

**AGENDA FOR THE CITY COUNCIL MEETING OF WEDNESDAY October 4, 2023  
AT 9:00 A.M.**

**A. Roll Call**

**B. Silent Meditation**

**C. Approval of Minutes/Bills**

**Presentation:** Chuck Nelson “**Erie SeaWolves**”

Mel Witherspoon “**Jason Belton Award**”

Curtis Jones, Jr. “**Erie Regional Growth Partnership Fly Erie Fund**” and the work that the Chamber is doing with the Erie Airport.

**Repository Sales:**

**D. Public Comments:**

**E. ORDINANCES: FOR FINAL PASSAGE**

1. Council File No. 16,384 Pending Official File Ordinance No. 59-2023

An ordinance appropriating the sum of **\$309,300.00** from unappropriated and unanticipated revenue for the expenditure thereof (contribution is from US Environmental Protection Agency to be used for Stormwater Improvements-Garrison Run)

2. Council File No. 16,385 Pending Official File Ordinance No. 60-2023

An ordinance appropriating the sum of **\$17,000.00** from unappropriated and unanticipated revenue for the expenditure thereof (contribution is from H.O.P.E. to be used for Parks Improvement).

3. Council File No. 16,386 Pending Official File Ordinance No. 61-2023

An ordinance appropriating the sum of **\$1,627,368.80** from unappropriated and anticipated revenue to provide for the expenditure thereof for the construction phase of **2023 Green Light- Go Funding Program** West 18th Street Erie Signal Reconstruction Project.

4. Council File No. 16,387 Pending Official File Ordinance No. 62-2023

An ordinance appropriating the sum of **\$1,332,319.04** from unappropriated and anticipated revenue to provide for the expenditure thereof for the construction phase of **2023 Green Light- Go Funding Program** Erie Downtown State Street Traffic Upgrades Project.

5. Council File No. 16,388 Pending Official File Ordinance No. 63-2023

An ordinance appropriating the sum of **\$ 335,000.00** from unappropriated and anticipated revenue to be received from a Community Partnerships Program Grant administered by the Department of Conservation and Natural Resources (DCNR), and providing for the expenditure thereof.

6. Council File No. 16,389 Pending Official File Ordinance No. 64-2023

An ordinance appropriating the sum **\$ 9,006.00** from unappropriated and anticipated revenue to be received from a Coastal Zone Management Grant administered by the Department of Environmental Protection (PA DEP), and providing for the expenditure thereof.

**ORDINANCES: FOR FIRST READING**

1. Council File No. 16,390

An [ordinance](#) appropriating the sum of **\$325,000.00** from unappropriated and anticipated revenue for the expenditure thereof.

**Department of Justice COPS Bomb Squad Regional Response Vehicle**

2. Council File No. 16,391

An ordinance amending and supplementing the Codified Ordinances of the City of Erie, Part 3, Title 3 (Business Regulations) by adding Article 354 (Rental Housing) establishing the rights and obligations of the owners and occupants of rental housing in the City of Erie.

3. Council File No. 16,392

An ordinance Amending the following sections of Article 112, Rule of Council, and more specifically, §112.01. Meetings; §112.02. Place of Meetings; §112.05. Meetings open to public; §112.10. Order of Business; §112.11. President of Council; §112.12. Permanent standing committee; liaison chairperson; and §112.15. Review of budget.

4. Council File No. 16,393

An ordinance appropriating the sum of **\$200,000.00** from unappropriated and unanticipated revenue for the expenditure thereof. Funds are from a federal grant from the U.S. Department of Transportation.

**F. OLD BUSINESS**

**G. NEW BUSINESS**

1. A resolution by Council President Nelson appointing Robert Howden of 431 Vermont Avenue, Erie, PA 16505 to the Environmental Advisory **Council (EAC)** to replace Laura Guncheon. Mr. Howden's term will expire 12/31/2025.
2. A resolution by City Council authorizing and directing the City Solicitor to prepare an ordinance for a Right-of-Way vacation of an unimproved alley on the Southeast corner of the intersection of West 20<sup>th</sup> Street and Plum Street at the request of Justin Cree of CT Consultants, Inc. on behalf of Leon Construction and upon the unanimous recommendation of the City of Erie Planning Commission

3. A RESOLUTION OF ERIE CITY COUNCIL TO ACCEPT AND SUPPORT THE NEIGHBORHOOD PLAN FOR THE FAIRMOUNT-MCCLELLAND PLANNING AREA; ADOPTING THE RECOMMENDATIONS AND THE MULTIPLE YEAR ACTION PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City of Erie is responsible for the preparation, adoption, and implementation, of the City's comprehensive plan; and

**WHEREAS**, on July 6, 2016 the City adopted a comprehensive plan entitled Erie Refocused according to the requirements of the Pennsylvania's Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as amended; and

**WHEREAS**, The City understands that its responsibility is to provide a framework for change. Without a framework, plan or way to measure change, the development process is reactive, leading to fragmented and uncoordinated development; and

**WHEREAS**, the City of Erie, its administration and elected officials believes that planning that is done in conjunction with residents and community stakeholders results in positive and forward thinking outcomes and will lead to achieving the vision and goals of the City; and

**WHEREAS**, the City has created a process by which comprehensive plan recommendations can meet the objectives of proper planning while moving efficiently and effectively into implementation through due consideration by City staff and the Erie Planning Commission working with community stakeholders, neighborhood groups and interested citizens; and

**WHEREAS**, this process is referred to as the Neighborhood Planning Initiative which is designed to create specific neighborhood plans that align with Erie Refocused and are citizen driven through a robust citizen engagement program; and

**WHEREAS**, the Buffalo Road Neighborhood Plan (the Plan) has been developed through input by the neighborhood groups working within the area including Eastside Grassroots Coalition, Urban Erie Community Development Corporation, and the House of Mercy; and

**WHEREAS**, the Plan was informed by a significant amount of public input via community meetings, stakeholder meetings, a participatory budgeting park survey, as well as data collection and analysis including the collection of over 2000 residential property condition surveys; and

**WHEREAS**, the Plan fulfills the requirements of the Neighborhood Planning Initiative and has been reviewed by an internal department heads, the mayor and the mayor’s staff, as well as the neighborhood core team; and

**WHEREAS**, the Plan has been reviewed and is recommended for approval by the City of Erie’s Planning Commission at their regular meeting held on July 18, 2023; and

**WHEREAS**, the council members of the City of Erie have carefully and thoughtfully reviewed the Buffalo Road Neighborhood Plan, it’s recommendations and action plan, and are satisfied that it meets the needs of the City and fulfills the goals of the City’s comprehensive plan, Erie Refocused, and the accompanying Five Year Action Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Erie hereby adopts and supports the full implementation of the Buffalo Road Neighborhood Plan dated September 2023 as an important planning tool the City will rely on to guide revitalization efforts.

4. A resolution authorizing and directing the appropriate City Officials that

**WHEREAS**, CFC - ERIE I, LLC (the “Company”), an Arizona limited liability company whose Sole Member is Community Finance Corporation (the “Corporation”), an Arizona nonprofit corporation and an exempt organization described under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), proposes to undertake a project (the "Project") consisting of the acquisition and adaptive reuse of an existing hotel property to residential rental housing facilities (the “Facilities”) located at 16 West 10<sup>th</sup> Street in the City of Erie (the "Property"); and

**WHEREAS**, on September 5, 2023, the Erie County Industrial Development Authority approved the issuance of bonds in an aggregate principal amount not to exceed \$46,000,000.00 to finance the Project, following a public hearing held on the same date in accordance with the requirements of the Code; and

**WHEREAS**, on September 11, 2023, the County Executive of the County of Erie, Pennsylvania, executed a Certificate of Approval of the Project in accordance with the requirements of the Code; and

**WHEREAS**, the Corporation has represented that it was organized and is operated in order to develop, manage and/or operate public buildings, monuments or works for governmental agencies (such as municipal, county, state, university and other public entities or political subdivisions) and nonprofit organizations and, in doing so, to lessen the burdens of such governmental agencies and exempt organizations described under Section 501(c)(3) of the Code; and

**WHEREAS**, the Company has represented that it is a disregarded entity for federal income tax purposes, that the Corporation’s tax-exempt status flows through to the Company, and that the Company is organized exclusively to further the stated charitable purposes of the Corporation; and

**WHEREAS**, the Project, the Facilities, and the Property are located in the center of the City of Erie’s downtown and in Pennsylvania’s Flagship Opportunity Zone; and

**WHEREAS**, affordable workforce rental housing is necessary and essential within the City of Erie;

**NOW, THEREFORE**, be it resolved that:

1. The development, construction, and operation of the Project and the Facilities will serve the public purposes of providing necessary affordable, essential and workforce rental housing within the City of Erie, promoting economic development and welfare, and diversifying the economy of the City of Erie, all of which are hereby found to be burdens of the City of Erie (collectively, the “Expressed Government Burdens”).

2. The Company’s actions related to the Project and the Facilities will lessen the Expressed Government Burdens of the City of Erie.

3. Nothing in this Resolution shall be construed to pledge the credit or taxing power of the City of Erie, Pennsylvania, nor shall the City of Erie be in any manner liable for any indebtedness arising out of this transaction.

5. A resolution authorizing and directing the appropriate City Officials that the following funds available through the City of Erie Urban Core Economic Recovery **Revolving Loan Fund** and loan repayments be formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
<b>Velocity Network, Inc. (VNET)</b>	<b>\$1,000,000.00</b>	<b>10 Years</b>	<b>\$5,000.00</b>

6. A [resolution](#) authorizing and directing the appropriate City Officials that American Rescue Act Revenue Replacement funds be updated for **\$2,700,000.00**, be allocated to the **Public Safety Complex Fund** for the purchase of the Miller Brothers property located at 2111 State Street, Erie, PA 16503.

7. A [resolution](#) authorizing and directing the proper City Officials to issue a change order agreement to Mark Miller, 4017 Trask Avenue, Erie, PA 16508 to purchase the **Miller Brothers Property** at 2111 State Street, Erie, PA 16503 for **\$2,700,000.00**. A down payment of **\$100,000.00** was paid in June 2023 and the remainder of **\$2,600,000.00** is due once the sales agreement is executed by both parties.
8. A resolution authorizing and directing the appropriate City Officials to execute an [Easement Agreement](#) between the City of Erie and Verizon Wireless, for the property located at 20 E. 10<sup>th</sup> Street, Erie, PA 16501 Index (15) 2001-100, for the installation of two (2) signs projecting into the right of way of East 10<sup>th</sup> Street.

## H. TRANSFERS

### I. CONTRACTS

1. [County of Erie](#), 140 West Sixth Street, Erie, PA 16501 for preliminary land use and transportation study services for the 12<sup>th</sup> Street Reimbursement Project for the Bureau of Planning and Neighborhood Resources at a cost of **\$25,000.00**.
2. [Tri-State Lockers & Shelving](#), 2201 Dartmore St, Pittsburgh, PA 15210 for (100) Welded Turnout Lockers, 36x24x72 with open fronts & integral bases for the Bureau of Fire, at a total cost of **\$66,730.00**.
3. [Allen Marine Services](#), 770 Riverview Boulevard, Tonawanda, NY 14150 for emergency repair of the final Effluent Pump and Rail System at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of **\$35,000.00**.
4. [Printing Concepts, Inc.](#), 4982 Pacific Ave., Erie, Pa 16506 for the 2024 City of Erie annual Refuse and Recycling calendar and guide for the Department of Public Works, Property and Parks. The total cost of the calendars, including postage is **\$37,330.00**.
5. [Amendola Construction & Maintenance](#), 2716 McKee Road, Erie, PA 16506 for the Garrison Run Litter Trap Installation , Bid 1802-23 for the Bureau of Engineering at a total amount of **\$410,640.00**.
6. [Jim Brozell Construction, LLC](#), 9298 Peach Street, Waterford, PA 16441; they being one of four (4) bids received; contracts will be done for sewer and Stormwater work at **unit prices** submitted for labor and equipment rates by invoice as work is completed.
7. [Konzel Construction Co, Inc.](#), 1921 Powell Avenue, Erie, PA 16505; they being one of four (4) bids received; contracts will be done for sewer and Stormwater work at **unit prices** submitted for labor and equipment rates by invoice as work is completed.
8. [XL Excavating, Inc.](#), 25912 Route 6 & 19, Cambridge Springs, PA 16403; they being one of four (4) bids received; contracts will be done for sewer and Stormwater work at **unit prices** submitted for labor and equipment rates by invoice as work is completed.
9. [David Milano Construction](#), 2202 Zimmerly Road, Erie, PA 16506; they being one of four (4) bids received; contracts will be done for sewer and Stormwater work at **unit prices** submitted for labor and equipment rates by invoice as work is completed.
10. [Emergency Vehicles, Inc.](#), 705 East 13<sup>th</sup> Street, Lake Park, FL 33403 for a 2024 Ford F-550 4x4 EVI Bomb Truck for the Bureau of Police at a total amount of **\$349,271.00**.
11. [TNVC, Inc.](#), 1050 Nevada Street, Suite 405 Redlands, CA 92374 for the purchase of Night Vision Equipment, for the Bureau of Police at a total cost of **\$44,002.18**.
12. [Hallman Chevrolet Inc.](#), 1925 State Street, Erie PA 16501 for a 2023 Chevrolet Tahoe, for the Bureau of Police Training Unit at a total amount of **\$45,806.00**.
13. [United States Department of Transportation-Federal Highway Administration](#) to develop a City of Erie Safe Streets Action Plan for the Bureau of Planning and Neighborhood Resources. Funding is provided by a **\$200,000.00** federal grant and a **\$50,000.00** in kind match from the City.

### J. PURCHASE ORDERS

1. [Erie Batteries, Alternators & Starters](#), 1915 Parade Street, Erie, PA 16503 for the alternator on Engine 6 for the Bureau of Fire at a total cost of **\$6,454.39**.
2. [Al Xander Company, Inc.](#), 36 East South Street, Corry, PA 16407 for an air compressor for the Municipal Garage, Bureau of Fleet and Maintenance at a total cost of **\$17,000.00**.
3. [Builder's Hardware & Specialty Company](#), 2002 West 16<sup>th</sup> St, Erie, PA 16505-4834 to furnish and install a completely new emergency metal replacement door at the City of Erie Traffic Engineering's signal maintenance building located at 1115 Parade Street in the total amount of **\$4,087.00**.
4. [Yardmaster of Pennsylvania, LLC](#), 2305 Manchester Road, Erie, PA 16506 for erosion repair, hillside screening/matting, hydro seeding, and stabilization of The Griff Slop slides at Frontier Park for the Department of Public Works, Property and Parks at a total cost of **\$5,680.00**.

5. [Ace Viking](#), 2222 East 30<sup>th</sup> Street, Erie, PA 16510 for the purchase of a direct replacement ABB Wall Mount ACS Drive for the D1 Centrifuge at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of **\$7,685.00**.
6. [National Conveyors Company](#), PO Box 530176, Atlanta, GA for filter bags for the Ash Silo at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of **\$4,988.88**.
7. [Chemung Supply Corp.](#), PO Box 527, Elmira, NY 14902 for plow blades and plow hardware for the 2023-2024 Winter season for the Bureau of Streets at a cost of **\$22,143.00**.
8. [Axon Enterprise, Inc.](#), 17800 N 85<sup>th</sup> St, Scottsdale, AZ 85255 for Body Camera Equipment for the Bureau of Police, at a total cost of **\$13,343.90**.
9. [Custom Products Corporation](#), PO Box 54091, Jackson, MI 39288-4091 for three hundred (300) 12" Traffic Cones for the Bureau of Engineering at a total cost of **\$2,971.00**.
10. [Siegel Excavating, LLC](#), 4946 Mathews Road, Edinburg, PA 16116 for the demolition and clean-up at 651 East 10<sup>th</sup> Street for the Bureau of Code Enforcement at a total cost of **\$12,000.00**.

K. COMMITTEE REPORTS

L. ADJOURNMENT

Residents can watch the live stream on the City of Erie's YouTube Page (@CityofEriePennsylvania); the City of Erie's Website, Public Access TV Channel 1021, Facebook and after the meeting has concluded, on all social media platforms.