

MINUTES

Erie County Council

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Brian Shank, Chairman
Mary Rennie, Vice Chairwoman
Charlie Bayle
André R. Horton
Ellen Schauerma
Terry M. Scutella
Jim Winarski

REGULAR MEETING MINUTES

Tuesday, March 28, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Shank.

OPTIONAL PRAYER OR REFLECTION

Mrs. Schauerma offered the optional prayer or reflection.

ROLL CALL

Members Present: Chair Brian Shank, Vice Chair Mary Rennie, Charlie Bayle, Andre Horton, Ellen Schauerma, Terry M. Scutella, and Jim Winarski
Others Present: Julie Slomski, Megan Moore, Solicitor Tom Talarico, Deputy Solicitor Jay Stranahan, and Doug Smith

CITATION

Former County Executive Mark A. DiVecchio

Mr. Winarski presented the citation to the family of Mark A. DiVecchio. Mr. Winarski remarked that Mark was an asset to his community and loved his family. He stated it was an honor to know him and for him to be part of our community.

The family thanked the Council for this honor for Mark, and stated his greatest joy was his grandchildren. They also expressed his joy at helping the people of Erie County, and stated it was his calling and he stepped up to it.

Vice Chair Rennie stated she had worked with Mark as a boss, a Councilman, and a County Executive. She recalled his kindness and ability to put people at ease.

Mr. Horton stated he had known Mark since childhood, and he was always someone that could be depended on and was always loyal. He stated that Mark loved Erie County, and served Erie as a legislator and as an executive. He described how he would be forever grateful to Mark for introducing the idea of the community college, and that Mark did not get the credit he deserved for Erie County having a community college.

HEARING OF THE PUBLIC

Kathy Schaaf

Kathy Schaaf, Erie: Ms. Schaaf noted that she liked that the Council gave kudos to people, and stated Mark DiVecchio was a humble servant and a great guy. She spoke on homelessness, and noted that the home count had not been received yet

for the homeless. She revealed that during her time working and talking with the homeless she learned that healthcare was what brought them to Erie. She thanked the neighborhood team for their work, but noted concern that the program would end April 4th, and the weather would still be unpredictable, and that people had to be turned away due to overflow. She asked the Council to consider utilizing ARPA funds to aid Human Services in working with the Home Team. She questioned if any services would be available in the future without funding. She remarked how everything in politics moved so slowly, but there were people dying in the streets who could not wait. She thanked those that were out there working without any recognition.

Nick Marinelli, Harborcreek: Mr. Marinelli questioned how a person was appointed to a board, authority, or commission, and noted that the general public was not aware of the process. He asked that information about the entire procedure be explained to the public, and that those interested be given opportunities to participate. He questioned why a good person would withdraw from an appointment, and suggested that there was pressure brought against them by a Council member or the County Executive's office. He noted that all politicians needed to be honest and do their jobs.

Art Leopold, Millcreek: Mr. Leopold discussed an economic commentary he had shared with the Council titled "Racial Differences and Returns on Business Ownership." He reported that the objective was for the Council to realize that investment in black and brown communities has a better return than other investments, and there should be no fear of investing in these communities. He referenced quotes from a council member, as well as a member of the administration, that acknowledged "any new entity has a basic learning curve" and "...must operate on the same sheet of music for this work to spur growth" when it came to the Business and Economic Development department. He noted the problem was that this consideration was not given to the DEIC, and it should be funded.

Larry Owens, Wesleyville: Mr. Owens questioned why the DEIC was not being enforced and had not received allocated funds. He also questioned why DEIC members, who were good people, were being slandered and besmirched by Council members and the County Executive's office. He remarked on the lack of support for a community college in Erie County at its inception, and recalled how he, Andre Horton, and Mark DiVecchio had traveled to Harrisburg to advocate for the idea, which had now come to fruition. He stated they now had a new hurdle, and that was to change the policy to ensure that blacks, browns, Asians, natives, and poor whites have representation at the table. He noted the DEIC was set up for this reason, and to make the community flourish. He stated that there needed to be an amicable conversation for everyone, not just one class of people. He concluded that there needed to be a conversation, and this could not be swept under the table.

Valerie Perkins, Erie: Ms. Perkins stated that the people of District 4 had reached out to Mr. Winarski no fewer than three times to request a meeting. She

reminded him that he was elected to serve the people. She asked a fourth time that he make himself available to meet with them. She reminded the Council that Jesus Christ was not crucified because he was a Jew, but because he held politicians accountable. She stated they should do the right thing and release the funds.

Freda Tepfer, Erie: Ms. Tepfer questioned why there was patience for the Fusion Cell to get organized and learn the ropes, but not for DEIC to do the same, and asked why there was a different standard and what kind of racism that was? She stated that through research she had learned of many opportunities for funding the recent projects on the agenda, such as electric batteries, septic, etc., instead of redirecting money questionably. She stated that (ARPA) funding would not be available again for the types of projects that it was intended to help. She noted it was not moral, honest, or a fair deal to people. She requested that the ordinance that was tabled remain there, and that the ordinance to restrict ARPA funds be supported, and stop funneling off ARPA funds. She offered her assistance in finding other funding sources.

MINUTES FROM PREVIOUS MEETING

A motion to accept the minutes of March 7th and March 23rd was made by Scutella, seconded by Schauerman, and carried 7-0.

March 7, 2023 - Regular Meeting

March 23, 2023 - Emergency Meeting

REPORTS OF COUNTY OFFICIALS

County Executive and/or his Designee

Doug Smith, Director of Administration: Mr. Smith stated the information requested regarding the ARPA plan by the Council, and in particular Mrs. Rennie, had been emailed and was printed before them that night. He noted that the first tranche of money gave 8.9% to the city of Erie and 16.4% was dispersed throughout the rest of the county, and in the second tranche, 2.2% went to the city and 15.9% went outside the city limits. He noted that with the remaining funds there was the \$5M GAP funding that was tabled and they hoped would be removed and voted on, and they expected the funds to leverage more dollars in broadband and storm water projects in the county. He also advised that in the final rule it was a legal and acceptable area for expenditure of ARPA funds. He described two other projects to use the remaining ARPA funds; first, a Great Lakes Clean Up project to fund private septic systems with \$1.43M and second, a collaborative effort with UPMC, St. Vincent's Hospital, and LECOM to address the nursing problem and invest in a training program which would have a high end return on an ARPA investment, as well as help people in the community which were most affected by Covid-19, and people in black and brown communities looking for employment, as well as all members of the County. He asked the Council to consider removing the ordinance for GAP

funding from the table, and passing it.

Finance Committee - Mrs. Schauerman Chair Schauerman stated the Finance Committee met on March 16th and submitted to the agenda Old Business: A & B and New Business: A - F and H.

Personnel Committee - Mr. Scutella Chair Scutella stated the Personnel Committee met on March 16th and submitted to the agenda New Business: G and I.

Other

Mr. Horton listed over 22 boards and authorities of Erie County, and stated they carry out the work of the citizens of Erie County. He referenced the work of the Erie County Redevelopment Authority, and that they develop areas of the county to make it suitable for business development and then give business support. He recited information from the Erie County website:

The American Rescue Plan Act of 2021 is a federal relief package providing \$1.9 trillion in funding, program changes, and tax policies aimed at mitigating the continuing effects of the COVID-19 public health crisis. As a result of this historic legislation, Erie County is receiving \$52,391,502 through a Coronavirus State and Local Fiscal Recovery Fund grant awarded by the U.S. Department of the Treasury. The grant is being paid to the County over two years, with half arriving in 2021 and the other half arriving in 2022. The County must allocate, or determine how grant dollars are to be used, by December 31, 2024, and spend all grant funding by December 31, 2026. Grant funds are being deployed over a five-year period to help Erie County in Building a Better Future for its residents. Erie County Council approved a budget for the first half of the grant, which is \$26 million, during their August 5, 2021 meeting. Using the guidelines provided by the U.S. Department of the Treasury, Council allocated grant funding for the following types of projects.

PUBLIC HEALTH

Funds are being used to respond to COVID-19 and the broader health impacts of COVID-19 and the public health emergency.

NEGATIVE ECONOMIC IMPACT

Funds are being used to respond to the negative economic impacts of the COVID-19 public health emergency.

SERVICES TO DISPROPORTIONATELY IMPACTED COMMUNITIES

Funds are being used to provide services to communities disproportionately impacted by the COVID-19 public health emergency.

WATER, SEWER AND BROADBAND INFRASTRUCTURE

Funds are being used to support water, sewer, and broadband infrastructure projects.

GOVERNMENT SERVICES & GRANT ADMINISTRATION

As Erie County experienced a loss in revenue due to the COVID-19 public health emergency, funds are being used to support government services.

He stated that authorities, like ECGRA, were created by the County Council to be an arm of county government as well. He stated when the Administration states they want to help black and brown communities, it is not congruent with the policies implemented in said communities, and to date not a dime had been sent to those most affected by the pandemic. He noted they did give \$6.5M to

higher education with money that could have been given to help those communities, especially when funds could and should have been found elsewhere as suggested by CCAP and others. He stated it was laughable to think that the County Executive would be the leader in economic development when he just walked away from the team that everyone else was on, like Infinite Erie. He noted that they had fought for years to move out of the silos, and the County Executive was dragging them back and dividing them. He mentioned that R-CAPs go through by committee, and are worked through community partnerships, networking, and the like. He clarified that the Council does not legislate on Facebook, they do so in Council Chambers, and that because the Administration says it, does not make it so. He reported on a recent meeting at Pleasant Ridge Manor, and how the structure of meetings had been previously discussed, yet at the meeting the County Executive had the gavel and called the meeting to order; the County Executive was not a voting member of the board. He stressed that Erie County was a behemoth of county services, and rather than throw funds at economic development when there were already 20 institutions geared toward economic development, concentration should be on county services for drug problems, homelessness, mental health, and children being removed from their homes. He stated that the County Executive had enough on his plate to learn the basic requirements of the job. He emphasized that the DEIC, Redevelopment Authority, and ECGRA weren't going anywhere, and serious people walked to the table, not away from it. He stated that neither Joe Sinnott or Jon Whaley had a better grasp of economic development than Tina Mengine, Dr. Perry Wood, or the Chamber of Commerce. He concluded that it was summed up by the Administration giving \$6.5M to well-funded higher education institutions, but the County's own community college, in its infancy, had received nothing.

OLD BUSINESS

TABLED - Ordinance Number 10, 2023, "2023 ARPA Fund Budget Revised Revenue and Expenditures of \$5,000,000 for Municipal GAP Funding" (First Read 2/7/23) (Tabled 2/21/23) (Finance Committee)

A motion to remove Ordinance 10, 2023 from the table was made by Bayle, and seconded by Schauerman.

Mr. Horton stated it was a horrible idea, that they continually asked for a plan and the single piece of paper received two minutes before the meeting and lacked details was not sufficient.

Mrs. Rennie stated she objected to the removal of this ordinance from the table as she had a simple request: a plan or a roadmap going forward with discussion and time to look at the facts. She noted that the email from the Administration had come in at the start of the Caucus, with no chance to look at or have discussion about it. She acknowledged that they heard some statistics that night, but did not have time to look at and question them. She noted that what they had put forth previously in ARPA was fair and equitable for all of Erie County, including the outlying areas and municipalities which received their funding, yet the DEIC money had been withheld. She stated it was not too much to ask to have a fair conversation. She stated, as usual, a plan had been presented with no

details, and was sprung on them so discussion could be had. She concluded that they were a government of the people, and the people deserved to know what was placed before the Council for a vote.

The motion failed 3-4 (Horton, Rennie, Scutella, & Winarski).

Second Reading of Ordinance Number 17, 2023, "Sixth 2023 General Fund Budget Supplemental Appropriation of \$15,000 for CCAP Annual Summer Event" (First Read 3/7/23)(Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 17, 2023, "Sixth 2023 General Fund Budget Supplemental Appropriation of \$15,000 for CCAP Annual Summer Event" . A motion was made Schauerma, seconded by Winarski, and carried 7-0.

NEW BUSINESS

A motion to move items D, E, and G to a second reading, ordinances 23, 24, and 26, was made by Rennie, seconded by Schauerma, and carried 7-0.

First Reading of Ordinance Number 20, 2023, "Second 2023 Public Health Fund Budget Supplemental Appropriation of \$54,523 for Mosquito Disease Control Additional Grant Funds Awarded by the Commonwealth of Pennsylvania" (Finance Committee)

Ms. Slomski gave a First Reading of Ordinance Number 20, 2023, "Second 2023 Public Health Fund Budget Supplemental Appropriation of \$54,523 for Mosquito Disease Control Additional Grant Funds Awarded by the Commonwealth of Pennsylvania".

First Reading of Ordinance Number 21, 2023, "Seventh 2023 General Fund Budget Supplemental Appropriation of \$182,687 for PA Opioid Settlement Revenue 2022 Carryover and Additional Funds Received in 2023 by the Office of the District Attorney and Creation of New Lines" (Finance Committee)

Ms. Slomski gave a First Reading of Ordinance Number 21, 2023, "Seventh 2023 General Fund Budget Supplemental Appropriation of \$182,687 for PA Opioid Settlement Revenue 2022 Carryover and Additional Funds Received in 2023 by the Office of the District Attorney and Creation of New Lines".

First Reading of Ordinance Number 22, 2023, "Eight 2023 General Fund Budget

Ms. Slomski gave a First Reading of Ordinance Number 22, 2023, "Eight 2023 General Fund Budget Supplemental Appropriation of \$726,359 for Pennsylvania Commission on Crime and Delinquency (PCCD) Grant for the Erie County Gun

Supplemental Appropriation of \$726,359 for Pennsylvania Commission on Crime and Delinquency (PCCD) Grant for the Erie County Gun Violence Reduction Initiative and Addition of New Position" (Finance Committee)	Violence Reduction Initiative and Addition of New Position".
First Reading of Ordinance Number 23, 2023, "First 2023 Library Fund Budget Supplemental Appropriation of \$47,017 for Reappropriation of State Aid-District from July - December 2022" (Finance Committee)	Ms. Slomski gave a Second Reading of Ordinance Number 23, 2023, "First 2023 Library Fund Budget Supplemental Appropriation of \$47,017 for Reappropriation of State Aid-District from July - December 2022". A motion was made by Horton, seconded by Rennie, and carried 7-0.
First Reading of Ordinance Number 24, 2023, "Second 2023 Library Fund Budget Supplemental Appropriation of \$4,000 for Donation from UPMC" (Finance Committee)	Ms. Slomski gave a Second Reading of Ordinance Number 24, 2023, "Second 2023 Library Fund Budget Supplemental Appropriation of \$4,000 for Donation from UPMC". A motion was made by Horton, seconded by Scutella, and carried 7-0.
First Reading of Ordinance Number 25, 2023 "Amendment to Ordinance No. 121, 2021-Restriction of ARPA Funds" (Finance Committee)	Ms. Slomski gave a First Reading of Ordinance Number 25, 2023 "Amendment to Ordinance No. 121, 2021-Restriction of ARPA Funds".
First Reading of Ordinance Number 26, 2023, "2023 Appointed Official's Salary Ordinance for a Part Time Assistant Public Defender" (Personnel Committee)	Ms. Slomski gave a Second Reading of Ordinance Number 26, 2023, "2023 Appointed Official's Salary Ordinance for a Part Time Assistant Public Defender". A motion was made by Horton, seconded by Schauerman, and carried 7-0.
Possible adoption of Resolution Number 15, 2023, "Resolution Adopting the Erie County 2050 Long Range Transportation	Ms. Slomski read Resolution Number 15, 2023, "Resolution Adopting the Erie County 2050 Long Range Transportation Plan". A motion was made by Schauerman, seconded by Rennie, and carried 7-0.

Plan" (Finance Committee)

Possible reappointment of Michael Glass to the Erie County Convention Center Authority. Term to expire December 31, 2026. (Bayle) A motion to appoint Michael Glass to the Erie County Convention Center Authority was made by Schauerman, seconded by Scutella, and carried 7-0. Mr. Bayle stated that Mr. Glass seemed to be doing an outstanding job, and looked forward to him continuing for a second term.

Possible appointment of Richard E. Filippi, Esquire to the Erie County Convention Authority. Term to expire December 31, 2023. (Horton) This item was pulled from the agenda at the request of the appointee, Attorney Filippi. A motion to remove the appointment from the agenda was made by Horton, seconded by Rennie, and carried 7-0.

ADJOURNMENT A motion to adjourn was made by Horton at 7:00pm.

***The next Finance/Personnel Committee Meetings are Wednesday, April 5, 2023 at 4pm in room 114A, Erie County Courthouse or via Zoom.**

***The next Regular Meeting of County Council is Tuesday, April 11, 2023 at 6pm in room 117, Erie County Courthouse or streamed live at the link provided on the County website.**

***Members of the public wishing to speak at an upcoming Regular Meeting of Council or those requiring specific accommodation are encouraged to call or email the Council Office at (814) 451-6303 or Councilrequests@eriecountypa.gov, no later than the end of business 5 days prior to the meeting. The public must be present at the meeting to speak.**