

The City Council met in regular session in the Council Chambers on Wednesday, June 19, 2013 at P.M.

Council Members present: Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

On motion of Mr. Witherspoon, Seconded by Mr. Winarski the reading of the minutes of the Meeting of June 5, 2013 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

Copies of the bills under date of June 14, 2013, June 21, 2013 and June 28, 2013 were given to City Council and same adopted by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

By Mr. Witherspoon, Council File No. 15,834, Pending Official File Ordinance No. 13 -2013
An ordinance amending Official Ordinance No. 80-2005 known as the Zoning Ordinance of the City of Erie by **changing the classification** of the property located at **McClelland and the Bayfront Highway**, being approximately 38 acres, from C-3 (Central Business District) to C-2 (General Business District) per request of Vendetti Brothers Associates.

June 19, 2013. City Council on motion of Mr. Witherspoon, Seconded by Mr. Merski, having read Council File No. 15,834, now known as Pending Official File Ordinance No. 13 - 2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Jones, Merski, Witherspoon and Winarski. 5. Nays 2. Mr. Evans, Mrs. Horan-Kunco.

June 19, 2013, Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No. 15,835, Pending Official File Ordinance No. 14-2013
An ordinance appropriating the sum of **\$14,254.46** from unappropriated and unanticipated revenue for the reimbursement of the purchase of EMS prevention supplies for the fire department.

June 19, 2013. City Council on motion of Mr. Merski, Seconded by Mr. Brennan having read Council File No. 15,835, now known as Pending Official File Ordinance No.14 - 2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays 0.

June 19, 2013, Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No. 15836, Pending Official File Ordinance No. 15-2013
An ordinance appropriating the sum of **\$83,300.00** from unappropriated and unanticipated revenue for the reimbursement of the purchase of fire prevention supplies for the fire department.

June 19, 2013. City Council on motion of Mr. Merski, Seconded by Mr. Brennan having read Council File No.15,836 now known as Pending Official File Ordinance No.15 -2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays 0.

June 19, 2013, Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 15,837, Pending Official File Ordinance No 16-2013
An ordinance appropriating the sum of **\$100,058.00** from unappropriated and anticipated revenue and providing for the expenditure thereof. 2013 Insurance Fraud Prevention Authority.

June 19, 2013. City Council on motion of Mr. Witherspoon, Seconded by Mrs. Horan-Kunco having read Council File No.15,837, now known as Pending Official File Ordinance No. 16-2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays 0.

June 19, 2013, Signed by the President. Attested by the City Clerk.

By Mr. Evans, Council File No. 15,838, Pending Official File Ordinance No. 17-2013

An ordinance appropriating the sum of **\$2,887,689.00** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD); **\$440,748.74** reprogrammed funds from previous Community Development Block Grant (CDBG) years; and **\$30,000.00** program income for a total of **\$3,358,437.74** for the FY 2013 projects.

June 19, 2013. City Council on motion of Mr. Evans, Seconded by Mr. Jones having read Council File No. 15,838 now known as Pending Official File Ordinance No. 17-2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Council File No. 15,839, Pending Official File Ordinance No. 18-2013

An ordinance appropriating the sum of **\$625,431.00** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD) and **\$237,464.85** program income for the total of **\$862,895.85** for the HOME (M13) projects.

June 19, 2013. City Council on motion of Mr. Evans, Seconded by Mr. Jones having read Council File No. 15,839 now known as Pending Official File Ordinance No.18-2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Council File No. 15,840 Pending Official File Ordinance No. 19-2013

An ordinance appropriating the sum of **\$203,223.00** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD) for the Emergency Solutions Grand (ESG '13) project.

June 19, 2013. City Council on motion of Mr. Evans, Seconded by Mr. Jones having read Council File No.15,840 now known as Pending Official File Ordinance No. 19-2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

Pursuant to proper legal advertising notice is hereby given that on **Wednesday, June 19, 2013 at 8:00 PM in the City of Erie Municipal Building City Council Chambers** located at 626 State Street, Erie, PA 16501 the City Council of The City of Erie held a **public hearing** to consider enacting the following: Ordinance of the City of Erie authorizing execution of a [Cable Franchise Agreement](#) between the City and Erie Telecommunications, Inc. D/B/A Time Warner Cable. A copy of the full text of the ordinance may be examined at the address set forth above, during normal business hours from 8:30 AM to 4:30 PM Monday through Friday.

By Mr. Evans, Seconded by Mr. Jones, Resolved etc.

That the City Solicitor is hereby authorized and directed to prepare an ordinance **amending [Article 147 Police Relief and Pension Association](#)**, of the Codified Ordinances of the City of Erie, definitions relating to disability, service connected disability, surviving spouse, survivor, traumatic event, disability not service connected, eligibility for and calculation of Pension Payment, duration of payments, enhanced Service Connected Disability Retirement Pension and Ineligibility for Deferred Retirement Option Programs, and surviving spouse benefits.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski .7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved etc.

That the proposed Repository sale of property commonly known as **722 Ash Street**, and identified by Erie County Assessment Index Number 14-010-016.0-102.00 by the Erie County Tax Claim Bureau to Rose A. Glover, 724 Ash Street, Erie, PA in the amount of \$250.00 is hereby approved.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved, etc.

That the Mayor and other appropriate City officials are hereby authorized to amend **the agreement** between the City of Erie and Erie Redevelopment Authority pertaining to the **Disposition Program**. The amendment will increase the contract amount by \$1,600, from \$20,000 to \$21,600.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved, etc.

That the Mayor and other appropriate City officials are hereby authorized to **execute an agreement** between the City of Erie and **Peter J. Smith and Company, Inc.**, 1896 Niagara Street, Buffalo, NY 14207 for consulting services to prepare a Background Analysis for the City of Erie Comprehensive Plan. The total compensation to be paid to Peter J. Smith and Company, Inc., under the agreement is not to exceed \$36,750, per the RFP dated May 14, 2013.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved, etc.

Authorizing the filing of an **application for designation** as **Keystone Main Street** with the Department of Community and Economic Development (hereinafter "DCED"), Commonwealth of Pennsylvania.

WHEREAS, the Erie Downtown Partnership (EDP) is desirous of obtaining designation as a Keystone Main Street Community from DCED, and
WHEREAS, the Erie Downtown Partnership has prepared an application for designation in conformance with the guidelines established by DCED; and
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Erie does hereby

1. Support the request for designation as a Keystone Main Street Community as proposed by the EDP.
2. Support the Vision and Mission Statement and Five-Year Action Strategy as prepared by the EDP.
3. Indicate its willingness to be represented and participate on the board and such committees as appropriate.
4. Authorize the Erie downtown Partnership to act as the implementing organization for such Keystone Main Street and upon any future funding requests to DCED that may evolve from this designation, to support such requests through future municipal resolutions and to enter into a cooperation agreement with the EDP for the purpose of the orderly administration of such funds as may be granted to this program by DCED.
5. State that the ongoing support of Paragraphs one (1) through four (4) above are contingent upon the EDP demonstrating on an annual basis, its ability to effectively work toward the attainment of the Vision Statement and implement the Five-Year Action Strategy as prepared by the Erie Downtown Partnership and dated 11/19/2009 as a requested part of the application required by DCED, a copy of each of which are attached to and made part of this resolution.

BE IT FURTHER RESOLVED, that the City of Erie is directed to execute a certificate attesting to the adoption of this resolution and to furnish a copy of the certified resolution to DCED.

BE IT FURTHER RESOLVED, that the Mayor and other appropriate City officials are hereby authorized to sign a Cooperation Agreement with the EDP in order to facilitate the filing of a proposal for funds with DCED.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved, etc.

That the Mayor and other appropriate City officials are hereby authorized to **execute** the necessary agreements with subrecipients to carry out the following **Emergency Solutions Grant** (FY 2013) projects:

506-1254-2013-4404	SafeNet-Bridge House	\$11,613	Req#612187
506-1254-2013-4420	Community of Caring	\$ 9,954	Req#612188
506-1254-2013-4429	Community Shelter Svs	\$22,811	Req#612189
506-1254-2013-4474	GECAC-Rapid Rehouse	\$66,049	Req#612190
506-1254-2013-4511	City Mission	\$23,225	Req#612191
506-1254-2013-4419	SafeNet	\$18,663	Req#612192
506-1254-2013-4521	Mercy Cen./Women	\$11,197	Req#612193
506-1254-2013-4522	The Refuge	\$13,272	Req#612194
506-1254-2013-4570	SafeNet-TLC	\$ 2,488	Req#612195
506-1254-2013-4591	St. Pat's Haven	\$ 8,710	Req#612196

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved, etc.

That the Mayor and other appropriate City officials are hereby authorized to **execute** the necessary agreements with subrecipients to carry out the following **Community Development Block Grant** (FY 2013) projects:

501-1252-2013-4406	Multicultural Comm. Resource Ctr.	\$ 17,000	Req#612165
501-1252-2013-4421	Comm. Health Net-Renovations	\$ 35,200	Req#612166
501-1252-2013-4435	BTW Center-Human Resources	\$ 15,000	Req#612167
501-1252-2013-4452	ERA-Façade Renovation	\$ 57,000	Req#612168
501-1252-2013-4459	Hamot Found/Wayne Center	\$ 10,000	Req#612169
501-1252-2013-4471	GECAC-Weatherization	\$ 6,000	Req#612170
501-1252-2013-4477	GECEC-In Home Services	\$ 8,250	Req#612171
501-1252-2013-4508	St. Paul Neighborhood Clinic	\$ 10,000	Req#612172
501-1252-2013-4518	Trinity Ctr-Human Resources	\$ 10,000	Req#612173
501-1252-2013-4520	JFK Center-Human Resources	\$ 15,000	Req#612174
501-1252-2013-4535	MLK Center-Human Resources	\$ 15,000	Req#612175
501-1252-2013-4566	St. Martin Center	\$ 40,000	Req#612176
501-1252-2013-4581	ERA-Disposition	\$ 25,000	Req#612177
501-1252-2013-4582	ERA-Housing Rehab	\$200,000	Req#612178
501-1252-2013-4583	ERA-Acquisition	\$ 25,000	Req#612179
501-1252-2013-4585	ERA-Relocation	\$ 10,000	Req#612180
501-1252-2013-4606	ERA-Housing Rehab-Lead	\$200,000	Req#612181
501-1252-2013-4435	BTW Center-Summer Rec	\$ 9,680	Req#612182
501-1252-2013-4447	YMCA-Summer Rec	\$ 11,000	Req#612183
501-1252-2013-4518	Trinity Ctr-Summer Rec	\$ 12,785	Req#612184
501-1252-2013-4520	JFK Center-Summer Rec	\$ 12,785	Req#612185
501-1252-2013-4535	MLK Center-Summer Rec	\$ 4,750	Req#612186

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Seconded by Mrs. Horan-Kunco, Resolved, etc.

That the Mayor and other appropriate City officials are hereby authorized to **execute** the necessary agreements with subrecipients to carry out the follow [HOME](#) (FY 2013) projects.

505-1239-2013-4463	Stairways-Acq/Rehab/Rental	\$160,000.00	Req#612197
505-1239-2013-4464	SSJ Neighborh.Rental Rehab	\$107,000.00	Req#612198
505-1239-2013-4488	HANDS-Acq/Rehab/Rental	\$517,654.85	Req#612199
505-1239-2013-4504	HANDS-CHDO Operating	\$ 15,698.00	Req#612200

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk

By Mr. Merski, Seconded by Mr. Brennan, Resolved, etc.

That the proper City officials are authorized and directed to enter into an [Easement Agreement](#) with **the Multicultural Community Resource Center, 554 East 10th Street, Erie, PA 16503** for the installation of a flagpole, with a one foot (1') diameter base, that will stand fourteen feet (14') from East 10th Street and a hundred and twelve feet (112') from Ash Street at its center. The flagpole will reside in the lawn strip between the sidewalk and street, in accordance with Exhibit "A."

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk

By Mr. Merski, Seconded by Mr. Brennan

That the Mayor and City Controller are authorized and directed to execute contracts between the City of Erie and the following individuals and/or companies for goods and/or services as noted and the City Council does hereby ratify and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **Dave Hallman Chevrolet**, 1925 State Street, Erie, PA 16501, for a 2013 Chevy Silverado 3500 HD truck with 9 foot dump body, for the Bureau of Parks, in the Department of Public Works at \$34,557.00.
2. **Dave Hallman Chevrolet**, 1925 State Street, Erie, PA 16501, for a 2013 Chevy Silverado 2500 HD truck with lift gate, for the Bureau of Sewer Collection, in the Department of Public Works at \$32,884.00.
3. **Mayer Brothers Construction**, 1902 Cherry Street, Erie, PA 16502, for the 2013 Curb Sidewalk and Apron Replacement, various locations, in the Department of Public Works, in the amount of \$19,669.30.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

June 19, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Merski, Seconded by Mr. Brennan, Resolved, etc.

That the Purchasing Agent is authorized and directed to issue purchase orders to the following individuals and/or companies for goods and/or services as noted and the City Council does hereby ratify and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **McCormick Structural Systems Inc.** 1345 West 12th Street, Erie, PA 16501 for the demolition at 548 West 17th Street for the Department of Economic & Community Development at a total cost of \$6,925.00.
2. **Michael E. Zobrak**, 1217 Pleasant Street, Aliquippa, PA 15001 for the 2012 Firefighter Arbitration fees for the Office of Solicitor at a total cost of \$3,000.00.
3. **North Eastern Uniforms & Equipment Inc.** 2305 West 12th Street, Erie, PA 16505-4539, work uniform items, for the Bureau of Police at unit prices (from 2011 bid).

4. **North Eastern Uniforms and Equipment, Inc.** 2305 West 12th Street, Erie, PA 16505-4539, for supplying all uniforms and equipment per proposal #6295-2011 for the Bureau of Fire at unit prices.
5. **Lowe's**, 1930 Keystone Drive, Erie, PA 16508 for roofing materials for the Bureau of Parks, in the amount of \$3,745.33.
6. **GameTime**, PO Box 11407, Birmingham, AL 35246 for the purchase of a playground slide for the Bureau of Parks at a total cost of \$4,255.20.
7. **Joseph McCormick Construction Co, Inc.** 3340 Pearl Avenue, Erie, PA 16510, for the removal and replacement of four (4) in-ground basketball systems at Spoons' Courts for the Bureau of Parks at a total cost of \$8,960.00.
8. **Jemko Petroleum Equipment**, 4895 East Lake Road, Erie, PA 16511-1477 for repairs to the fuel tanks for the Bureau of Streets at a cost of \$2,700.00.
9. **A & H Equipment**, 1124 McLaughlin Run Road, Bridgeville, PA 15017 for the repair of the 2005 Vactor Sewer Cleaning truck for the Bureau of Sewers at a total cost of \$2,700.00.
10. **National Vacuum Company**, 408 47th Street, Niagara Falls, NY 14304 for the cleaning of #2 boiler breach at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$2,995.00.
11. **National Vacuum Company**, 408 47th Street, Niagara Falls, NY 14304 for the removing of grit from #2 Grit Chamber at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$3,715.00.
12. **Robinson Pipe Cleaning**, 2656 Idlewood Road, Pittsburgh, PA 15205 for the emergency sewer cleaning of the sewers on Buffalo Road for the Bureau of Sewers at a total cost of \$8,667.50.
13. **Robinson Pipe Cleaning**, 2656 Idlewood Road, Pittsburgh, PA 16205 for the emergency sewer cleaning of the sewers in the South Shore Drive area for the Bureau of Sewers at a total cost of \$14,192.50.

June 19, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.
 June 19, 2013 Signed by the President. Attested by the City Clerk.

June 19, 2013 City Council on motion of Mr. Witherspoon, Seconded by Mr. Winarski adjourned at 10:09 P.M. by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

President of City Council

Attest:

City Clerk