

MINUTES

**Erie County Council**

WATCH A MEETING ON  
YOUTUBE –  
LINK AVAILABLE AT  
[www.eriecountypa.gov](http://www.eriecountypa.gov)



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

**REGULAR MEETING MINUTES**

**Tuesday, March 17, 2020**

**PLEDGE OF ALLEGIANCE**

**OPTIONAL PRAYER OR INVOCATION**

Mrs. Schauerman led the optional prayer: May your peace be in our hearts, your grace in our words, your love in our hands, and your joy in our souls. May your love surround us, your spirit guide us, voice cheer us, and peace calm us, your shield protect us, your wisdom arm us, wherever you may lead us.

**ROLL CALL**

Members Present: Mr. Anderson; Mrs. Clear; Mr. Horton; Mr. Rastetter; Mrs. Rennie; Mrs. Schauerman; Mr. Shank

Also Present: Douglas R. Smith, James Sparber, Tracey Fugagli, Thomas Talarico; Nicole Inan

**HEARING OF THE PUBLIC**

Chairman Horton clarified that there were two individuals who signed up to speak at this meeting; however, with the COVID-19 Virus, we are practicing social distancing, and they are not in attendance and no other citizens present to be heard.

**Randy Barnes, District 5**

Not Present.

**Diana Ames**

Not Present.

**Other**

**MINUTES FROM PREVIOUS MEETING**

**March 3, 2020 - Regular Meeting**

Kim Clear moved to approve the minutes from the March 3, 2020 Regular Meeting. This was seconded by Ellen Schauerman and carried in a 7 - 0 vote.

**REPORTS OF COUNTY OFFICIALS****County Executive and/or her Designee**

James Sparber reported on behalf of the County Executive. The County Executive would like to express her thanks to the people and businesses in Erie County for all they are doing to prevent the spread of COVID-19. She is aware of how difficult this is, particularly for those who have been put out of work and those have had to close businesses. She wants to assure all residents that not only are we working hard every day to save lives, but we are also looking with the assistance of our many partners to find ways to help reduce the financial impacts that this will have on people individually, and our community as a whole. Tonight she wanted to particularly thank Erie County Council for their partnership as we deal with this pandemic.

Mr. Horton, on behalf of Council, returned the gesture by thanking the County Executive for her leadership in these difficult times.

**Finance Committee -Mrs. Clear**

Mrs. Clear reported that the Finance Committee met on March 12, 2020 and have put forth for the agenda Old Items A & B: Ord. 9, 2020 - First 2020 Library Fund Budget Supplemental Appropriation of \$20,000 for Matching Beehive Grant from Friends of the Library, and Ord. 10, 2020 - 2020 General Revised Fund Budget Expenditure of \$200,000, Creation of Line Item For Community College Professional Expenses; and New Items A, B, F, & G: Ord. 11, 2020 - Seventh 2020 General Fund Budget Supplemental Appropriation of \$50,000 for County Response to COVID-19 Virus, Ord. 12, 2020 - First 2020 Capital Projects Fund Budget Supplemental Appropriation of \$750,000 and Creation of New Line Items For Children & Youth Renovations on 2nd Floor Office, Res. 10, 2020 - Authorization To Apply For A Keystone Planning Grant From The Pennsylvania Department Of Education, & Res. 11, 2020 - Establishing a Community Pilot COVID Response Fund to Limit Disruption of Erie Economy by SARS CoV-2 with Our Community Partner and Lead Economic Development Team.

**Personnel Committee - Mr. Shank**

Mr. Shank reported that the Personnel Committee met on March 12, 2020 and have put forth for the agenda New Items C, D, E, H & I: Ord. 13, 2020 - 2020 General Fund Budget Revised Expenditures of \$36,724 and Creation of New Maintenance Supervisor Position for County Facilities, Ord. 14, 2020 - First 2020 Public Health Fund Budget Supplemental Appropriation of \$41,263 Data Analysis Grant and Creation of New Special Project Secretary II Position, Ord. 15 - Eighth 2020 General Fund Budget Supplemental Appropriation of \$32,044 For District Attorney Office Elimination of Chief Deputy District Attorney &

Creation of Assistant District Attorney Position, and Possible Appointments of Betsy Bort and Kara Murphy.

**Other**

Mr. Horton prefaced the remainder of the meeting by stating "Tonight we're going to take action on behalf of the citizens of the Commonwealth, particularly here in Erie County. We know that we can not meet all of the needs that are sure to occur because of the COVID-19 Virus, but we want to ensure the residents that the County, County Executive, Business Community, and Philanthropic Community are all rolling in the same direction in the unprecedented times that we are in. Rest assured that the County is doing everything it can to prevent the spread of COVID-19." He went on to thank his colleagues for all of their cooperation during this time as well.

**Citation - Mr. Paul Foust**

Mr. Smith read the citation in full: Paul M. Foust (1929-2020) WHEREAS, Surrounded by his family, Paul M. Foust passed from this world on February 28, 2020 at the age of 90 years; the son of Arthur Arden and Amelia Marie Foust; and WHEREAS, Paul was born and raised in the City of Erie; a graduate of Strong Vincent High School; lettered in basketball and baseball, helping the Colonels win the 1947 City baseball championship as a senior; enlisted in the U.S. Airforce in 1947, serving with distinction in the Korean War; and WHEREAS, Paul met his future wife, Jacque, in Southport North Carolina; they married and returned to Erie where they began their family together; Paul worked at Hammermill while earning a Social Studies Education Degree (later a Masters) at Edinboro State Teachers College; began teaching at Harborcreek in 1958, where he influenced thousands of young minds over a 34 year career; captured eight Erie County League and one District Ten Title as Head Coach of the baseball team while compiling a record of 396-200-3; advised the Model UN Program there, and later directed the entire program for Gannon University; he served as Harborcreek Park Director for 20 years; and WHEREAS, Paul was a major force in the successful early collective bargaining of teachers in our area; was active in many political campaigns; served twice as Erie County Democratic Party Chairman; was elected to Erie County Council in 1983, serving until 1995, proudly casting votes to establish the Blasco Library on the bayfront and to begin construction on Jerry Uht Park; served on the Erie County Convention Center Authority; he also served on U.S. Senator Arlin Specter's West Point selection committee; and WHEREAS, Paul lived a rich full life, had a deep impact on anyone who interacted with him; he will be sadly missed by his many friends, his wife of 65 years, and his 8 children: Keith Foust (Kari Ann), Karen Foust, Kristy Foust, Kevin Foust (Martha), Kim Thompson (Jim), Kyle Foust (Casey), Kerry Badach (Chet), and Kenneth Foust. He reveled in his role as Papa and will be greatly missed by his many grandchildren; Ryan, Andy, Kristen, Paul R., Anna, and Evan Foust, Derek Hoenes (Jena), Jared and Amelia Thompson, Jacob, Molly, and Daniel Badach, Emily and Elisabeth Stoll, Brooke Quarisa (Mike), Amber Anderson and his great grandchildren; Aryonna and

Carter Foust, Amariya Crosby, Domani and A'leynah Carter, Leighton Hoenes, Warren Quarisa, and Logan and Eli Anderson. He is also survived by sister-in-law Donna White and six nieces and nephews; David Biletchnikoff (Liesel), Amy Biletchnikoff-Oldach (Mark) and Stephanie Penninger, Shawn and Stephen White, and Shelby Geiger. NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council in celebration of the life of Paul M. Foust declare March 26, 2020, opening day of Major League Baseball as "Paul Foust Day" in Erie County in recognition of a life lived in the service of his family, his community, and for his love of the game. IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 26th day of March, 2020.

Mr. Anderson stated that he had the opportunity to know and work with Mr. Foust over the past many years. Although we know that this year's Major League Baseball will be delayed, it's no less significant that March 26th was chosen to be named as Paul Foust Day because of his love of baseball and his commitment to the Erie community. March 26th should be no less significant because of this delay in opening season, and we should all celebrate community togetherness and family in honor of Paul Foust.

Mr. Shank acknowledged the thousands of lives of students that Mr. Foust touched. Mr. Shank had Mr. Foust as a teacher, as a graduate of the class of '81; growing up with the Foust family. He reflected that the reason that he sits here as a Councilman now, is most likely because of the influence that Mr. Foust had on his education. His loss will definitely be felt in the Harborcreek School District.

Chairman Horton named Mr. Foust as a great public servant, acknowledging that the loss will be felt by all of Erie County. Mr. Horton has worked over the past several years with many of the Foust family, and it is clear that the Foust legacy will live on strong.

## **OLD BUSINESS**

Mr. Horton stated that earlier in the year it was expressed that in the interest of transparency Council tries to keep items to a First Reading; however, in this instance of the state of emergency our County is in, an exception will be made this evening.

### **Second Reading of Ordinance Number 9, 2020 "First 2020 Library Fund Budget Supplemental Appropriation of \$20,000 Match from Friends of the Library for ECGRA Beehive Grant" (Finance Committee)(First Reading**

Mr. Smith gave a Second Reading of Ordinance Number 9, 2020 "First 2020 Library Fund Budget Supplemental Appropriation of \$20,000 Match from Friends of the Library for ECGRA Beehive Grant." This was moved by Kim Clear, seconded by Carl Anderson and carried in a 7 - 0 vote.

03/03/2020)

**Second Reading of Ordinance Number 10, 2020, "2020 General Fund Budget Revised Expenditure of \$200,000 for Community College Related Expenses" (Finance Committee)(Rec'd First Reading 03/03/20)**

Mr. Smith gave a Second Reading of Ordinance Number 10, 2020, "2020 General Fund Budget Revised Expenditure of \$200,000 creation of line item for Community College Related Expenses." This was moved by Mary Rennie, seconded by Scott Rastetter and carried in a 7 - 0 vote.

Mr. Anderson thanked Councilwoman Rennie for bringing this Ordinance forward to help alleviate any uncertainty regarding this particular line item that Council has worked on, and in particular correcting the mistake that was made in the naming this line item in our budget of all of the items in the budget, Mr. Anderson named this one a "hot topic budget issue." It was debated; passed by Council; Vetoed by the County Executive; and eventually overridden by the Council to set these funds aside in a Community College Fund in County Council's budget. Mr. Anderson stated that he has been explaining to people since budget time that if they want to look at the transparency to look at the budget; it in fact was not properly titled and could not be seen. Moving this Ordinance forward ensures transparency and follows the intent of this Council. He voiced concerns in that when this body passes something, how it can be perceived as anything but what was passed into law. Solicitor tells us that Council does not allow powers to be eroded. Action item 42, was specifically set up as Community College Reserve Fund. Mr. Anderson accepts that this is an oversight; and hope that it is not any indication of anything further to come that this Council is surprised about. He continues to ask the question as to how the line item name got changed. He is in support of moving the Ordinance forward and for the transparency in the community.

Mrs. Schauerman clarified that this money was set aside last year, this is not additional money being set aside. Just renaming the line.

Mr. Horton clarified that the line states "Community College Reserve Funds," which should read "Restricted Funds." Tomorrow would have been the Community College Evidentiary Hearing, but due to the circumstances that have caused that to be pushed off, the wisdom of putting that money aside has shown to be very good strategy because we do not know what legal expenses may be extra now that this time has been expanded.

**NEW BUSINESS**

Mr. Anderson asked to amend the agenda under new business to move Ordinance 11, 2020 to a Second Reading, to add the name of Jeanne Burns to possible appointment to the OCY Advisory Board, and to add Resolution 12, 2020. This was moved by Carl Anderson, seconded by Kim Clear and carried in

a 7 - 0 vote.

**First Reading of Ordinance Number 11, 2020 "Seventh 2020 General Fund Budget Supplemental** Mr. Smith gave a Second Reading of Ordinance Number 11, 2020 "Seventh 2020 General Fund Budget Supplemental Appropriation of \$50,000 for County Response to COVID-19 Virus."

**Supplemental Appropriation of \$50,000 for County Response to COVID-19 Virus" (Finance Committee)** Mr. Anderson motion to amend Ordinance Number 11, 2020 including the face-sheet and exhibits to add an addition \$50,000 to make a total amount of \$100,000, seconded by Kim Clear, and passed in a 7-0 Vote.

Mr. Smith gave a Second Reading of Ordinance Number 11, 2020 "Seventh 2020 General Fund Budget Supplemental Appropriation of \$100,000 for County Response to COVID-19 Virus." This was moved by Mr. Anderson, Seconded by Mrs. Schauerman, and passed in a 7-0 vote.

**First Reading of Ordinance Number 12, 2020, "First 2020 Capital Projects Fund Budget Supplemental** Mr. Smith gave a First Reading of Ordinance Number 12, 2020, "First 2020 Capital Projects Fund Budget Supplemental Appropriation of \$750,000 and Creation of New Line Items For Children & Youth Renovations on 2nd Floor Office."

**Appropriation of \$750,000 and Creation of New Line Items For Children & Youth Renovations on 2nd Floor Office" (Finance Committee)**

**First Reading of Ordinance Number 13, 2020, "2020 General Fund Budget Revised Expenditures of \$36,724 and Creation of New Maintenance Supervisor Position for County Facilities."** Mr. Smith gave a First Reading of Ordinance Number 13, 2020, "2020 General Fund Budget Revised Expenditures of \$36,724 and Creation of New Maintenance Supervisor Position for County Facilities."

**(Personnel Committee)**

**First Reading of Ordinance Number 14, 2020, "First 2020 Public Health Fund Budget Supplemental Appropriation of \$41,263 Data** Mr. Smith gave a First Reading of Ordinance Number 14, 2020, "First 2020 Public Health Fund Budget Supplemental Appropriation of \$41,263 Data

**2020 Public Health Fund Budget Supplemental Appropriation of \$41,263 Data Analysis Grant and Creation of New Special Project Secretary II Position" (Personnel Committee)** Analysis Grant and Creation of New Special Project Secretary II Position."

**First Reading of Ordinance Number 15, 2020, "Eighth 2020 General Fund Budget Supplemental Appropriation of \$32,044 For District Attorney Office Elimination of Chief Deputy District Attorney & Creation of Assistant District Attorney Position" (Personnel Committee)** Mr. Smith gave a First Reading of Ordinance Number 15, 2020, "Eighth 2020 General Fund Budget Supplemental Appropriation of \$32,044 For District Attorney Office Elimination of Chief Deputy District Attorney & Creation of Assistant District Attorney Position."

**Resolution Number 10, 2020, "Authorization To Apply For A Keystone Planning Grant From The Pennsylvania Department Of Education." (Finance Committee)** Mr. Smith read Resolution Number 10, 2020, "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 11, 2020, "Establishing a Community Pilot COVID Response Fund to Limit Disruption of Erie Economy by SARS CoV-2 with Our Community Partner and Lead** Mr. Smith read Resolution Number 11, 2020, "Establishing a Community Pilot COVID Response Fund to Limit Disruption of Erie Economy by SARS CoV-2 with Our Community Partner and Lead Economic Development Team."  
Mr. Anderson moved to amend this Resolution that was suggested by the Council Solicitor: Reflecting a new title of "In support of the Establishment of a COVID-19 Response Fund by Erie County Gaming Revenue Authority (ECGRA)," along with the additional language changes that have been provided

**Economic Development Team" (Finance Committee)**

to all members of Council for review. This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

Mr. Horton highlighted the work of the County Council office staff; recognizing that duress may have been put on our office staff and Attorney Talarico in putting this together in short notice. Thanked both.

Mr. Anderson thanked Chairman Horton as being progressive and proactive leadership, particularly in this issue. It is a time of unprecedented time of great crisis to the point that we may not know the extent of it. With the leadership of Mr. Horton and the rest of Council, and working with Administration, he feels very comfortable that the citizens of Erie County and being looked after and cared for. As the Ordinance to give the County Executive her request at funding, and having increased that funding tonight to add much needed funds to the Administration and the different Departments, particularly the Department of Health, Mr. Horton's leadership has been paramount. This Resolution extends the partner in ECGRA encouraging them to vote on Thursday for this GAP funding for the community and to show the community at large that externally we have a stake in things that happen. There will be many disruptions, but working together and following with leadership we will get through this crisis and those to come.

Chairman Horton -- Thanked Mr. Anderson for all of his assistance; stating that it is a team effort. He thanked the entire Erie community, first responders, John Grappy, and all of our county employees.

Mr. Smith took vote on proposed amendments to Resolution, 11, 2020 - passed 7-0. Roll Call was taken on the Resolution, as amended and was passed 7-0.

Roll Call on 11 as amended

**Possible appointment of Betsy Bort to the Erie County Industrial Development Authority to fill a vacant, at-large seat, the five-year term ending December 31, 2024. (County Executive)(Personnel Committee)**

Mr. Smith read the "Possible appointment of Betsy Bort to the Erie County Industrial Development Authority to fill a vacant, at-large seat, the five-year term ending December 31, 2024." This was moved by Carl Anderson, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

**Possible appointment of Kara Murphy to the Erie**

Mr. Smith read the "Possible appointment of Kara Murphy to the Erie County Library Board, replacing Kristin Bowers member-at-large seat, for a term ending

**County Library Board,  
replacing Kristin Bowers  
member-at-large seat, for a  
term ending June 30, 2022.  
(County  
Executive)(Personnel  
Committee)**

June 30, 2022."This was moved by Mary Rennie, seconded by Scott Rastetter and carried in a 7 - 0 vote.

**ADJOURNMENT**

Possible appointment of Jeanne Burns to the Office of Children and Youth Advisory Board, Ending December 31, 2023.

Mrs. Schauerman commented that she has known Mrs. Burns a long time, that she has a master in science and nursing, and has a working relationship with the OCY. This was moved by Ellen Schauerman, seconded by Brian Shank and carried in a 7 - 0 vote.

Resolution 12, 2020 "Erie County Contribution to COVID-19 Response Fund."  
Moved by Mr. Anderson, Seconded by Mr. Shank and carried in a 7-0 vote.

Mr. Anderson applauds the Chair as adding this Resolution as a compliment to other items passed tonight. Hopefully showing the larger community we are truly here as a partner, and encourage full participation in this effort.

Mr. Horton thanked all of the Council. New insight and new vision has been gained from gaining the new members. There is a new political will to make tough choices. Thankful for the willingness of the body to be open to the things that come from the Chair.

Mrs. Clear stated that the leadership that has been demonstrated by all of Council and Administration, she is honored to be working with everyone in doing things that are really helping people. Far surpassing what is being done on all other governmental levels, and beyond impressed on what we can do here in Erie County.

Adjourned 7:45 pm

**The next  
Finance/Personnel Meeting  
is scheduled for April 2,  
2020 at 4:00 PM in Room  
114A of the Erie County  
Courthouse. The next  
Regular Meeting of Erie  
County Council is  
scheduled for April 7, 2020**

**at 7:00 PM in Fiore Leone  
Erie County Council  
Chambers, Room 117 of  
the Erie County  
Courthouse.**