

MINUTES

**Erie County Council**

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

**REGULAR MEETING MINUTES**

**Tuesday, June 9, 2020**

**PLEDGE OF ALLEGIANCE**

**OPTIONAL PRAYER OR INVOCATION**

Mr. Horton yielded the optional prayer to hold a moment of silence for eight minutes and forty-six seconds, acknowledging the recent wrongful death of George Floyd, the same length of time that police officer Chauvin pinned down Mr. Floyd by kneeling on his neck causing him to lose consciousness. Mr. Horton also stated that in Erie County, we had our own "I can't breathe" case with Mr. Felix Manus two years ago. Mr. Manus had been incarcerated for owing \$750 on his child support. He died of asphyxiation due to an asthma attack suffered while in custody of Erie County Corrections' employees while on work release. Medical treatment was delayed as they sent him back to the pre-release center instead of calling 911. Mr. Manus called for help for nearly 30 minutes before an ambulance was called. Mr. Manus never gained consciousness and died eleven days later.

**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**

**Randy Barnes, District 5**

Mr. Barnes expressed that over the past six months there have been some radical changes in our society, including COVID-19 and the murder of George Floyd. Mr. Barnes noted that events such as the wrongful death of Floyd are the things that make society appear uncivil. He voiced concern for the Federal, State, and County budgets. Mr. Barnes pointed out that currently we have no revenue coming in from the local baseball field, not much from the convention center or

hotels along the bayfront. Mr Barnes voiced that the Gaming Revenue money might not be available in five years time. He discussed the former decision to expand the runway at the airport for safety reasons, but the decision to update, and spend more, to accommodate cargo planes; he stated that instead of the original estimate of \$20 million, the County spent \$80 million. He suggests that the Gaming Money is being used in non-traditional ways. He stated we have two problems that don't seem to jive: (1) We don't have jobs for all of these college graduates & (2) We don't "need" another college. He asked that instead workforce transformation, such as that of NPRC, be more closely considered. Although the vote may end up as a yes for the community college, Mr. Barnes reminds that it will still be a few years before education can even begin; he again urged the consideration of NPRC in this instance. In addition, he suggested that the College Committee should be ended, as it has done what it set forth to do.

Freda Tepfer --Many individuals in the City of Erie are concerned about how services that are delivered in the community in the police force are completed out of tradition or habit, and that many times things are put in the hands of social services. Ms. Tepfer commented that there is a group of individuals meeting with the Mayor about such. She encouraged the county government to work closely with the city for identifying functions by the police and social services that could better be handled by the other. She went on to state her support for the community college; as she is a product of several herself. She emphasized the need to do something about the inter-generational poverty in the community and to prepare people for the change in the advancing job market.

**MINUTES FROM PREVIOUS MEETING**

**May 26, 2020 - Regular Meeting** Brian Shank moved to approve the minutes from the May 26, 2020 Regular Meeting. This was seconded by Mary Rennie and carried in a 7 - 0 vote.

**REPORTS OF COUNTY OFFICIALS**

**County Executive and/or her Designee** None to report.

**Finance Committee -Mrs. Clear** Finance Committee Chair Clear reported that the Finance Committee met on June 4, 2020 and present for second readings items A & B on the Agenda, as well as new business items A, B, C, D & E.

**Personnel Committee -** Mrs. Rennie reported that the Personnel Committee met on June 4, 2020. No

**Mrs.Rennie**

new business to report.

**Other**

Mr. Rastetter asked Clerk Smith to read aloud the citation for Fat Monn's Grub recent outstanding service to the community:

Fat Monn's Grub (2020): WHEREAS, Jason Monn, former Mayor and Corry City Councilman, and his wife Janet Monn, established Fat Monn's Grub January 5, 2018 in the City of Corry, Pennsylvania; and WHEREAS, Pennsylvania Governor, Tom Wolf, proclaimed the existence of a disaster emergency on March 6, 2020 in the Commonwealth in regard to the COVID-19 pandemic; all businesses of non-life sustaining necessity, including schools, were ordered March 19, 2020 to close; and WHEREAS, Jason and Janet Monn recognized the immediate need to assist in providing the children of Corry and surrounding communities; inspired by the thought of their own children Max and Enola, Fat Monn's provided 31,107 meals from March until the end of May 2020 for families in need; and WHEREAS, With the power of volunteers, Fat Monn's Grub has been at the center of social change and outreach, bringing positive change and solution to a challenge facing our complex world; gathering community support from volunteers and businesses alike; assistance overflowed by full-time volunteer Nancy Dingfelder, Rosbacher Insurance, Riverside Structures, the Erie Regional Chamber and Growth Partnership, and people from all areas of the country as they united; and WHEREAS, Fat Monn's is doing their part to change the world, encouraging everyone to "#BeLikeCorry." NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council, add our voices to the chorus of congratulations from a grateful community for the work and spirit shown by Fat Monn's Grub and it's Volunteers, who inspire us by giving life's greatest gift---- from their heart to those in need. IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County on this 9th day of June, 2020.

Mr. Anderson gave an Election Board update: Stated the entire community owes an extreme debt of gratitude to Mr. Smith, Tonia Fernandez, the staff, the members of the community, and the volunteers; we cannot have put forth an election without any of these components. He stated that it is an usual year, an unusual election year, and in many ways unprecedented in the amount of things that have not been seen in the past, including the number of mail-in and absentee ballots that have come in and the 40,000 applications that had been processed, and returned 29,000 ballots--- this is nine times the entire amount of absentee ballot of 2019. Mr. Anderson thanked candidates and campaigns for their patience and understanding, and although frustrated, they are understanding that it is a meticulous process. The Election Board needs to certify the election by June 24th; they are planning on meeting June 22nd to do such. Per the Governor's orders, Elections has until the end of day today today to designate the election period. By day end all of the initial votes will be counted, there are over 900 provisional votes to be adjudicated, 700 ballots to be hand counted, and then

write in ballots to be adjudicated--- which will take up until the time for certification. Need to adjust the space, more work stations connected with the state, more employees for fall election, look to state to change pre-canvassing to earlier time period. Mr. Anderson complimented Chairman Horton on the campaign that he ran; he may have not won the vote, but certainly accomplished many of the objectives that had been set out.: Got the word of those in the community whose the voice is often unheard, whose voice is ignored, and who need someone to stand forward and speak for them in an honorable and respectful way. Also continued to stay the course with bringing community education to Erie County. Mr. Anderson recognized that Chairman Horton ran a very respectful and consistent campaign, that stayed true to himself.

Mrs. Clear echoed the comments of Mr. Anderson, and congratulated all candidates on a good race.

Mr. Anderson gave a COVID-19 update: Council has been financially and morally supportive during this time. After last Friday's press conference that was held on the Court house steps, however, it is time for Council to speak up in more of an aggressive way on items that have not gone right in this particular situation. He stated the thing of greatest concern is the inconsistency of the County Executive and Administration. It seems that they are willing to accept the praise when things are good, but are quick to finger point when not so. Mr. Anderson encouraged the public and media to start asking the tough and pointed questions. He stated that the first time there seemed to be difficulties, the County Executive lay blame on the Director of Health, who was then side lined in giving us updates; then the County Executive blamed Council for not supporting her activities and not providing the financial support to fight the crisis; then she blamed the entire Health Department; last Friday she turned the blame on the governor. He asked when is the leadership going to take responsibility? if we didn't under report, would have acknowledged the communities that were having outbreaks, then perhaps we would have the numbers we are reporting now. He stated that the County Executive has said to listen to government and authority or will suffer consequences; yet, Friday she said that the community should defy what the government and governor say and move to green phase because the county doesn't have the resources to enforce the mandates. He stated that she has sent an inconsistent message to the community, and in particular the business community who have a license at risk. He stated that she has acted irresponsibly. To say that we do not have the resources available in this community to fight the crisis is a farce; not only do we have over a million dollars to fight the crisis, but the Council has also vowed to support anything the County Executive and Administration need to fight it. The Council put together a priority ordered for the Administration of how the COVID crisis should be dealt with as far as a priority of reimbursing expenses; yet, the Administration still consistently only focused on the reimbursing of expenses of items already in the 2020 budget. He went on to say that it is outrageous to seek reimbursement for things already

covered in the budget, and then to say there is not enough resources in the budget to cover the COVID when those resources have been used in such a manner. In addition Mr. Anderson pointed out that this community is going to receive more than \$24.5 million on July 15th for funds used to fight the COVID-19 crisis. Of which, the County Executive sits on a committee that is to ensure those funds are spent in a way she wants them spent. Mr. Anderson implored that the community needs to demand that we have consistent leadership. No other County Executive or leader in this country has split their duties and added a second County Executive, which is illegal under the Home Rule Charter. Mr. Anderson stated that the Chairman has reached out several times on this matter, with no response.

Chairman Horton further commented that he has requested on numerous occasions for the County Executive to address the County regarding the violation of the Home Rule Charter under Article III; he has encouraged the Administration to consult with the solicitor on the matter and stating that Council's solicitor needs to write a letter again requesting such. Public has a right to know that County Executive is not fulfilling her duties as she was elected to do. Mr. Horton clarified that the Charter states that the only time the County Executive is able to turn those duties over is if absent or incapacitated; of which she is neither. He believes the community needs to be alerted that Gary Lee has been the acting County Executive since March 26th.

Mrs. Rennie stated that she has an issue with the fact checking. She feels that the departments and individuals within the county have done a phenomenal job meeting the needs brought on from this crisis. She stated that everyone involved, including the Administration, deserve ample credit for their work. County Administration and County Council appear to be on opposing sides, which it does not need to be portrayed as such. Mrs. Rennie feels that the County Executive was not suggesting to defy the Governor's order, rather another political candidate had done so at the same conference. She feels that there are ways of making a statement in favor in needs of this community without making an attack on others who are doing the best job that they can be going forward.

Mr. Rastetter stated that he was also surprised at last Friday's position that the County Executive and Representative Ryan Bizzarro chose to voice their message regarding going against the Governor's wishes. Mr. Rastetter stated that numerous individuals in his district are complaining about still being in the yellow phase. The fire dept losing money because it can't get revenues out of rental income. Mr. Rastetter voiced this constituents in the outlying county feel that the county is suffering because most of the cases are in the city whom are disregarding the precautions that need to be taken. The system needs to be explained better for changing the phases; or any result and consequences of what we want. He understands that County Executive doesn't feel that she has received all of the metrics from the Governor; she should call the congressman

and find out the real details. Mr. Horton responded that generalizing city versus county is not productive. He stated that he has seen groups of people in those outlying communities just the same as the city. He pointed out that with the virus, there is no way to know who has it unless tested or get sick. He acknowledged that there are many cases in the city; however, in general it is a case of bad habits in the community - going to the beach, and other activities now that the weather allows. Mr. Rastetter implored that the numbers speak for themselves.

Mr. Shank agrees with Mr. Rastetter about there being numerous complaints in the east county (District 5) area. He states that the press conference that was held was filled with misdirection. He feels that representatives are to lead by example and set bar high. He stated that the County Executive was so vague and misguided in what will and will not be enforced. He emphasized that it would have been nice to have any members of county Council invited to the press conference, but it was only the state representatives and the County Executive. He questioned why the districts weren't being represented. He stated that Representative Bizzarro has no authority in making comments about the county going green. The Governor had stated publicly that if counties go green and disobey the orders, insurance and licenses would be pulled.

Mr. Anderson acknowledged Councilwoman Rennie's comments, stating that this Council has supported the staff and employees of this county. Have applauded them and given credit where credit is due, and that the work and sacrifices made are greatly appreciated. He stated he is taking a shot at leadership. Leadership needs to take responsibility for actions; specifically the County Executive. This Council has also time and time again supported and praised her efforts, but when those efforts are inconsistent, she needs to explain herself to this Council and the community in general that is a consistent message.

Mr. Horton agreed that the Press Conference did send a mixed message and sprung many questions from small business owners. He agrees that Representative Bizzarro's comments about disregarding the order and act as a green phase was totally irresponsible. Mr. Horton's recommendation to everyone is to follow the regulations of the CDC.

## **OLD BUSINESS**

### **Second Reading of Ordinance Number 25, 2020, "Fourteenth 2020 General Fund Budget Supplemental**

Mr. Smith gave a Second Reading of Ordinance Number 25, 2020, "Fourteenth 2020 General Fund Budget Supplemental Appropriation of \$24,334 for Insurance Coverage Change in Office of Controller." This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

**Appropriation of \$24,334  
for Insurance Coverage  
Change in Office of  
Controller"(Rec'd 1st Read  
5/26/20)**

**Second Reading of  
Ordinance Number 26,  
2020, "Fifteenth 2020  
General Fund Budget  
Supplemental  
Appropriation of \$1,500  
and Creation of Line Item  
for Protection from Abuse  
Fees." (Rec'd 1st Read  
5/26/20)**

Mr. Smith gave a Second Reading of Ordinance Number 26, 2020, "Fifteenth 2020 General Fund Budget Supplemental Appropriation of \$1,500 and Creation of Line Item for Protection from Abuse Fees." This was moved by Kim Clear, seconded by Brian Shank and carried in a 7 - 0 vote.

**NEW BUSINESS**

Mr. Anderson motioned to move Ordinances 29, 30, & 31 to a Second Reading. This was seconded by Mrs. Rennie, and accepted in a 7-0 vote.

**First Reading of Ordinance  
Number 29, 2020,  
"Sixteenth 2020 General  
Fund Budget Supplemental  
Appropriation of  
\$9,469 For Year End June  
30, 2020 Funding Shortfall  
For the Erie Metro Transit  
Authority." (Finance  
Committee)**

Mr. Smith gave a Second Reading of Ordinance Number 29, 2020, "Sixteenth 2020 General Fund Budget Supplemental Appropriation of \$9,469 For Year End June 30, 2020 Funding Shortfall For the Erie Metro Transit Authority."

Mr. Anderson deferred to Erie County Council Solicitor, Tom Talarico, on the ability to amend the Ordinance to include reimbursement by COVID-19 funds by the Administration. Mr. Anderson motioned for the amendment, seconded by Mrs. Clear, and passed in a 7-0 vote.

Mr. Rastetter stated that he has received numerous calls from his constituents with concerns that, in general, individuals feel EMTA vehicles are over used, and often are seen with little to no individuals on the buses.

Vote on the Amended Ordinance passed 7-0.

**First Reading of Ordinance  
Number 30, 2020,  
"Seventeenth 2020 General  
Fund Budget Supplemental  
Appropriation of \$100 for  
Covid-19 Donation and**

Mr. Smith gave a Second Reading of Ordinance Number 30, 2020, "Seventeenth 2020 General Fund Budget Supplemental Appropriation of \$100 for COVID-19 Donation and Creation of New Line Item." This was moved by Carl Anderson, seconded by Ellen Schauerma and carried in a 7 - 0 vote.

**Creation of New Line Item."(Finance Committee)**

**First Reading of Ordinance Number 31, 2020, "Second 2020 Public Health Fund Budget Supplemental Appropriation of \$91,529 For Additional Grant Funds Allowed to be Used for the Data Analysis and Dissemination Grant as of June 30, 2020 and Creation of New Line Items." (Finance Committee)** Mr. Smith gave a Second Reading of Ordinance Number 31, 2020, "Second 2020 Public Health Fund Budget Supplemental Appropriation of \$91,529 For Additional Grant Funds Allowed to be Used for the Data Analysis and Dissemination Grant as of June 30, 2020 and Creation of New Line Items." This was moved by Carl Anderson, seconded by Scott Rastetter and carried in a 7 - 0 vote.

**Resolution Number 27, 2020 "Appointment of Deputy Tax Collector for Conneaut Township, Erie County"** Mr. Smith gave a reading of Resolution Number 27, 2020 "Appointment of Deputy Tax Collector for Conneaut Township, Erie County." This was moved by Ellen Schauerma, seconded by Kim Clear and carried in a 7 - 0 vote.

**Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 29-016-064.1-003.99** Mr. Smith gave a reading of Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 29-016-064.1-003.99. This was moved by Scott Rastetter, seconded by Carl Anderson and carried in a 7 - 0 vote.

**ADJOURNMENT**

Mr. Horton adjourned the meeting at 5:52PM.

**The next Finance and Personnel Committee Meetings are scheduled for Thursday July 16, 2020 at 4 pm. The next Regular Meeting of Council is scheduled for 4 pm on Tuesday, July 21, 2020. Attendance will be open to the public via zoom**

**conference until further notice. Details will be published on the County website;  
[www.eriecountypa.gov](http://www.eriecountypa.gov).**