

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, August 15, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Shank.

OPTIONAL PRAYER OR REFLECTION

Mrs. Schauerman recited a quote from Benjamin Franklin.

ROLL CALL

Members Present: Chair Brian Shank, Charlie Bayle, Andre Horton, Ellen Schauerman, Terry M. Scutella, Tom Spagel and Jim Winarski

Others Present: Megan Moore, Jill Pennsy, Deputy Solicitor Jay Stranahan

HEARING OF THE PUBLIC

Susan Kraft

Susan Kraft, Erie: Ms. Kraft, a retired county employee, raised important concerns about recent developments within the Council. She highlighted Mr. Davis's efforts to replace the leadership of the Redevelopment Authority and his actions that impacted the DEI Commission's members and funding. She criticized the practice of using the office to undo previous progress and advocated for a focus on building upon past successes. She also questioned the alignment of the minority party members and Mr. Winarski with Mr. Davis's agenda, considering it against party principles. She suggested that Mr. Winarski's party affiliation should align with his actions. She pointed out the resignation of Mrs. Rennie, and emphasized that her deep understanding of county government made her concerns highly significant. She highlighted valid financial and procedural concerns raised by Mrs. Rennie, Mr. Horton, and Mr. Scutella, which often went disregarded by the Republican minority members and Mr. Winarski. She underscored the vital importance of constructive disagreement and collaboration among Council members. She expressed her hope for unity beyond meetings, where differences could be set aside for the good of Erie County.

Randy Barnes

Randy Barnes did not speak.

Valerie Pesta

Valeria Pesta, Girard Township: Ms. Pesta stated she was there to represent the West County Citizens Coalition and the people of Erie County. She passionately advocated for the Council's support of Ordinance Number 73, 2023. She

highlighted the collective effort of gathering over 1500 signatures from residents across Erie County, highlighting the widespread opposition to the proposed industrial park. She emphasized the devastating impact the project would have on precious farmland, a concern shared by a significant majority of the community. She pointed out that the Council and Mr. Davis had overlooked important aspects of the industrial park. She expressed disappointment in Mr. Davis for not utilizing long-standing vacant land. She voiced her concerns about the lack of transparency surrounding Mr. Davis and the Redevelopment Authority, suggesting that crucial information had not been fully disclosed. She emphasized the hurried nature of the industrial park proposal and land transfer, which had occurred behind closed doors. She stressed the importance of transparency in such matters. She drew attention to potential environmental and pollution issues. She cautioned that they could have far-reaching consequences, particularly impacting water quantity and quality for Fairview and Lake City residents, as their water lines passed beneath the business park. She also highlighted the risk of harming the thriving fishing industry that contributes 40 million dollars to the area's income. She pointed out potential negative effects on local home values and increased traffic issues due to the inadequacy of surrounding roads. She underscored the significance of agriculture to Erie County residents. She suggested that the substantial annual income generated from the leases could be used to help the less fortunate, aligning with the property's original purpose. She urged the council to consider the well-being of the people and make decisions that uphold their best interests.

Judy Lynch

Judy Lynch did not speak.

Mary Rennie

Mary Rennie, Erie: Mrs. Rennie shared a thought-provoking anecdote from her past. She recalled a time when she addressed a group of students in Courtroom H, where they had the opportunity to hear advice from various influential figures. When it was her turn to speak, she posed a question to the students about where the real power in the room resided. Finding no immediate answer, she walked among them and declared that the true power lay within each of them, as the government was meant to serve the people. She stressed the importance of the USA's foundation on opportunities and the pursuit of happiness, rather than simply building business parks. She questioned the notion that the land in question, comprising approximately 115 buildable acres in a county with over half a million acres, was as valuable as it was made out to be. She likened it to a ten-year project with uncertain outcomes and expressed doubt about its potential to make or break Erie County. She noted her greatest concern lay in what she perceived as the negative consequences of actions taken by the County government. She observed a disregard for the local constitution, the home rule charter, and related documents over the past two years. She noted the desire of many to have a seat at the table of power.

Others

Kathy Schaaf, Erie: Ms. Schaaf shared her concerns about the allocation of funds for Human Services in Erie County during the July block grant hearing, where a significant amount, \$21.5 million, was dedicated to these services. She recounted a troubling personal experience when she accompanied a friend to Erie County Care Management, who was at risk of losing their apartment. She

noted that instead of receiving immediate assistance, they were given a card with a number and, upon calling, were told that no help could be provided due to the friend's recent job loss. She stated she was still deeply upset about that. She revealed her own experiences while at City Hall during her final week. She stated that on three separate occasions, people approached her seeking help and she attempted to contact the 814 shelter number, but was unable to get assistance. She expressed that the lack of service was a cause for concern and highlighted a gap in the support system.

Carl Anderson, Erie: Mr. Anderson emphasized the significance of due process in decision-making, highlighting that it fostered understanding and trust in the decisions made by their elected representatives. He underscored that the process should prioritize community service over self-service, emphasizing the importance of elected officials looking out for the best interests of the community, uniting its members, and genuinely listening to their voices. He reiterated that the commitment to process was fundamental because they lived in a democracy, and representatives should work to serve the people's interests, rather than push personal agendas. He expressed frustration with the perception that both Democrats and Republicans had allowed party divisions to hinder productive discussions and compromise. He emphasized that for issues like the transfer of public land, a committee of Council should have been appointed by the chairman, with Council members demanding it, especially those representing the most affected district. He added that transparency and information-sharing were key elements that he believed should have been prioritized, rather than rushing the project and limiting transparency by placing it on the Council agenda. He questioned the motivations of the County Executive in supporting such actions and suggested that citizens should be angered by this apparent disregard for their interests. He reminded everyone that they still have the power to influence matters through the democratic processes outlined in the Home Rule Charter and the Administrative Code.

Freda Tepfer, Erie: Mrs. Tepfer spoke highly of Mrs. Rennie's contribution to the council, describing her as an admirable asset with a keen eye for fiscal responsibility. She noted that the Council was currently facing a situation where they were abolishing one position and creating a new one at a higher level. She expressed concern that this seemed to be a recurring theme in Council meetings and suggested that it would be beneficial for citizens to have access to the cumulative cost increase for such positions. She believed this increase could be quite substantial by now and questioned whether the Council had taken a moment to reflect on this. She expressed her support for Ordinance 73 and commended the people who spoke out in Girard and Fairview. She also voiced her backing for Resolution 27. She criticized the Council for what she deemed as irresponsibility with ARPA funds, characterizing it as a disservice to the citizens due to what she saw as a misuse of these resources driven by laziness.

Lorraine Dolan, Fairview: Ms. Dolan shared her appreciation for the engagement and active participation of citizens at the recent township meetings. She mentioned that it was heartening to witness the clear expression of feelings and opinions on the matter. She highlighted that her primary concern was the

hope that the Council would revoke the land transfer, and she expressed the desire that her district representative would also vote to revoke it. She noted her worry about the absence of a Financial Advisor for the County Council. In her view, hiring such an advisor should be a priority because it would provide the oversight needed to separate the responsibilities of the County Executive and the County Council. She requested that the Council include updates on their efforts to fill the position in every meeting agenda, emphasizing the importance of transparency in the matter.

Isabel Lawrie, Girard: Ms. Lawrie voiced her support for repealing Resolution 22. She highlighted the transfer of land to the Erie County Redevelopment Authority, emphasizing that this had occurred without consulting the County's residents. She stated her belief that if they had asked the people, it would have been clear that they did not want an industrial park, especially since Fairview already had one. She pointed out that at township meetings, residents had questioned the fairness of having two industrial parks. She attested to attending both public meetings in Fairview and Girard, where the strong sentiment against the industrial park was palpable. She cited there were numerous other reasons why the community opposed the industrial park, including concerns about increased traffic, particularly in residential neighborhoods. She posed a valid question about why the County did not make use of the numerous available lots and large parcels already present in Erie County rather than pursuing that project. She asked the Council to vote in favor of repealing Resolution 22.

Travis Pettis, Fairview: Ms. Pettis spoke on behalf of the 1,512 people who had signed the petition against the industrial park, presenting the original copies to Councilwoman Schauerman. She highlighted that the signatures represented individuals from all over Erie County and expressed gratitude for the opportunities they had to gather the signatures, given the impracticality of going door to door throughout the County. She emphasized that all of the people were united in their opposition to the industrial park. She stated that her major concern revolved around the allocation of the \$4.5 million funds. She questioned whether the sum would be sufficient to address the necessary infrastructure, and she sought clarity on where the remaining funds needed to complete the business park would come from. She also expressed concerns that the project might lead to tax increases for the community. She noted concerns about traffic, particularly related to the Route 20 when shift changes, which she found problematic due to the presence of two businesses in the area already.

Jody Fairchild, Girard: Ms. Fairchild conveyed the sentiment of the people she had spoken with while gathering signatures. She noted that many residents felt they had been deceived and were unaware of what was happening until later on. Upon discovering the situation, she stated they started attending meetings to find ways to protect themselves from the proposed industrial park. She expressed her concern that if the industrial park were to be built, it would dominate the view from her home, replacing her current scenery with industrial infrastructure. She shared an anecdote about a veteran she spoke with who had recently invested in an expensive home. The veteran believed that if the industrial park proceeded, the value of his house would decrease, potentially causing him financial

difficulties. She questioned the economic benefits of the industrial park, especially in a situation where jobs were available but there were not enough people to fill them. She asked the Council to take these considerations into account when casting their votes on Resolution 22.

Sherry Cummings, Fairview: Ms. Cummings expressed her desire for the Council to repeal Resolution 22. She raised concerns about the financial implications of not renting out the farmland for the proposed industrial park. She pointed out that the revenue generated from leasing the land to farmers had been factored into Erie County's budget in previous years. She questioned whether the absence of income might lead to a deficit in the County's budget. She pondered whether the Council would need to reallocate funds from other important causes or if they could consider scrutinizing the Erie County Redevelopment Authority's funding, budget, or even salaries as a potential source of savings. She emphasized that Erie County taxpayers should not bear the burden of any financial shortfalls caused by the decision regarding the industrial park. She expressed her hope that the Council would seriously consider repealing Resolution 22.

Stafford Sass, Girard: Mr. Sass relayed a conversation with a skeptical friend who believed that Brenton Davis was set on the business park despite public opposition. He urged the Council to prove his friend wrong and emphasized the widespread opposition to the industrial park, citing the area's natural beauty that should be preserved.

Gerry Servidio, Millcreek: Mr. Servidio wished Mr. Spagel good luck and hoped for his impartiality. He addressed the issue of the \$89,000 allocated for an EMS study. He questioned the approach of taxing Erie County to fund smaller departments, and suggested that the money should be given directly to the fire departments, allowing them to decide how best to utilize it. He pointed out that part of the challenge with EMS funding was the limited revenue from ambulance runs. He believed that talking to fire chiefs would reveal that they already had EMS capabilities. He mentioned that EMS workers receive only \$125 per run, which often did not cover the cost of supplies. He advocated finding ways to secure more funding for EMS rather than imposing taxes. He expressed his appreciation for the Council members' work and clarified that his comments were meant to benefit Erie County.

MINUTES FROM PREVIOUS MEETING

**July 11, 2023 - Regular
Meeting**

**July 28, 2023 - Special
Meeting**

REPORTS OF COUNTY OFFICIALS

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

- County Executive and/or his Designee** There were no reports from the County Executive and/or his Designee.
- Finance Committee - Mrs. Schauerman** Mrs. Schauerman reported that the Finance Committee met on August 3rd, and submitted to the agenda Old Business: A-F and New Business: A-E, H, and I.
- Personnel Committee - Mr. Scutella** Mr. Scutella reported that the Personnel Committee met on August 3rd, and submitted to the agenda Old Business: G and New Business: F.
- Other** Mr. Horton expressed his gratitude to the citizens who passionately voiced their concerns. He emphasized the importance of local politics and recounted his Resolution to reconsider the property transfer. He candidly admitted his initial hesitation to attend the meeting, driven not by the project's merits but by a sense of lacking transparency in its process. He mentioned the request to table the matter, which was voted down, regrettably. He explained his vote against it, citing concerns about the use of ARPA funds and the potential financial burden on Erie County residents. He questioned the impact of COVID-19 on properties like Fairview, Pleasant Ridge Manor, or the business park. He emphasized the absence of COVID-19 impact on those properties. He stated he believed Erie County's primary focus should be on human services. He questioned the allocation of money to numerous economic development agencies when it could be better spent on addressing drug addiction, homelessness, and community safety. He underscored the importance of transparency and stressed that the County Council's two primary roles were budgeting and policy. He voiced his concerns about discrimination and urged the Erie County Public Library to establish policies consistent with Human Relations guidelines to ensure fairness and transparency for all.
- A motioned to amend the agenda to nominate the Vice Chair was made by Schauerman, seconded by Bayle, and passed 7-0.
- Mr. Horton proposed additional amendments to the agenda, specifically to Resolution 27, as previously discussed in Caucus. He pointed out that the wording was being altered, removing the term "censorship", and aligning it with the Human Relations Commission policy adopted by Erie County. He requested that Item I be amended to reflect the consistent verbiage change.
- Mrs. Schauerman read the verbiage on Resolution 27 and the changes that were to be made per recommendations from the Deputy Solicitor.
- Mr. Horton made a motion to amend the verbiage in Resolution 27, seconded by Schauerman, and passed 7-0.
- Mrs. Schauerman nominated Mr. Scutella for Vice Chair and was seconded by Mr. Winarski.
- Mr. Horton made a motion to close the nominations, was seconded by Mrs. Schauerman, and passed 7-0.

The Council unanimously voted in favor of Mr. Scutella filling the Vice Chair seat, passing 7-0.

Mr. Scutella expressed his gratitude to his colleagues for placing their trust in him.

OLD BUSINESS

Second Reading of Ordinance Number 59, 2023, "Waiver of Bid Requirements and Approval of Contract with Strategy Solutions" (First Read 7/11/23) (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 59, 2023, "Waiver of Bid Requirements and Approval of Contract with Strategy Solutions". A motion was made by Schauerman, seconded by Winarski, and carried 5-2. (Horton, Scutella)

Second Reading of Ordinance Number 60, 2023, "Twelfth 2023 General Fund Budget Supplemental Appropriation of \$250,000 For Creation of New Line Item and Reappropriation of Revenue Replacement Funds to be Used in 2023 to the Public Safety Department" (First Read 7/11/23) (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 60, 2023, "Twelfth 2023 General Fund Budget Supplemental Appropriation of \$250,000 For Creation of New Line Item and Reappropriation of Revenue Replacement Funds to be Used in 2023 to the Public Safety Department". A motion was made by Schauerman, seconded by Bayle, and carried 4-3. (Horton, Spagel, Scutella)

Second Reading of Ordinance Number 61, 2023, "2023 Children and Youth Services Fund Budget Revised Expenditures of \$15,000 for the Creation of Expense Line Items due to Court Ordered Placements" (First Read 7/11/23) (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 61, 2023, "2023 Children and Youth Services Fund Budget Revised Expenditures of \$15,000 for the Creation of Expense Line Items due to Court Ordered Placements". A motion was made by Schauerman, seconded by Winarski, and carried 7-0.

Second Reading of Ordinance Number 63, 2023, "2023 Planning Fund Budget Supplemental Appropriation of \$300,000

Ms. Moore gave a Second Reading of Ordinance Number 63, 2023, "2023 Planning Fund Budget Supplemental Appropriation of \$300,000 For Transfer of Demo Fees". A motion was made by Schauerman, seconded by Bayle, and carried 7-0.

For Transfer of Demo Fees" (First Read 7/11/23) (Finance Committee)

Second Reading of Ordinance Number 64, 2023, "2023 General Fund Budget Supplemental Appropriation of \$300,000 For Transfer of Demo Fees to Planning" (First Read 7/11/23) (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 64, 2023, "2023 General Fund Budget Supplemental Appropriation of \$300,000 For Transfer of Demo Fees to Planning". A motion was made by Schauerman, seconded by Bayle, and carried 7-0.

Second Reading of Ordinance Number 65, 2023, "Waiver of Bid Requirements and Approval of Contract Extension with ECCA" (First Read 7/11/23) (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 65, 2023, "Waiver of Bid Requirements and Approval of Contract Extension with ECCA". A motion was made by Schauerman, seconded by Winarski, and carried 7-0.

Second Reading of Ordinance Number 69, 2023, "2023 General Fund Budget Revised Revenue & Expenditure of \$1,224 for the Elimination of Director of Procurement Position and the Creation of Manager of Procurement Position" (First Read 7/11/23) (Personnel Committee)

Ms. Moore gave a Second Reading of Ordinance Number 69, 2023, "2023 General Fund Budget Revised Revenue & Expenditure of \$1,224 for the Elimination of Director of Procurement Position and the Creation of Manager of Procurement Position". A motion was made by Schauerman, seconded by Bayle, and carried 6-1. (Horton)

NEW BUSINESS

A motion to move items A-C and E to a Second Read was made by Horton, seconded by Schauerman, and carried 7-0.

First Reading of Ordinance Number 70, 2023 "Fifth 2023 Library Fund Budget Supplemental Appropriation of \$5,000 for the Grant Award from the Network of National Libraries of Medicine for the Advertising of *All of Us*" (Finance Committee)

Ms. Moore gave a Second Reading of Ordinance Number 70, 2023 "Fifth 2023 Library Fund Budget Supplemental Appropriation of \$5,000 for the Grant Award from the Network of National Libraries of Medicine for the Advertising of All of Us". A motion was made by Schauerman, seconded by Winarski, and carried 7-0.

- First Reading of Ordinance Number 71, 2023, "Sixth 2023 Library Fund Budget Supplemental Appropriation of \$6,000 for a Grant Received from the Housing Authority of the City of Erie" (Finance Committee)** Ms. Moore gave a Second Reading of Ordinance Number 71, 2023, "Sixth 2023 Library Fund Budget Supplemental Appropriation of \$6,000 for a Grant Received from the Housing Authority of the City of Erie". A motion was made by Schauerman, seconded by Winarski, and carried 7-0.
- First Reading of Ordinance Number 72, 2023, "Fourteenth 2023 General Fund Budget Supplemental Appropriation of \$762,696 for the Pennsylvania Commission on Crime and Delinquency (PCCD) Grant to the District Attorney's Office for Local Law Enforcement Support and the Creation of a New Position" (Finance Committee)** Ms. Moore gave a Second Reading of Ordinance Number 72, 2023, "Fourteenth 2023 General Fund Budget Supplemental Appropriation of \$762,696 for the Pennsylvania Commission on Crime and Delinquency (PCCD) Grant to the District Attorney's Office for Local Law Enforcement Support and the Creation of a New Position". A motion was made by Schauerman, seconded by Scutella, and carried 7-0.
- First Reading of Ordinance Number 73, 2023 "Repeal of Resolution Number 22, 2023 and Rescission of Agreement Between the County of Erie and the Redevelopment Authority of the County of Erie" (Finance Committee)** Ms. Moore gave a First Reading of Ordinance Number 73, 2023 "Repeal of Resolution Number 22, 2023 and Rescission of Agreement Between the County of Erie and the Redevelopment Authority of the County of Erie".
- First Reading of Ordinance Number 74, 2023, "Third 2023 ARPA Fund Budget Supplemental Appropriation of \$33,000 and Creation of a New Line Item for the Gaines Community Center Roof" (Finance Committee)** Ms. Moore gave a Second Reading of Ordinance Number 74, 2023, "Third 2023 ARPA Fund Budget Supplemental Appropriation of \$33,000 and Creation of a New Line Item for the Gaines Community Center Roof". A motion was made by Schauerman, seconded by Horton, and carried 7-0.
- First Reading of Ordinance Number 75, 2023, "Reclassification of Assistant Emergency** Ms. Moore gave a First Reading of Ordinance Number 75, 2023, "Reclassification of Assistant Emergency Management Coordinator Position from NB14 to NB15".

**Management Coordinator
Position from NB14 to
NB15" (Personnel
Committee)**

First Reading of Ordinance Number 76, 2023, "Reclassification of Emergency Management Specialist Position, Grade Level NB9, to Emergency Management Planner, Grade Level NB 12" (Personnel Committee)

Ms. Moore gave a First Reading of Ordinance Number 76, 2023, "Reclassification of Emergency Management Specialist Position, Grade Level NB9, to Emergency Management Planner, Grade Level NB 12".

Possible Adoption of Resolution Number 26, 2023 "Approving the Financial Statements and Independent Auditor's Report for the County of Erie and Related Funds for the Calendar Year Ending December 31, 2022" (Finance Committee)

Ms. Moore read Possible Adoption of Resolution Number 26, 2023 "Approving the Financial Statements and Independent Auditor's Report for the County of Erie and Related Funds for the Calendar Year Ending December 31, 2022". A motion was made by Schauerman and was seconded by Mr. Winarski.

Mr. Horton made a motion to amend Resolution 26, 2023 to read "accepting" as opposed to "approving".

Mr. Shank stated that they already had a motion and a second, and they had to go to a roll call vote.

Possible Adoption of Resolution Number 26, 2023 carried 6-1. (Horton)

Possible Adoption of Resolution Number 27, 2023 "To Prohibit the Censorship of Reading Materials in the Erie County Library System" (Finance Committee)

Mr. Bayle made a motion to table the Possible Adoption of Resolution Number 27, 2023. He stated he wanted to allow ample time for thorough discussion and consideration of the proposed changes. This was seconded by Mr. Spagel, and carried 4-3. (Horton, Scutella, Winarski)

Mr. Horton expressed his sentiment regarding the Fairview and Girard Park issues, wishing for a similar level of scrutiny. He noted that the vote had transpired swiftly, and he believed that a more extensive discussion period was warranted. In emphasizing the importance of individual Council members' rights to preview and review, he underscored his desire for both the body and the audience to grasp the significance of the proposed change, which, as he aptly pointed out, comprised a mere eight words.

ADJOURNMENT

Mr. Horton extended a warm and heartfelt welcome to Mr. Spagel, expressing his appreciation for the exceptional pool of candidates they had to choose from. He conveyed his pride in welcoming Mr. Spagel as his new colleague and looked forward to the opportunity to serve alongside him.

Mr. Spagel expressed his gratitude to his new colleagues and conveyed his deep appreciation for the opportunity presented to him. He eagerly looked forward to

servicing Erie County, humbly acknowledging that he was in the process of learning the intricacies of the role. He stated he was anticipating gaining valuable mentorship during his tenure, hoping to bring a sense of civility to the political arena, despite his initial naivety in this field. He candidly acknowledged sensing negative vibes but expressed his optimism that such an atmosphere would not persist. He stated his primary focus was the budget, understanding that their duty was to provide a service and make well-informed decisions. He affirmed his commitment to objectivity, demonstrating indifference to political parties and humorously noting that the only person he heeded was his wife.

Mr. Spagel made a motion to adjourn the meeting.

***The next Finance/Personnel Committee Meetings are Thursday, August 24, 2023 at 4pm in room 114A, Erie County Courthouse or via Zoom.**

***The next Regular Meeting of County Council is Tuesday, August 29, 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.**