prepare an ordinance on the recommendation and approval of the City Planning Commission for the **vacating of an approximately 90' portion of East 9th Street**, immediately adjacent and west of UPMC Park at the request of Jones Petrie Rafinski on behalf of the Erie County Convention Center Authority. The ECCCA indicated that the right-of-way vacation is being requested to accommodate construction of a proposed addition to Erie Insurance Arena and a new left field main entrance to UPMC Park.
4. A resolution authorizing and directing the Mayor and City Controller to execute the **General Reimbursement Grant Agreement for Federal-Aid Highway Projects Amendment 1 No. R19010003 (MPMS No. 108, ECMA No. 000108)** between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the construction of the **2019 City of Erie Milling and Asphalt Resurfacing** Federal Aid Local Routes-Zimmerman Road.
5. A resolution that the **Enterprise Zone** Loan Review Committee approval of the following loan be formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
DLS Erie Properties, LLC and NJS Erie Properties, LLC	\$473,154.00	15 Years	\$2,365.77
6. A resolution authorizing and directing the proper City officials to execute an **Easement Agreement** between the City of Erie and **Straw Hat Ice Cream Shop**, tenant of 34 North Park Row, Erie, PA 16501, for the installation of the thirty-two (32') long temporary dining area that will protrude six feet (6') into the public right-of-way on the north side of North Park Row, between Peach Street and State Street, in compliance with the attached Engineer's metes and bounds description and exhibit.
7. A resolution authorizing and directing the Mayor and other appropriate City officials to execute an Agreement between the City of Erie and Pennsylvania Department of Community and Economic Development (DCED) **Keystone Communities** for the amount of \$300,000.00.
8. A resolution authorizing and directing the proper City officials to **settle the claims** of Linda M. Chisolm for the injuries she sustained in a fall which occurred on North Park Row on August 20, 2015. The parties have agreed to settle the lawsuit filed in the Court of Common Pleas at No. 12293-2017 in the amount of Six Thousand Dollars (\$6,000.00).

TRANSFERS

That the following amounts be transferred in **Community Development Block Grant**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 9,925.55	501-1253-2017-4011	Salaries	\$ 482.04	501-1253-2017-4017	Pension Contribution
			2,664.77	501-1253-2017-4018	Group Insurance
			6,778.74	501-1253-2017-4020	Workers Comp Ins
\$ 9,925.55			\$ 9,925.55		

That the following amounts be transferred in **Office of Debt Service**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 40,000.00	460-1061-0000-4880	11 Series Principal	\$ 21,164.00	460-1061-0000-4887	15 Series A Interest
27,515.00	460-1061-0000-4881	11 Series Interest	21,164.00	460-1061-0000-4888	15 Series A Interest
27,515.00	460-1061-0000-4882	11 Series Principal	32,222.00	460-1061-0000-4890	15 Series B Interest
630,000.00	460-1061-0000-4883	12 Series Principal	32,222.00	460-1061-0000-4891	15 Series B Interest
10,473.00	460-1061-0000-4884	12 Series Interest	2,253,301.00	460-1061-0000-4096	Operating Transfer Out
10,473.00	460-1061-0000-4885	12 Series Interest			
800,553.00	460-1061-0000-4904	19 Series A Interest			
27,081.00	460-1061-0000-4905	19 Series A Interest			
421,300.00	460-1061-0000-4907	19 Series B Interest			
365,226.00	460-1061-0000-4908	19 Series B Interest			
\$2,360,073.00			\$2,360,073.00		

CONTRACTS

1. **Bob Ferrando Ford Lincoln Sales, Inc.**, 8868 West Ridge Road, Girard, PA 16423 for two (2) **2019 Ford F-150** trucks for the Department of Public Works, Bureau of Refuse for \$24,479.00 each for a total amount of **\$ 48,958.00**.

2. **Dave Hallman Fleet Services**, 1925 State Street, Erie, PA 16501 for one (1) 2019 [Chevrolet Traverse](#) for the Department of Public Works, Bureau of Refuse at a total amount of **\$29,555.00**.
3. **Suit-Kote Pennsylvania**, 10965 McHenry Street, Meadville, PA 10965 for street and road maintenance materials for the Department of Public Works, Bureau of Streets at **unit prices** per COG bid (4/19/19). **Cold Patch & Crack Sealing:** Plant Mixed Stockpile Patching - picked up - \$78.50 Crack Sealing – picked up - \$16.00/Gallon.
4. **Presto Commercial Cleaning**, 7366 Orchard Dr., Fairview, PA 16415, for janitorial services for the City of Erie Municipal Building for April 18, 2019 – April 19, 2020 at a total cost of **\$94,260.00**.
5. **Lindy Paving**, P.O. Box 86, Union City, PA 16438 for street and road maintenance materials for the Bureau of Streets at unit prices per COG bid (4/19/19). **(Picked up)**

<u>Virgin Materials:</u>	<u>Regular Materials:</u>
9.5 mm superpave \$58.60	9.5mm superpave - \$56.60
9.5 mm superpave w/fiberglass \$66.50	9.5 mm superpave w/fiberglass \$64.50
19 mm binder course \$53.70	19 mm binder course \$51.70
25 mm binder course \$52.70	25 mm binder course \$50.20
FJ1 wearing course \$66.50	FJ1 wearing course \$64.50

Cold Patch:
High Performance Patching Material– picked up \$85.00 Cold Patch picked up \$85.00
6. **Joseph McCormick Construction Co.**, 3340 Pearl Avenue, Box 176, Erie, PA 16512 for the 2019 Proposed Milling and Asphalt Resurfacing of Various City Streets I Bid No. 1752-19 in the sum of **\$494,873.40**.
7. **Joseph McCormick Construction Co.**, 3340 Pearl Avenue, Box 176, Erie, PA 16512 for street and road maintenance materials for the Bureau of Streets at unit prices per COG bid (4/19/19). **(Picked up)**

<u>Virgin Materials:</u>	<u>Regular Materials:</u>
9.5 mm superpave \$70.00	9.5mm superpave - \$63.00
9.5 mm superpave w/fiberglass \$79.00	9.5 mm superpave w/fiberglass \$71.00
19 mm binder course \$61.00	19 mm binder course \$58.00
25 mm binder course \$58.00	25 mm binder course \$55.00
FJ1 wearing course NO BID	FJ1 wearing course NO BID

Warm Mix:
9.5 mm superpave NO BID FJ1 wearing course NO BID
High Performance Patching Material \$95.00
8. **Mayer Brothers Construction Company**, 1225 West 18th Street, Erie, PA 16502 for street and road maintenance materials for the Bureau of Streets at unit prices per COG bid (4/19/19). **(Picked up)**

<u>Virgin Materials:</u>	<u>Regular Materials:</u>
9.5 mm superpave \$61.50	9.5 mm superpave - \$59.50
9.5 mm superpave w/fiberglass \$70.00	9.5 mm superpave w/fiberglass \$68.00
19 mm binder course \$58.00	19 mm binder course \$56.00
25 mm binder course \$56.00	25 mm binder course \$54.00
FJ1 wearing course \$70.00	FJ1 wearing course \$68.00

PURCHASE ORDERS

1. **[Chemung Supply](#)**, P.O. Box 527, Elmira, NY 14902 for sign posts needed in the Paint & Sign Division, Bureau of Streets at a cost of **\$2,970.00**.
2. **Sullivan Supply Company**, 1433 East 10th Street, Erie, PA 16503 for the replacement of a [hot water](#) circulation pump at the Wastewater Treatment Plant, Bureau of Sewers at a total cost of **\$2,648.00**.
3. **IFCO, Industrial Furnace Company, Inc.**, 40 Humboldt Street, Rochester, NY 14609 for the [replacement/repair](#) of a burner and doors of Incinerator #1 Development at the Wastewater Treatment Plant, Bureau of Sewers at a total cost of **\$6,000.00**.
4. **Wm. T. Spaeder**, 1602 East 18th Street, Erie, PA 165149 for the roof drain wye replacement above the stockroom of the Supervisors building at the Wastewater Treatment Plant, Bureau of Sewers at a total cost of **\$2,997.00**.
5. **Teledyne Instruments, Inc.**, 12497 Collections Center, Chicago, IL 12497 for an [indoor refrigerator vacuum](#) sampler used to collect compliance samples at the Wastewater Treatment Plant, Bureau of Sewers at a total cost of **\$5,224.00**.
6. **Erie Sewer Authority**, 120 West 10th Street, Erie, PA, 16501-1410 for the City's portion of the [annual fee for the NPDES](#) permit for the Bureau of Sewers at a total cost of **\$2,500.00**.

H. COMMITTEE REPORTS
I. ADJOURNMENT

A brief finance meeting will be held immediately following the City Council meeting, followed by a meeting with the police chief.

**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.