

The City Council met in regular session in the Council Chambers on Wednesday, October 2, 2013 at 9:00 A.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 September 18, 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 October 4, 2013 and October 11, 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.

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By Mr. Brennan, Council File No. 15,847 Pending Official File Ordinance No. 26-2013

An ordinance vacating and closing a certain public alley, located between **West 18<sup>th</sup> and West 19<sup>th</sup> Streets**, and **between Cherry Street and Walnut Street**, in the City of Erie, PA, running approximately 130' north and south, to be closed at the north end of the alleyway, where it enters into another alleyway.

October 2, 2013. City Council on motion of Mr. Brennan, Seconded by Mr. Merski having read Council File No. 15,847, now known as Pending Official File Ordinance No. 26-2013 does hereby adopt on Final Passage by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays 0.

October 2, 2013, Signed by the President. Attested by the City Clerk.

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Pursuant to the proper legal advertising, the City Council held a **Public Hearing on Wednesday, October 2, 2013 at approximately 9:30 AM in City Council Chambers**, 626 State Street, Municipal Building, Erie, Pa. to hear testimony concerning the **Inter-Municipal Transfer of Liquor License** No. R-7855 from KM AND C Inc. trading as PAPA Joe's Pepperoni Café' located at 3826 West Ridge Road in Millcreek Township, County of Erie, Pennsylvania to Pineapple Productions, LLCT-A Pineapple Eddie Southern Bistro, 1402 West 10<sup>th</sup> Street, Erie, Pennsylvania.

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

That Pursuant to Public Hearing held before City Council on Wednesday, October 2, 2013 and the provisions of Act 141 which requires the consent of the Pennsylvania Liquor Control Board, the request of Atty. Russell S. Warner to [transfer Liquor License R-7855](#) from KM AND C Inc. trading as PAPA Joe's Pepperoni Café' located at 3826 West Ridge Road in Millcreek Township, County of Erie, Pennsylvania to Pineapple Productions LLCT-A Pineapple Eddie Southern Bistro, 1402 West 10<sup>th</sup> Street, Erie, Pennsylvania, is hereby approved.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski .7. Nays. 0.

October 2, 2013. Signed by the President. Attested by the City Clerk.

October 2, 2013

By Mr. Winarski, Seconded by Council Members Brennan, Evans, Horan-Kunco, Jones, Merski and Witherspoon

**RESOLVED BY THE COUNCIL OF THE CITY OF ERIE THAT**

**WHEREAS**, Erie City Council wishes to pay special tribute to **Chief of Police Stephen E. Franklin**, upon his retirement from the City of Erie Bureau of Police, and,

**WHEREAS**, Chief Franklin, has served on the Police Force for 33 years as a dedicated and conscientious officer to the Erie community and has rose through the ranks from Patrolman, in the Family Crisis Unit, as Street Sergeant Supervisor, Lieutenant and Shift Supervisor, a Special Operational Coordinator and Auto Theft Investigator and was appointed Chief of Police in May 2006, and,

**WHEREAS**, Chief Franklin, has given back to the community he served by being very active in the Boys and Girls Baseball program where he has served as president and League Commissioner for twenty-seven years, so,

**THERE BE IT RESOLVED** by the Council of the City of Erie, that this commendation is hereby presented to Police Chief Stephen E. Franklin for his loyalty and public service to the Erie Police Force, and his commitment to service in our community.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 2013. Signed by the President. Attested by the City Clerk.

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

That the Financial Statements and Independent Auditor's Report of the Erie Area Council of Governments for 2011 and 2012, compiled by Sean T. Sullivan, CPA, PC is hereby received and placed on file in the Office of Budget and Finance.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 2013. Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Solicitor are respectfully requested to review the [Rental Housing Permit Suspension Ordinance](#) of the Borough of State College, Pennsylvania, for legality and the feasibility of enacting a similar ordinance for the City of Erie and report their findings thereon back to City Council.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 2013. Signed by the President. Attested by the City Clerk.

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

That the communication from Mayor Joseph Sinnott notifying City Council that he has [reappointed Gwendolyn White](#) to the Erie County Convention Center Authority Board to a term that is set to expire on 12/31/16. City Council receives and confirms.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 2013. Signed by the President. Attested by the City Clerk.

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

That the Enterprise Zone Loan Review committee approval of the following loan be formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
<b>American Tinning &amp; Galvanizing</b>	<b>\$76,306.00</b>	<b>5 years</b>	<b>\$381.53</b>

These funds have been made available through the Commonwealth of Pennsylvania Enterprise Zone Program and the Erie Enterprise Zone Revolving Loan Fund and loan repayments. The loan will be charged against account number 310-0000-0000-1007. The interest rate is fixed at 4.0% per annum. A one-time loan processing fee based on ½ of 1.0% of the amount financed will be assessed to the client. The City Solicitor's office will assist with the preparation of the loan documents for this transaction. City Council further directs that the proper City Officials are authorized to sign the necessary documents and agreements effectuating same.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 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 execute an [Easement Agreement](#) between the City of Erie and Laith A. Wardi, 11 East 4<sup>th</sup> Street, Erie, PA 16506 being the owner of 11 East 4<sup>th</sup> Street, Index (14) 1002-208, in compliance with the attached City Engineer's metes and bounds description locating a sign easement. A minimum sign height of ten (10') feet is required above the sidewalk.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 2013. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Seconded by Mr. Witherspoon, 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 **Waste Management of Pennsylvania Inc. Lake View Landfill**, 851 Robison Road East, Erie, PA 16509 for the three year contract for [Landfill tipping fees](#) for ash, sludge and grit for the Bureau of Sewers at unit costs. Incinerated Ash (per ton)-Year 1 \$35.58, Year 2-\$36.29, Year 3-\$37.02. Sludge, Grit, Etc., (per ton)-Year 1 \$36.58, Year 2-\$36.29, year 3-\$37.02.
- 2 **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 16506 for labor and equipment for [Emergency](#) Sewer Work 2014 for the Bureau of Engineering at unit prices (from 2010 Bid).
- 3 **Jeffrey Associates**, PO Box 335 Indianola, PA, 15051, for the purchase of playground equipment for the Bureau of Parks at a total cost of \$22,811.00.
- 4 **Contemporary Landscape Designs**, 8841 Hamot Road, Waterford, PA 16441, for Lawn Maintenance and Weed Control for Various Park areas for a term of two years at \$6,984.29 per month beginning on April 1, 2014 and ending on October 31, 2016.

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 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. **Robson Forensic**, 425 First Avenue, Pittsburgh, PA 15219 for the expert fees for litigation (Disselhoff v City) for the Office of Solicitor at a total cost of \$2,500.00.
2. **CDW-G**, 75 Remittance Drive, Suite 1515, Chicago, IL 60675-1515 for a three year renewal of the VMware [software maintenance](#) agreement for the Office of Computer Services of the City of Erie at a cost of \$2,307.36.
3. **CDW-G**, 75 Remittance Drive, Suite 1515 Chicago, IL 60675-1515 for a one year renewal of the NetApp [hardware maintenance](#) agreement for the Office of Computer Services at a cost of \$5,000.00.
4. **Northshore Technological, Inc.** 3618 West 12<sup>th</sup> Street, Erie, PA 16505 to replenish [stock of PC's](#) and monitors for the Office of Computer Services at a cost of \$5,990.00.
5. **Shaffer Technology**, 1001 State Street, Suite 1400, Erie, PA 16501 to renew support on Laserfiche and for three (3) additional user [licenses](#) for the Office of Computer Services at a cost of \$6,380.00.
6. **Mulkearn Painting**, PO Box 617, Erie, PA 16512, for the installation of epoxy flooring system in bathrooms at Glenwood Park for the Bureau of Parks at a total cost of \$7,600.00.
7. **Chemung Supply Corp.** PO Box 527, Elmira, NY 14902 for [Steel Cutting](#) Edges for Bureau of Streets, at a cost of \$18,864.00.

8. **Omni Waste Oil Equipment**, 5714 First Avenue, Spokane, WA 99212 for a [waste oil furnace](#) for the compost facility equipment building for the Bureau of Sewers at a total cost of \$5,880.00.
9. **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 16506 for materials only for installing one catch basin and under drains at 42<sup>nd</sup> and Long View for the Bureau of Sewers as follows: \$6,945.43 (Material Costs Only).

October 2, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 2, 2013 Signed by the President. Attested by the City Clerk.

October 2, 2013 City Council on motion of Mr. Merski, Seconded by Mr. Brennan adjourned at 10:02 A.M. by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk