

MINUTES

Erie County Council

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Brian Shank, Chairman
Terry M. Scutella, Vice Chairman
Charlie Bayle
André R. Horton
Ellen Schauerman
Tom Spagel
Jim Winarski

REGULAR MEETING MINUTES

Tuesday, September 12, 2023

PLEDGE OF ALLEGIANCE

Chairman Shank led the Pledge of Allegiance.

OPTIONAL PRAYER OR REFLECTION

Mrs. Schauerman recited a quote by Rudy Giuliani in remembrance of 9/11.

ROLL CALL

Members Present: Chair Brian Shank, Vice-chair Terry Scutella, Charlie Bayle, Andre Horton, Ellen Schauerman, Thomas Spagel and Jim Winarski
Others Present: Megan Moore, Jill Pennsy and Deputy Solicitor Jay Stranahan

HEARING OF THE PUBLIC

Jerry Servidio

Jerry Servidio did not speak.

Doug Wilbur

Doug Wilbur did not speak.

Mary Rennie

Mary Rennie, Erie: Mrs. Rennie expressed her initial desire to move away from criticism and instead focus on the expectations of the people. She stated she discovered Ordinance 77 in the process and believed that it presented an opportunity for job creation and addressing certain voids in the community, provided it succeeded. She emphasized, however, that their primary responsibility as representatives was to act in a fiduciary capacity to the people. She discussed the importance of integrity in the decision-making process, viewing it as a form of respect for the people. She stressed that the principle transcended political divides, emphasizing that their duty was to deliberate thoroughly and not rush into decisions. She emphasized that the ordinances they passed held significant legal weight, and over her 40 years of experience, she had never seen people so poorly served. She touched on the loss of a financial advisor due to their partial failure to heed advice regarding Ordinances, Resolutions, and the Administrative Code. She pointed out that many ordinances lacked substance and documentation, which was a matter of concern. She highlighted Ordinance 77 with a cost of 7 1/2 million dollars, of which 3 1/2 million lacked substantiation. She questioned why there was no written documentation for contributions from hospital systems and why it was an inconvenience for the Council to seek such documentation. She concluded by

suggesting that Ordinance 77 be tabled until the necessary documentation was provided to avoid complicity in making ill-informed decisions.

OTHER SPEAKERS - 3 MINUTES

Art Leopold, Millcreek: Mr. Leopold advocated for the principles outlined in the Home Rule Charter and the significance of maintaining a robust process between the Administrative and Legislative domains. He emphasized that the process held great importance. He stated his primary focus was on the vetoes that occurred in the previous budget cycle. He expressed concern that several of the vetoes had not been voted on, which raised issues of administrative encroachment into the Council's authority. He stated his belief that they should not allow such encroachment to happen and stressed the importance of delineating the roles of the Council and the Administration in regular business proceedings. He highlighted that the collective value of these vetoes amounted to approximately \$400,000 in the final general budget adopted by the Council. He underscored that those expenditures were neither approved nor authorized by the Council. He further clarified that the Administration lacked the authority to reintroduce items into the budget Ordinance that had been vetoed by the Council. He noted that the Council Attorney had repeatedly advised the Council on the correct procedural steps. He urged the Council to address and resolve this conflict before the next budget cycle, emphasizing the importance of upholding the established processes and roles outlined in the Home Rule Charter.

Richard Wagner, Erie: Mr. Wagner centered on the story of Roger Young, a heroic Medal of Honor recipient from World War Two, who sacrificed his life to save fellow soldiers. He stated that he had a personal connection to that narrative as he had grown up in what was once known as the Roger Young Project, a place later transformed into Roger Young Park. He expressed his primary objective, which was to seek assistance and recognition for the Roger Young Project's historical significance in providing crucial support and housing to returning World War Two veterans. He shared the heartwarming reunion of his father with his mother and sister after returning from the war, highlighting the hundreds of World War Two veterans had found a home there. He stated that he aimed to ensure that the contributions and importance of the Roger Young Project were not consigned to oblivion. He fervently believed that the site should serve the purpose for which it was originally established – as a place of support and housing for veterans, rather than just being a park.

Valerie Pesta, Girard: Ms. Pesta expressed her gratitude to the Council for the opportunity to speak. She discussed her concerns regarding the property that had been rescinded from the Erie County Redevelopment Authority. She advocated for rezoning the parcels on the property, which were currently zoned for light industrial and commercial use, back to rural agriculture. She believed that the property's original intent and history were centered on farming rich prime farmland for the benefit of the community. She emphasized the high quality of the land and the need to ensure its preservation for future generations. She raised questions about why the land remained unused and overgrown with invasive

weeds, especially when there were 200 acres of fertile ground that could have been farmed. She also questioned why the farmer could not return when their lease had been broken. She expressed her disappointment with the response from Mrs. Schauerman, who said it was the County Executive's decision. She emphasized that they were the County Executive's bosses. She urged the Council to change the zoning of the parcels to rural agriculture to preserve the valuable land.

Jodi Fairchild, Girard: Ms. Fairchild expressed her thanks to the Council for listening to their concerns. She noted that they had been actively educating themselves about various issues, as recommended by Mr. Horton. She highlighted their desire for transparency and a better understanding of what was happening. She emphasized their responsibility as citizens to be aware of and engaged in local governance. She mentioned concerns about the County Executive's actions and their desire to prevent hasty decisions that might not serve the community's best interests. She also expressed confusion regarding the vetoes and their implications for the budget. She stressed the importance of fiscal responsibility and not burdening future generations with debt.

Shawn Held, Millcreek: Mr. Held addressed the significant issues plaguing the community. He began by emphasizing the lack of transparency in local government and the perception that the County Executive could make decisions without adequate oversight. He expressed the need for better leadership that prioritized the welfare of the people over personal political gains. He made it clear that his concerns were not tied to political parties but focused on genuine issues within the community. He raised concern over the continued use of Trinity Food Service as the primary provider for the Edmund L. Thomas Adolescents Center. He questioned the appropriateness of serving food meant for prisoners to young individuals at the center, who were there for competency development and rehabilitation. Mr. Held believed that this choice of food could hinder their progress and was an injustice to their well-being. He noted that he had gone to the library to sign the LGBTQ+ material petition, citing that the employees claimed they were not allowed to discuss LGBTQ+ material. He likened it to a threatening stance and noted that he had faced consequences for speaking out in the past. He expressed his intention to return in two weeks, hoping to witness positive changes, particularly regarding the food issue. He stressed that transparency should start with something as simple as displaying a timer during public speaking sessions, highlighting the importance of responsiveness to the community's concerns.

MINUTES FROM PREVIOUS MEETING

A motion to accept the minutes was made by Schauerman, seconded by Winarski, and carried 7-0.

August 9, 2023 - Special Meeting

August 15, 2023 - Regular Meeting

REPORTS OF COUNTY OFFICIALS

County Executive and/or his Designee

Finance Committee - Mrs. Schauerman Mrs. Schauerman reported that the Finance Committee met on September 7th, and submitted to the agenda Old Business: A and New Business: A-F

Personnel Committee - Mr. Scutella Mr. Scutella reported that he did not have a report, as there were no items for the Personnel Committee.

Other Mr. Horton expressed that his spirit had been unsettled since Mr. Held's previous visit. He reiterated his previous concerns about feeling disrespected during a visit to the County Executive's office. Mr. Horton brought up the anti-harassment training that the Administration and HR had been emphasizing, stating that some examples felt like classic cases of inconsistency between words and actions. He emphasized his commitment to aligning his words with his actions. He focused on the upcoming budget and criticized the lack of transparency from the Administration. He noted that they had received last year's budget late, and now they were about to receive another budget while still dealing with issues from the previous year's vetoes. He expressed his disappointment with the Council, including himself, for what he saw as a failure to fulfill their responsibilities. He pointed out the uncertainty surrounding the allocation of ARPA funds, vacillating between \$4 million and \$6 million dollars. He highlighted the lack of attention to youth-related matters in the budget. He mentioned a discussion about \$2 million dollars for youth, and he found it regrettable that they had the opportunity to help vulnerable citizens with \$52.5 million dollars but appeared to have done the opposite. He criticized the use of funds, suggesting that they had been redirected to those who already had the capacity to support themselves rather than helping the most vulnerable. He called on the Administration to provide a final report with numbers from the Summer Youth Program, expressing his belief that the Administration had placed too many obstacles in the way of young people participating in the program instead of removing those barriers.

OLD BUSINESS

Second Reading of Ordinance Number 77, 2023, "Third 2023 American Rescue Plan Act Mr. Scutella addressed the opportunity for their community involving the partnership between three local hospitals and the community college. He believed that if they could not come to an agreement with the three hospitals for this partnership, which was designed to benefit both healthcare and the

Fund Budget Supplemental Appropriation of \$2,000,000 for Erie County Community College (EC3) Allied Health and Nursing Labs" (First Read 8/29/23) (Finance Committee)

community college attendees, that it was a missed opportunity. He brought up the availability of ARPA funds and suggested that they could potentially be utilized for that endeavor. He acknowledged the presence of political considerations in the room but urged everyone to put politics aside for the greater good of Erie County and its people. He expressed his willingness to consider this initiative despite not agreeing with most of what the County Executive had proposed. He underlined the importance of attracting businesses to the area. He noted that those fundraising for his opponent, including the County Executive, would not deter him from making decisions in the best interests of the community.

Mrs. Schauerman emphasized the importance of prioritizing education and job training in the healthcare industry. She stated that allocating 2 million dollars towards education and training to prepare individuals for careers in healthcare was of the utmost significance. She pointed out that whether or not the three healthcare entities decided to participate in the initiative, it was crucial to start the process and make progress in that direction. She underlined the urgency of getting the ball rolling to address the critical need for skilled healthcare professionals in the community.

Mr. Horton made a motion to amend the verbiage to include "The money is to be placed into a restricted account until formal documentation has been submitted, received, and approved by the Council through the Attorney." Seconded by Scutella, the motion failed 2-5. (Bayle, Schauerman, Spagel, Winarski, Shank)

Mr. Horton explained that the purpose of the amendment was to establish a formal agreement or a letter of articulation regarding a significant financial allocation. He expressed his belief that reasonable and prudent individuals would have concluded that the matter should have been tabled for further consideration but it appeared that the decision was to proceed with it. He referred to an incident where the previous Council had lost \$3 million dollars of taxpayers' money due to an unsecured loan. He noted that the County Executive had opposed the project, which eventually resulted in a substantial financial loss, including the interest. He characterized it as a misstep driven by stubbornness and bullheadedness. He questioned the wisdom of moving forward without a formal agreement with major nonprofit hospitals for a two-million-dollar allocation. He believed that voting in favor of it without a formal agreement was a significant lapse of responsibility. He connected the issue to the previous year's veto question, suggesting that it highlighted a recurring problem in their decision-making process.

Ms. Moore gave a Second Reading of Ordinance Number 77, 2023, "Third 2023 American Rescue Plan Act Fund Budget Supplemental Appropriation of \$2,000,000 for Erie County Community College (EC3) Allied Health and Nursing Labs". A motion was made by Schauerman, seconded by Spagel, and carried 6-1. (Horton)

NEW BUSINESS

A motion to move items B and C to a second reading was made by Scutella, seconded by Winarski, and passed 7-0.

First Reading of Ordinance Number 80, 2023, "Fifteenth 2023 General Fund Budget Supplemental Appropriation of \$71,636 For Release of Restricted Automation Fees in Prothonotary Office" (Finance Committee)

Ms. Moore gave a First Reading of Ordinance Number 80, 2023, "Fifteenth 2023 General Fund Budget Supplemental Appropriation of \$71,636 For Release of Restricted Automation Fees in Prothonotary Office".

First Reading of Ordinance Number 81, 2023, "Fifth 2023 Public Health Fund Budget Supplemental Appropriation of \$8,000 For Additional Grant Award in Tuberculosis Bureau" (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 81, 2023, "Fifth 2023 Public Health Fund Budget Supplemental Appropriation of \$8,000 For Additional Grant Award in Tuberculosis Bureau". A motion was made by Schauerman, seconded by Winarski, and passed 7-0.

First Reading of Ordinance Number 82, 2023, "Sixteenth 2023 General Fund Budget Supplemental Appropriation of \$918,329 for PA Election Integrity Grant" (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 82, 2023, "Sixteenth 2023 General Fund Budget Supplemental Appropriation of \$918,329 for PA Election Integrity Grant". A motion was made by Schauerman, seconded by Bayle, and passed 7-0.

Possible Adoption of Resolution Number 30, 2023 "Authorizing the Application Process to be Completed by HANDS in Conjunction with the Erie County Planning and Development Department to Secure Funding from PA Department of Community & Economic Development HOME Investment Partnership Program" (Finance Committee)

Ms. Moore read Possible Adoption of Resolution Number 30, 2023 "Authorizing the Application Process to be Completed by HANDS in Conjunction with the Erie County Planning and Development Department to Secure Funding from PA Department of Community & Economic Development HOME Investment Partnership Program". A motion was made by Schauerman, seconded Spagel, and passed 7-0.

Possible Adoption of Resolution Number 31, 2023 "Resolution of the County of Erie Authorizing the Filing of an Application for Funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania" (Finance Committee)

Ms. Moore read Possible Adoption of Resolution Number 31, 2023 "Resolution of the County of Erie Authorizing the Filing of an Application for Funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania". A motion was made by Schauerman, seconded by Scutella, and passed 7-0.

Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 47-011-004.0-001.00

Ms. Moore read Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 47-011-004.0-001.00. A motion was made by Schauerman, seconded by Bayle, and passed 7-0.

ADJOURNMENT

Mr. Spagel made a motion to adjourn the meeting 6:40pm.

***The next Finance/Personnel Committee Meetings are Thursday, September 21, 2023 at 4pm in room 114A, Erie County Courthouse or via Zoom.**

***The next Regular Meeting of County Council is Tuesday, September 26, 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.**