

AGENDA
Erie County Council

WATCH A MEETING ON
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André R. Horton, Chairman
Jay Breneman, Vice Chairman
Edward T. DiMattio, Jr.
Kathleen Fatica
Dr. Kyle Foust
Fiore Leone
Carol Loll

REGULAR MEETING

Tuesday, October 11, 2016

6:30 P.M. - Council Caucus
7:00 P.M. – Council Meeting

1. **PLEDGE OF ALLEGIANCE**
2. **OPTIONAL PRAYER OR INVOCATION**
3. **ROLL CALL**
4. **HEARING OF THE PUBLIC**
 - A. Recognition of Mark Rosenthal, County employee, by City Councilman Mel Witherspoon
5. **MINUTES FROM PREVIOUS MEETING**
 - A. September 20, 2016 – Regular Meeting
6. **REPORTS OF COUNTY OFFICIALS**
 - A. County Executive and/or her Designee
 - B. Finance Committee – Dr. Foust
 - C. Personnel Committee – Mr. Breneman
 - D. Other
7. **OLD BUSINESS**
 - A. Second Reading of Ordinance Number 76, 2016, “Twenty-Seventh 2016 General Fund Budget Supplemental Appropriation of \$3,394,944 for Reduction in Transfer to Pleasant Ridge Manor”. (Finance Committee)

8. **NEW BUSINESS**

- A. First Reading of Ordinance Number 84, 2016, “2016 Planning Fund Budget Revised Expenditures of \$164 for Act 137 Grant to the Human Relations Commission”. (Finance Committee)
- B. First Reading of Ordinance Number 85, 2016, “Thirty-First 2016 General Fund Budget Supplemental Appropriation of \$164 for Human Relations Commission Act 137 Fair Housing Test Grant”. (Finance Committee)
- C. First Reading of Ordinance Number 86, 2016, “First 2016 Liquid Fuels Fund Budget Supplemental Appropriation of \$16,990 for Emergency Allocation Passed by Liquid Fuels Committee”. (Finance Committee)
- D. First Reading of Ordinance Number 87, 2016, “2016 Liquid Fuels Fund Budget Revised Expenditures of \$34,000 from Emergency Funding for Franklin Township Project”. (Finance Committee)
- E. First Reading of Ordinance Number 88, 2016, “2016 Liquid Fuels Fund Budget Revised Expenditures of \$50,000 from Emergency Funding for Wayne Township Project”. (Finance Committee)
- F. First Reading of Ordinance Number 89, 2016, “2016 General Fund Budget Revised Revenue and Expenditures of \$3,711 for Stonegarden FY 14-16 Grant”. (Finance Committee)
- G. First Reading of Ordinance Number 90, 2016, “2016 Drug & Alcohol Services Fund Budget Revised Revenue and Expenditures, Creation of Line Item for *Centers for Excellence* Grant FY 2016-2017”. (Finance Committee)
- H. First Reading of Ordinance Number 91, 2016, “2016 HealthChoices Services Fund Budget Revised Revenue and Expenditures for Receipt of Additional 2016-2017 Revenue”. (Finance Committee)
- I. First Reading of Ordinance Number 92, 2016, “Tenth 2016 Public Health Fund Budget Supplemental Appropriation of \$8,920 to Beach Grant Bureau”. (Finance Committee)
- J. First Reading of Ordinance Number 93, 2016, “Eleventh 2016 Public Health Fund Budget Supplemental Appropriation of \$1,000, Creation of Line Item for Health Education”. (Finance Committee)

- K. First Reading of Ordinance Number 94, 2016, “2016 Public Health Fund Budget Revised Expenditures of \$4,500, New Line Item for Transfer to Nursing Mother Grant in General Fund”. (Finance Committee)
- L. First Reading of Ordinance Number 95, 2016, “Twelfth 2016 Public Health Fund Budget Supplemental Appropriation of \$24,335 to Safe and Healthy Communities Grant Bureau”. (Finance Committee)
- M. First Reading of Ordinance Number 96, 2016, “Amendment to the Administrative Code Article 2, Section 5(IV)(3)(C), the Human Relations Commission of Erie County”. (Finance Committee)
- N. First Reading of Ordinance Number 97, 2016, “Amendment to Ordinance Number 39, 2007, ‘Erie County Human Relations Commission’”. (Finance Committee)
- O. First Reading of Ordinance Number 98, 2016, “2016 Capital Project Fund Revised Expenditures of \$211,723 for Veterans Affairs Relocation Project”. (Finance Committee)
- P. Possible Adoption of Resolution Number 43, 2016, “County of Erie Fair Housing Resolution”. (Finance Committee)
- Q. Possible Adoption of Resolution Number 44, 2016, “Exonerating Delinquent Taxes on One Abandoned Trailer/Property #31-013-047.2-003.92 in McKean Township and the General McLane School District”. (Finance Committee)
- R. Possible Adoption of Resolution Number 45, 2016, “Exonerating Delinquent Taxes on One Abandoned Trailer/Property #40-014-088.1-005.89 in Summit Township and the Fort LeBoeuf School District”. (Finance Committee)
- S. Possible Adoption of Resolution Number 46, 2016, “Urging the Pennsylvania General Assembly to Immediately Fix the Local Share Gaming Funds Language in the PA Gaming Act”. (Finance Committee) **(SEE ATTACHED)**
- T. Possible Adoption of Resolution Number 47, 2016, “Ratifying the Action of the County Executive to Approve Additional Borrowing by the Erie County Convention Center Authority”. (Finance Committee) **(SEE ATTACHED)**

U. Possible Adoption of Resolution Number 48, 2016, "Resolution to Approve Agreement Between Erie County and LECOM Health System, Inc., Millcreek Manor, and Millcreek Community Hospital". (Finance Committee) (**SEE ATTACHED**)

V. Possible appointment of Connie Manus to the Human Relations Commission to represent Mrs. Loll's District. (Finance Committee)

W. Possible Sale of Parcel from Repository for Unsold Property at Index Number:

#33-026-153.0-011.00

#33-053-225.0-001.52

9. **ADJOURNMENT**

RESOLUTION NUMBER 46, 2016

**Urging the Pennsylvania General Assembly to Immediately Fix
the Local Share Gaming Funds Language in the PA Gaming Act**

WHEREAS, the passage of the Pennsylvania Race Horse Development and Gaming Act on July 5, 2004, created new opportunities to improve the economies of Pennsylvania and Erie County; and

WHEREAS, gaming revenue has become essential funding for regional assets, local governments, and economic development projects that provide the residents of Erie County and the economy with opportunities for growth; and

WHEREAS, the County of Erie has funded both the library and transit systems, as well as debt service for several publicly accessible building projects with the \$52.5 million received since Presque Isle Downs and Casino opened its doors; and

WHEREAS, the Erie County Gaming Revenue Authority (ECGRA) has dispersed more than \$40 million in impact grants throughout the County to improve public spaces, create jobs through small business, support education and training, and celebrate local identity; and

WHEREAS, host fees around the Commonwealth account for more than \$140 million in public safety and community services, including police, fire, and emergency service; and

WHEREAS, on September 25, 2016 the Pennsylvania Supreme Court determined that the local share provision of the Gaming Act violated the uniformity provision of the PA constitution; and

WHEREAS, the Supreme Court requires the Legislature to pass new legislation within 120 days, or by _____, or the local share could be eliminated, which would disrupt and severely curtail progress in the investments in Erie County; and

WHEREAS, the loss of gaming revenue will create a multi-million-dollar hole in the 2017 Erie County budget and threaten a range of services for our citizens to cease immediately;

NOW THEREFORE BE IT RESOLVED, that we, the undersigned members of Erie County Council urge the Pennsylvania General Assembly to amend the Pennsylvania Gaming Laws during this year's session (2016) in order to restore the local share provision due to Erie County and other counties facing the same burden across the Commonwealth.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Erie County legislative delegation, to Governor Wolf, and to the County Commissioners Association of Pennsylvania.

On the motion of _____, seconded by _____, this resolution was passed on this _____ day of _____, 2016 by a vote of ____ to ____.

APPROVED BY:

André R. Horton, Chairman
Erie County Council

Kathy Dahlkemper,
County Executive
Date:_____

ATTEST:

Douglas R. Smith
County Clerk

Date:_____

RESOLUTION NUMBER 47, 2016

**Ratifying the Action of the County Executive to Approve Additional Borrowing by the
Erie County Convention Center Authority**

WHEREAS, Ordinance 15 of 2014 approved by County Council on February 11, 2014 pledged the full faith, credit and taxing power of the County of Erie, guaranteeing Convention Center Authority bonds for the Courtyard Hotel project; and

WHEREAS, Section 5C(iii) of the County's Guaranty Agreement contained therein, requires "the approval of Erie County with respect to any future borrowings by the Convention Center Authority relating to the project".

NOW THEREFORE BE IT RESOLVED, by the County Council of the County of Erie, hereby ratifies the action of the County Executive to approve additional borrowing by the Erie County Convention Center Authority to complete the project.

On the motion of _____, seconded by _____, this resolution was passed on this _____ day of _____, 2016 by a vote of ____ to ____.

APPROVED BY:

André R. Horton, Chairman
Erie County Council

Kathy Dahlkemper,
County Executive

Date: _____

ATTEST:

Douglas R. Smith
County Clerk

Date: _____

RESOLUTION NUMBER 48, 2016

Resolution to Approve Agreement Between Erie County and LECOM Health System, Inc., Millcreek Manor and Millcreek Community Hospital

WHEREAS, on April 6, 2015, LECOM Health System et al., hereinafter, "LECOM," filed a Notice of Assessment Appeal at Docket No. 2015 - 11143 with the Court of Common Pleas of Erie County, Pennsylvania; and

WHEREAS, on April 6, 2015, LECOM filed a Notice of Assessment Appeal at Docket No. 2015 - 11144 with the Court of Common Pleas of Erie County, Pennsylvania; and

WHEREAS, on February 3, 2016, LECOM filed a Notice of Assessment Appeal at Docket No. 2016 - 10263 with the Court of Common Pleas of Erie County, Pennsylvania; and

WHEREAS, Erie County intervened in the above Appeals on behalf of the Tax Payers of the County of Erie; and

WHEREAS, on July 18, 2016, the Erie County Board of Assessment Appeals revoked the tax exempt status of several properties owned by LECOM; and

WHEREAS, on August 26, 2016, LECOM filed applications/appeals from the Erie County Board of Assessment Appeal's revocation of July 18, 2016, as above mentioned; and

WHEREAS, on September 20, 2016, LECOM filed a Motion to Voluntarily Discontinue the Notice of Assessment Appeal filed at Docket No. 2016 - 10263 with the Court of Common Pleas of Erie County; and

WHEREAS, on September 21, 2016, Erie County filed a Consent to LECOM's Motion to Voluntarily Discontinue; and

WHEREAS, Erie County and LECOM have agreed to cooperate, to settle their differences and to end the tax appeals pending before the Court of Common Pleas and file with the Erie County Board of Assessment Appeals.

NOW THEREFORE BE IT RESOLVED, by the County Council of the County of Erie, pursuant to Article II, Section 3B(1) and Article III, Section 5(H) of the Erie County Home Rule Charter that the Agreement between Erie County and LECOM, a copy of which is attached hereto and marked Exhibit "A," is hereby APPROVED.

On the motion of _____, seconded by _____, this resolution was passed on the _____ day of _____, 2016 by a vote of _____ to _____.

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

Approved by:

Andre R. Horton, Chairman
Erie County Council

Kathy Dahlkemper, County Executive
of the County of Erie

Jay Breneman, Vice Chairman

Edward T. DiMattio, Jr.

Kathy Fatica

Dr. Kyle Foust

Fiore Leone

Attest:

Carol J. Loll

Douglas R. Smith
County Clerk

Date: _____