

The City Council met in regular session in the Council Chambers on Wednesday, July 17, 2013 at 7:30 P.M.

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

On motion of Mr. Merski, Seconded by Mr. Brennan the reading of the minutes of the Meeting of July 3, 2013 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0. Mrs. Horan-Kunco was absent.

Copies of the bills under date of July 19, 2013, July 26, 2013 and August 2, 2013 were given to City Council and same adopted by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

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By Mr. Merski, File No.15,841, Pending Official File Ordinance No.20-2013

An ordinance **repealing Official File Ordinance 109-1991, Article 343 et seq.** Cable Communications Systems, of the Codified Ordinances of the City of Erie, and further authorizing the proper City Officials, by resolution, to enter into a cable franchise agreement between the City of Erie and Erie Telecommunications, Inc., d/b/a Time Warner Cable.

July 17, 2013. City Council on motion of Mr. Merski, Seconded by Mr. Winarski having read Council File No. 15,841, now known as Pending Official File Ordinance No. 20 - 2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays 0.

July 17 2013, Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 15,842, Pending Official File Ordinance No. 21-2013

An ordinance appropriating the sum of **\$4,500.00** from the Erie County Department of Health for the Erie County Safe Routes to School Initiative and providing for the expenditure thereof.

July 17, 2013. City Council on motion of Mr. Winarski, Seconded by Mr. Jones having read Council File No. 15,842, now known as Pending Official File Ordinance No.21 - 2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays 0.

July 17, 2013, Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon Council File No 15,843

An ordinance appropriating the sum of **\$22.69** from unappropriated and anticipated revenue and providing for the expenditure thereof. 2010 JUSTICE ASSISTANCE [GRANT](#)

July 17, 2013. City Council on motion of Mr. Witherspoon, Seconded by Mr. Winarski having read Council File No. 15,843 does hereby adopt on First Reading by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Evans, Council File No. 15,844

An ordinance **amending** the Codified Ordinances of the City of Erie Part One (Administrative Code), Title Seven (Employment Provisions; Pensions), **Article 147 ([Police Employees' Pension Plan](#))** by amending Sections 147.03 and 147.05 by adding definitions relating of "Disability," "Service-Connected Disability," "Surviving Spouse," "Traumatic Event," and amending "Survivor," and amending the provisions regarding Disability Retirement in order to clarify the requirements for such benefits.

July 17, 2013. City Council on motion of Mr. Evans, Seconded by Mr. Jones having read Council File No. does hereby adopt on First Reading by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013. Signed by the President. Attested by the City Clerk.

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

Pursuant to the provisions of Zoning Ordinance No. 80-2005 and a Public Hearing held on Wednesday, July 3, 2013, the request for **Waterfront Conditional Use** Commercial Hammermill District by the Erie County DUI Program, Inc. for a change in use at 1306 East Lake Road from a credit union (bank) to a semi-public and office in a WC-3 District is hereby approved by City Council provided that the applicant erects at least a 6' privacy fence between the property and the neighbor immediately north.

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski .6. Nays. 0.

July 17, 2013. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized to enter into the **renewal agreement** between Time Warner and the City of Erie under the terms stated in the agreement appended hereto.

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Witherspoon, Resolved, etc.

That the offer from Leonid and Svetlana Burdak to purchase the [vacant strip of land](#) located adjacent to 728 East Eight Street, Erie, PA and being approximately 1.5 feet by 70 feet, bearing Erie County Assessment Index No. (14) 1022-136, for the sum of \$30.00 is hereby received and accepted and authorizing the City Solicitor to process the necessary legal documents to expedite said sale of this City owned property by Quit-Claim Deed. Purchasers are solely responsible for all recording costs and transfer taxes associated with this transfer.

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013. Signed by the President. Attested by the City Clerk.

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

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. **Homecourt Sports Inc.**, 222 Hemlock Road, St. Mary's, PA, 15857 for the amount of \$5,680.00 for the painting and minor crack repairs to (4) basketball courts. (Parks and Recreation).

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Evans, 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. **APX Enclosures, Inc.** 200 Oregon Street, Mercersburg, PA 17236-1630 for the replacement of an electrical box due to a hit and run vehicle accident for the Department of Risk Management at a total amount of \$2,298.00.
2. **Cummings Bridgeway**, 4494 Solutions Center, Chicago, IL 60677-4004 for the emergency repair work performed on the Beast grinder at the Compost Site for the City of Erie at a total amount of \$16,821.01.
3. **Les Frickshun Products**, PO Box 426, Reno, PA 16343 for motor oil for the Municipal Garage of the Department of Public Works at a total amount of \$2,028.00.
4. **Microsoft Store**, One Microsoft Way, Redmond WA 98052 for (2) [Microsoft Surface](#) Pro Tablets, (2) Surface type cover keyboards, and (2) Surface cases used in the police cruisers as Mobile Data Terminals for the Bureau of Police at a total amount of \$2,321,98.
5. **Nobel Industrial Supply Corporation**, PO Box 630152, Douglaston, NY 11363-0152 for degreaser for the Municipal Garage of the Department of Public Works at a total cost of \$3,875.06.
6. **Potters Industries, Inc.**, PO Box 840, Valley Forge, PA 19482 for 6,000 lbs. of [Fiberglass Beads](#) for the Bureau of Streets, Paint and Signs Division at a cost of \$2,760.00.
7. **RCI Electrical Systems**, 5955 Lake Pleasant Road, Erie, PA 16509, for loop detectors repair for the Department of Public Works, at a total cost of \$15,860.00.
8. **Westmoreland Supply** to purchase Paint for [Street Line Painting](#) for the Bureau of Streets, Paint and Signs Division at a cost of \$8,396.00.

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013 Signed by the President. Attested by the City Clerk.

### **Waive Rules**

By Mr. Evans, Seconded by Mr. Merski, resolved, etc.

That the City Clerk is hereby authorized and directed to advertise for a public hearing on Wednesday August 21, 2013 at 8:00 P.M. in City Council Chambers, relative to the bus route changes that recently took effect by Erie Metropolitan Transit Authority that re-routed buses from State at 10<sup>th</sup> Street to Peach and French Streets.

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

July 17, 2013 Signed by the President. Attested by the City Clerk.

### **Waive Rules**

By Mr. Jones, Seconded by Mr. Winarski, resolved, etc.

Authorizing the proper officials of the City of Erie Administration to release the \$7,000.00 approved by City Council as a transfer on May 15, 2013 for the Youth Summer Job Project from Account 002-0101-0000-4041 Professional Services to General Government.

July 17, 2013. City Council adopt by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 5. Nays. 1. Mr. Merski.

July 17, 2013 Signed by the President. Attested by the City Clerk.

July 17, 2013 City Council on motion of Mr. Merski, Seconded by Mr. Brennan adjourned at 8:40 P.M. by yeas Council Members Brennan, Evans, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0.

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President of City Council

Attest:

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City Clerk