

MINUTES

Erie County Council

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Carl Anderson, III, Chairman
Kim Clear, Vice Chairwoman
André R. Horton
Scott Rastetter
Mary Rennie
Ellen Schauerma
Brian Shank

REGULAR MEETING MINUTES

Tuesday, September 14, 2021

PLEDGE OF ALLEGIANCE

Chairman Anderson led the Pledge of Allegiance.

OPTIONAL PRAYER OR INVOCATION

Councilman Rastetter led the optional invocation by reading the Ten Commandments and led the recital of the Lord's Prayer.

ROLL CALL

Members Present: Chairman Anderson; Vice Chairman Clear; Mr. Horton; Mr. Rastetter; Mrs. Rennie; Mrs. Schauerma; Mr. Shank

Also Present: Douglas R. Smith, James Sparber, Erika Knight, Thomas Talarico, Nicole Inan, Amy Swartzfager

Chairman Anderson thanked the public for their attendance in Waterford, PA.

Councilman Rastetter thanked the public for joining the meeting in District 6.

HEARING OF THE PUBLIC

Members of the Public Who Called Ahead, Receiving 5 Minutes

Lou Aliota

Mr. Aliota was unable to attend this evening.

Members Wishing to Speak and Did Not Call Ahead, Receiving 3 Minutes

Art Leopold - Millcreek, PA: Referenced his prior mention of the IRG Plant in Erie County. He provided questions from the "Our water, our air, our rights" group, and "Green new deal" group, and a statement from the Sierra Club (provided to Council via flyer). Thanked Councilman Horton for attempting a meeting of owners and environmental groups; The environmental group declined until a later date. He shared information on a climate strike by the Benedictine sisters, October 24th. He additionally voiced his support for the essence of Ordinance 72, 73, & 74.

Reverend Marc Miller - Millcreek, PA: Voiced that we are in perilous times. His reason for speaking this evening is: "the ruling of an unelected health official in our county saying...and I quote 'we have been unable to identify any coherent religious doctrine or faith-based system of beliefs that requires its adherents to refrain from covering their mouths and noses.' So, the religious exemption was rescinded by her." He stated his fear is that a precedent is being set in the county by unelected officials in trampling of religious freedoms.

MINUTES FROM PREVIOUS MEETING

August 17, 2021 - Regular Meeting Approval of minutes from the August 17th Meeting was moved by Kim Clear, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

REPORTS OF COUNTY OFFICIALS

County Executive and/or her Designee No report from the County Executive or her designee.

Finance Committee -Mrs. Clear Finance Chairwoman Clear reported that the Committee met Thursday, September 9, 2021 and submitted to the agenda Old Business Items A-F, and New Business Items A-H

Personnel Committee - Mrs. Rennie Personnel Chairwoman Rennie reported that the Committee met Thursday, September 9, 2021 and submitted no items to the agenda.

Other None.

OLD BUSINESS

Second Reading of Ordinance Number 69, 2021, "Twenty-Seventh 2021 General Fund Budget Supplemental Appropriation of \$7,000 for Additional Insurance Expense In The Director of Administration Office" (First Reading 08-17-2021) Finance Committee) Mr. Smith gave a Second Reading of Ordinance Number 69, 2021, "Twenty-Seventh 2021 General Fund Budget Supplemental Appropriation of \$7,000 for Additional Insurance Expense In The Director of Administration Office" This was moved by Kim Clear, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

Second Reading of Ordinance Number 70, 2021 "Approving a Single Vendor Contract for a Three Year Agreement with Advent Communications for Partner Assurance Support Services "This was moved by

Vendor Contract for a Three Year Agreement with Advent Communications for Partner Assurance Support Services " (First Reading 08-17-2021) (Finance Committee)

Kim Clear, seconded by Mary Rennie and carried in a 7 - 0 vote.

Second Reading of Ordinance Number 71,2021 "2021 Pleasant Ridge Manor Fund Budget Revised Revenue of \$2,700,000 from ARPA Revenue Replacement" (First Reading 8-17-21) (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 71,2021 "2021 Pleasant Ridge Manor Fund Budget Revised Revenue of \$2,700,000 from ARPA Revenue Replacement" This was moved by Ellen Schauerma, seconded by Kim Clear and carried in a 7 - 0 vote.

Second Reading of Ordinance Number 72, 2021 "To Create and Establish the Erie County Diversity, Equity and Inclusion Commission" (First Reading 8/17/21) (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 72, 2021 "To Create and Establish the Erie County Diversity, Equity and Inclusion Commission" in its entirety.

Vice-Chairwoman Clear moved to amend the face sheet to reflect the changed language proposed by the solicitor and as read by County Clerk Smith. and the addition of Exhibit A. Seconded by Councilwoman Schauerma. On the amendment, passed 7 to 0.

Mr. Smith read the amended language in its entirety:

"ORDINANCE NUMBER 72, 2021* To Create and Establish the Erie County Diversity, Equity and Inclusion Commission"

WHEREAS, on September 8, 2020, pursuant to Resolution 43, 2020, Erie County Council declared racism as a public health crisis in Erie County. In so doing, County Council found that the persistent negative effects of the discrimination in America, if left unchecked, would continue to exacerbate the morally reprehensible deprivation of people of color; and

WHEREAS, on March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021, an act generally designed to facilitate the country's recovery from the devastating economic and health effects of the COVID-19 pandemic. More specifically, the Act directed the allocation of funding to populations disproportionately impacted by the pandemic; and

WHEREAS, on August 5, 2021, pursuant to Ordinance 65, 2021, County Council unanimously adopted the Erie County American Rescue Plan Act of 2021 (ARPA) Fund and appropriated the sum of \$3,500,000 to the Diversity, Equity and Inclusion Commission subject to its creation and the formation of its membership; and

WHEREAS, the purpose of the Diversity, Equity and Inclusion Commission is to address those households, businesses and populations who have been

disproportionately impacted by the COVID-19 pandemic, to invest and stimulate investment in historically disadvantaged populations and neighborhoods, to economically empower minority populations and businesses, to provide support and to contribute to the growth and improvement of Erie County's historically disadvantaged populations and neighborhoods.

NOW THEREFORE BE IT ENACTED by the County Council of the County of Erie, pursuant to Article II, Section 3B(2), Sections 1C(3), 2C(3) and Article VI of the Home Rule Charter, that County Council does hereby create and establish the Erie County Diversity, Equity and Inclusion Commission, for the purposes and intents, and in accordance with the rules and structure as outlined on Exhibit "A," attached hereto and incorporated herein.

FURTHER, in accordance with the Home Rule Charter and the Administrative Code, the DEI Commission shall consist of nine (9) members, two (2) of whom shall be appointed by the County Executive and seven (7) of whom shall be appointed by County Council. Each member of County Council shall have one (1) appointment which appointment does not have to reside in the district to which the member of County Council was elected.

This Ordinance shall be effective immediately upon adoption.

Councilwoman Clear moved to approve as amended as read.

Councilwoman Clear commented that when Chairman Anderson came to ask about a Covid impact committee, she knew there would be challenges in trying to determine the impact of all people in Erie County. She noted that the effect of the pandemic on the African American population and minority groups in Erie County was extravagant. Her hopes for this committee are to offer not only a recovery from this time, but to promote a change in the course of history. She stressed the hope of lessening the burdens of the disenfranchised throughout the county.

Chairman Anderson expressed gratitude to his colleagues for the vision, collaboration and cooperation in this process. He stated that it never ceases to amaze him that when something that could change the trajectory or is of extreme importance, his colleagues step forward for all of the residents of Erie County. The work that the staff does is invaluable to this community. We couldn't move something like this forward without the Administration, County Executive and Finance Department. He emphasized that we don't change the trajectory by standing still and this Council has moved forward in a positive manner the spirit and intent of this unfortunate circumstance of Covid pandemic and the funds received. He feels that the decisions made have been fiscally responsible and in an accountable manner. He voiced that the initial funding was fair and reasonable. The board will be comprised of a diverse group, and that county-wide this represents 15% of the population. The mutual goal is that the commission will be able to create its own destiny by creating bylaws and its own directions taken. ARPA funds will need to be spent diligently and selectively. The commission will need to work with the rest of the community to leverage funding, seek philanthropic, state and federal grants, and keep growing to benefit the community and the communities that they are looking to empower. He stressed working in unity for what is best for the community.

On Amended Ordinance 72, 2021, passed 7 to 0.

Chairman Anderson commented on his pride of moving forward unanimously. He congratulated all of Erie County.

Second Reading of Ordinance Number 73, 2021 "Amending the Administrative Code of 2021 Article II, Section IV (E) to Incorporate the Erie County Diversity, Equity and Inclusion Commission" (First Reading 8/17/21) (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 73, 2021 "Amending the Administrative Code of 2021 Article II, Section IV (E) to Incorporate the Erie County Diversity, Equity and Inclusion Commission" This was moved by Kim Clear, seconded by André Horton.

Councilwoman Clear moved to amend the face sheet to include exhibit A; Seconded by Councilman Horton. The amendment carried 7 to 0. The Ordinance, as amended, carried 7 to 0.

First Reading of Ordinance Number 74, 2021 "American Rescue Plan Fund Budget Revised Expenditures of \$3,500,000 and Removal of Restriction on Funds for the Erie County Diversity, Equity and Inclusion Commission" (Tabled, no Reading 8/17/21) (Finance Committee)

Councilwoman Clear moved to remove the item from the table, seconded by Councilwoman Schauerman, carried 7 to 0. Mr. Smith gave a First Reading of Ordinance Number 74, 2021 "American Rescue Plan Fund Budget Revised Expenditures of \$3,500,000 and Removal of Restriction on Funds for the Erie County Diversity, Equity and Inclusion Commission"

NEW BUSINESS

Councilwoman Clear moved to amend the agenda, moving Ordinances 76, 77, 78, & 79 to second readings, and moving items j,k,m, & n to one vote. Carried 7 to 0.

First Reading of Ordinance Number 76, 2021, "Tenth 2021 Public Health Fund Budget Supplemental Appropriation of \$522,500 for Blue Zones Donations" (Finance Committee)

Mr. Smith gave a second Reading of Ordinance Number 76, 2021, "Tenth 2021 Public Health Fund Budget Supplemental Appropriation of \$522,500 for Blue Zones Donations" This was moved by André Horton, seconded by Kim Clear and carried in a 7 - 0 vote.

First Reading of Ordinance Number 77, 2021 "Revised Expenditures of \$280,000 and Creation of Line Items from Removal of Restrictions on 2021 American Rescue Plan Funds for Erie County Futures Center Bureau" (Finance Committee) (Attached)

Mr. Smith gave a Second Reading of Ordinance Number 77, 2021 "Revised Expenditures of \$280,000 and Creation of Line Items from Removal of Restrictions on 2021 American Rescue Plan Funds for Erie County Futures Center Bureau" This was moved by Ellen Schauerman, seconded by Mary Rennie and carried in a 7 - 0 vote.

First Reading of Ordinance Number 78, 2021 "2021 Children & Youth Fund Budget Revised Revenue of \$21,000 for Revised Expenditures and Creation of New Line Items due to Court Ordered Placements" (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 78, 2021 "2021 Children & Youth Fund Budget Revised Revenue of \$21,000 for Revised Expenditures and Creation of New Line Items due to Court Ordered Placements" This was moved by Kim Clear, seconded by André Horton and carried in a 7 - 0 vote.

First Reading of Ordinance Number 79, 2021, " Ninth 2021 Public Health Fund Budget Supplemental Appropriation of \$553,843 for Grant Funds in the Immunization Bureau" (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 79, 2021, " Ninth 2021 Public Health Fund Budget Supplemental Appropriation of \$553,843 for Grant Funds in the Immunization Bureau" This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.

Resolution Number 33, 2021, " Authorization To Apply For A Keystone Planning Grant From The Pennsylvania Department of Education" (Finance Committee)

Mr. Smith gave a reading of Resolution Number 33, 2021, " Authorization To Apply For A Keystone Planning Grant From The Pennsylvania Department of Education" This was moved by Kim Clear, seconded by Mary Rennie and carried in a 7 - 0 vote.

Resolution Number 34, 2021, " Resolution Authorizing the Undisturbed Use of Blasco Memorial Library as a Public Library" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 34, 2021, " Resolution Authorizing the Undisturbed Use of Blasco Memorial Library as a Public Library" This was moved by Kim Clear, seconded by Scott Rastetter and carried in a 7 - 0 vote.
Resolution Number 35, 2021, "Authorizing County Executive Dahlkemper to Utilize E-Signature for Blasco Library Project Keystone Grant Application" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 35, 2021, "Authorizing County Executive Dahlkemper to Utilize E-Signature for Blasco Library Project Keystone Grant Application" This was moved by Kim Clear, seconded by André Horton and carried in a 7 - 0 vote.
Resolution Number 36, 2021 "Appointment of Presiding Officer to Adjudicate an Appeal Filed Under the Local Agency Law" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 36, 2021 "Appointment of Presiding Officer to Adjudicate an Appeal Filed Under the Local Agency Law" This was moved by Ellen Schauerma, seconded by Kim Clear. Councilwoman Clear motioned to add Judge Shad Connelly at \$200/hr to the Resolution, seconded by Councilwoman Schauerma. Councilman Horton offered the friendly amendment to Honorable Shad Connelly, as suggested by Solicitor Talarico. The amendment of the Resolution carried 7 to 0. The Resolution, as amended, carried 7 to 0. Discussion commenced about the possibility of a cap on the agreed amount. Solicitor Talarico clarified that these proceedings would only be a mini-trial, and suggested it was not necessary as much of it would most likely be submitted by deposition. It was decided that Council would submit a contract with the Honorable Judge Connelly.
Resolution Number 37, 2021 "Exonerating all Taxes, Fees and Interest on Parcel #15-020-020.0-108.00 Located at 339 East 17th Street, Erie PA"	Mr. Smith gave a reading of Resolution Number 37, 2021 "Exonerating all Taxes, Fees and Interest on Parcel #15-020-020.0-108.00 Located at 339 East 17th Street, Erie PA" This was moved by Kim Clear, seconded by Mary Rennie and carried in a 7 - 0 vote.
Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 24-004-007.2-012.93, 9800 West Lake Road , Lot 55, Lake City, PA.	Mr. Smith read addresses for items j,k,m, &n to be voted in one motion. Motioned by Ellen Schauerma, seconded by Kim Clear. Carried 7 to 0.

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 14-070-
022.334.00, 728 East 7th
Street, City of Erie**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 18-052-036.0-
112.00, Genesee Ave, Lot
285, City of Erie**

Councilwoman Clear motioned to table items L & O; seconded by Councilman Rastetter, and carried 7 to 0.

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 16-030-043.0-
115.00, located on West
17th Street, City of Erie**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 15-020-032.0-
114.00, 601 East 11th
Street, City of Erie.**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 18-052-034.0-
216.00, Fargo Street, Lot
321**

ADJOURNMENT

Chairman Anderson thanked everyone for joining the meeting, and announced upcoming meetings of September 23rd for Finance and Personnel Meetings, and September 28th for the next Regularly Scheduled Meeting.

Kim Clear Motioned for adjournment. Meeting Adjourned at 7:34pm.