

The City Council met in regular session in the Council Chambers on Wednesday, April 2, 2014 at 9:00 A.M.

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

On motion of Mr. Witherspoon, Seconded by Mrs. Horan-Kunco the reading of the minutes of the Meeting of March 19, 2014 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

Copies of the bills under date of April 4, 2014 and April 11, 2014 were given to City Council and same adopted by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

By Mr. Jones, Council File No. 15,869, Pending Official File Ordinance No.15 -2014

An Ordinance appropriating the sum of **\$350,000.00** from unappropriated and anticipated revenue to be received from the PA Department of Community and Economic Development for the [SNOOPS](#) Neighborhood Elm Street Program.

April 2, 2014. City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski, having read Council File No. 15,869 , now known as Pending Official File Ordinance No.15 -2014 does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays 0.

April 2, 2014, Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,870, Pending Official File Ordinance No. 16-2014

An ordinance **amending the Codified Ordinances of the City of Erie, Part Three (Business Regulation and Taxation Code)**. Title One, Article 330 (Landlord and Rental), Subsection 330.03(b)(2) (Registration Required for Rental Units) and Subsection 330.04(a) (Licensing Required for Rental Units) by amending Sections 330.03(b)(2) and adding new subsection 330.04 (a)(9) to condition the issuance of a Residential Rental Unit and Residential Rental License on the requirement that all delinquent residential refuse fees associated with each unit be paid and accounts kept up to date.

April 2, 2014. City Council on motion of Mr. Merski, Seconded by Mr. Kwitowski, having read Council File No. 15,870, now known as Pending Official File Ordinance No. 16-2014 does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays 0.

April 2, 2014, Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 15871, Pending Official File Ordinance No. 17-2014

An ordinance appropriating the sum of **\$165,000.00** from the City of Erie Capital Fund Unrestricted Fund Balance. This amount represents contributions from Gannon University (\$100,000.00) and Erie Indemnity (\$65,000.00) for the purchase of capital assets in the Police Department.

April 2, 2014. City Council on motion of Mrs. Witherspoon, Seconded by Mrs. Horan-Kunco having read Council File No. 15,871, now known as Pending Official File Ordinance No. 17 -2014 does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays 0.

April 2, 2014, Signed by the President. Attested by the City Clerk.

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

WHEREAS, Governor Thomas Corbett, has proposed closing the Erie office of the Pennsylvania Civil Service Exam Center in his 2014-2015 State Budget, and

WHEREAS, the closing of the Erie Exam Center would require all applicants for State Civil Service Jobs to travel to Pittsburgh for the next nearest test site, and force some five thousand job seekers each year to drive over 260 miles, round trip, to be tested, and,

WHEREAS, the closing of this office will again put additional road blocks in the path of lower income job seekers who are trying to better themselves, so,

THEREFORE BE IT RESOLVED, by the Council of the City of Erie that we strongly urge our state legislators to provide the appropriate funds in next year's State Budget to keep the Pennsylvania Civil Service Erie Exam Center open, and forward copies of this resolution to State Senator Sean Wiley, Assemblymen Patrick Harkins, Flo Fabrizio, Ryan Bizzarro, Greg Lucas, Curt Sonney and Jack McGettigan Commission Press Secretary, and Governor Thomas Corbett.

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

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

WHEREAS, Ontario Power Generation is proposing to construct an underground long-term burial facility for all of Ontario's low and intermediate level radioactive nuclear waste at the Bruce Nuclear Generating Station, some of which is highly radioactive and will remain toxic for over 100,000 years. This site is approximately one kilometer inland from the shore of Lake Huron and about 400 meters below lake level;

WHEREAS, water is our most important resource and should be protected and managed prudently;

WHEREAS, the Great Lakes are an irreplaceable natural resource, containing 21% of the worlds, and 95% of North America's fresh water vital to human and environmental health;

WHEREAS, the Great Lakes are vital to the economic and agricultural well-being to both Canada and the United States of America;

WHEREAS, Lake Huron and the connecting waters, including Lake St. Clair, are a source of drinking water for millions of people downstream in Canada, the United States of America and First Nations;

WHEREAS, concern has been expressed by individuals, citizen and environmental groups and municipalities and counties in both Canada and the United States;

WHEREAS, under the *2012 Protocol Amending the Agreement Between Canada and the United States of America on Great Lakes Water Quality*, the governments of Canada and the United States acknowledge the importance of anticipating, preventing and responding to threats to the waters of the Great Lakes;

WHEREAS, the Governments of Canada and the United States share a responsibility and an obligation to protect the Great Lakes from contamination from various sources of pollution, including the leakage of nuclear waste from an underground nuclear waste repository;

WHEREAS, placing a permanent nuclear waste burial facility so close to the Great Lakes is ill-advised. The potential damage to the great Lakes from any leak or breach of radioactivity far outweighs any suggested economic benefit that might be derived from burying radioactive nuclear waste at this site. The ecology of the Great Lakes, valuable beyond measure to the health and economic well-being of the entire region, should not be placed at risk by storing radioactive nuclear waste underground so close to the shoreline;

NOW THEREFORE BE IT RESOLVED, that the City of Erie Pennsylvania, in order to protect the Great Lakes and its tributaries, urges that neither this proposed nuclear waste repository at the Bruce Nuclear Generating Station, nor any other underground nuclear waste repository be constructed in the Great Lakes Basin, in Canada, the United States, or any First Nation property.

BE IT FURTHER RESOLVED, the City of Erie Pennsylvania urges the Government of Canada and the Government of Ontario to reject (and seek alternatives to) Ontario Power Generation's proposal to bury radioactive nuclear waste in the Great Lakes Basin.

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

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

WHEREAS, the City of Erie and Neighborhood Watch 13 SNOOPS Association on interested in addressing the overall residential need of the Association's SNOOPS Neighborhood Watch area within the City of Erie, and,

WHEREAS, the City has prepared and adopted the SNOOPS Neighborhood Elm Street Plan which has specific housing goals and objectives for the Neighborhood that correspond with and to the Keystone Communities Elm Street Program requirements: and,

WHEREAS, the City has applied for and received funds from the Pennsylvania Department of Community and Economic Development under the Keystone Communities/Elm Street Program on behalf of the Association: and,

WHEREAS, the DCED Program funding is designated for (1) personnel and related administrative costs of the Program manager via an Elm Street Operational Grant and (2) neighborhood improvement activities via an Elm Street Residential Revitalization Grant; and,

WHEREAS, the Program requires that a qualified, sustainable organization be responsible for coordinating the implementation of the Program.

THEREFORE, it is hereby resolved by the Council of the City of Erie that:

The Mayor and other appropriate City officials are hereby authorized to execute an agreement between the City of Erie and Neighborhood Watch 13 SNOOPS Association whereby the City of Erie will make grant funds in the Amount of \$348,000.00 available to Neighborhood Watch 13 SNOOPS Association to carry out the Program.

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are hereby authorized to enter into a Grant Agreement in the amount of \$412,899 with the Commonwealth of Pennsylvania for Contract #C00006836. These funds shall be used to undertake a streetscape project for the City's Little Italy Elm Street Neighborhood.

****Pulled at the request of the administration.**

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

That the City of Erie hereby releases any and all City of Erie liens as part of the **proposed sale of property** owned by the Erie Redevelopment Authority to the following individuals who have been determined to meet any programmatic requirements as follows: Property commonly known as **540 West 17th Street** and identified by Erie County Assessment Index Number 16-030-026.0-232.00 by Erie Development Authority to adjoining property owner Abner T. Lagares.

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. 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 hereby authorized to the **Federal Aid Bridge Project Reimbursement Supplement Agreement** No. 010157-A (MPMS No. 58232, Work Order 97284) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the Preliminary Engineering/Study of the City of Erie McBride Viaduct (East Avenue Bridge). Estimated costs for preliminary engineering/study are \$742,021.00. The total amount of the reimbursement is \$722,021.00. Commonwealth incurred costs are estimated to be \$20,000.00. Cost Sharing: Federal \$100%, State 0%, Municipality 0%.

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Controller and other appropriate City officials are hereby authorized and directed to execute an **Architectural and Engineering Services Agreement between the City of Erie and KidderWachter Architecture & Design**, 201 French Street, Erie, PA 16507 for the Architecture and Engineering Design Services Proposed Perry Square Enhancements-Phase 4, Fountain, Multi-Purpose Stage and Site Improvements (as per Perry Square Master Plan, Burt-Hill, April 2008) in the sum not to exceed \$90,000.00.

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are hereby authorized to execute an **Easement Agreement** between the Erie Western Pennsylvania Port Authority, the City of Erie, and Erie Sewer Authority for the placement of a water line located within the City of Erie Water Authority and as more fully set forth in the attached [Exhibit "A"](#).

April 2,, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

By Mr. Jones, 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. **Northshore Technological**, 3618 West 12th Street, Erie, PA 16505, for 10 (ten) Lenovo [PCs](#) for the Bureau of Computer Services at a total cost of \$5,090.00 (Low of 4 quotes).
2. **Joseph McCormick Construction Company, Inc.**, 3340 Pearl Avenue, Erie, PA 16510 for the 2014 Proposed Milling and Asphalt Resurfacing of Various City Streets and Installation of Concrete Curb Ramps-I in the sum of \$466,982.40 (Lowest of three (3) bids received).
3. **Kingsview Enterprises**, 7 West First Street, PO Box 2, Lakewood, NY 14750 for the demolition of 4 properties (attached) for the Department of Economic and Community Development at a total cost of \$25,730.00.
4. **Rohrer Trucking**, 3180 Rte. 6N, Waterford, PA 16441, for the demolition of 2 properties (attached) for the Department of Economic and Community Development at a total cost of \$12,645.00.

April 2, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mrs. Horan-Kunco, 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. **Kolaja Fire Equipment Sales**, 36820 Lake Road, Union City, PA 16438-4040, for 5 sets of lights and brackets, for the Bureau of Police at a total cost of \$12,605.00.
2. **Eni USA R & M Co. Inc. – Cabot**, PA PO Box 7247-7028, Philadelphia, PA 19170-7028, for motor oil and hydraulic oil for the Municipal Garage, Department of Public Works at a total cost of \$2,535.51.
3. **Ganzer Equipment Co.** 5045 Buffalo Road, Erie, PA 16510 for a used Hotsy Hot Water Pressure [Washer](#) in the amount of \$3,450.00 for the Bureau of Streets.

4. **EJ USA, Inc.** PO Box 644873, Pittsburgh, PA 15264-4873 for [risers](#) and markers for the Bureau of Streets at a cost of \$5,027.40.
5. **BissNuss, Inc.**, 2600 Boyce Plaza Road, Pittsburgh, PA 15241 for parts for the [chlorinators](#) used at the Wastewater Treatment Plant to disinfect the final effluent for the Bureau of Sewers at a total amount of \$3,795.28.
6. **Motorola**, 13108 Collections Center Drive, Chicago, IL 60693 for two (2) dual band mid power uhf/vhf radios and accessories for police cruisers for the Bureau of Police at a total amount of 9,536.50.
7. **Eni USA and R&M Co. Inc.-Cabot**, PO Box 7247-7028 Philadelphia, PA 19170-7028 for hydraulic oil for the Municipal Garage at a total amount of \$3,656.59.

April 2, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Merski, Kwitowski, Winarski and Witherspoon. 7. Nays. 0.

April 2, 2014 Signed by the President. Attested by the City Clerk.

March 28, 2014

Members of City Council:

In accordance with Council File No. 13,913, Official Ordinance No. 66-1989 Amending Part One (Administrative Code) revising Article 113 (Mayor) by adding a new Section 113.11 requiring the Mayor or designee of the Mayor to comply with all requirements of Pennsylvania Act 205 of 1984 and to communicate with Council regarding these requirements annually.

This letter is to notify you that the City Controller's Office who functions as the coordinator of the Pension Plans reporting and filing requirements has processed and filed this year's pension reports for the Act 1988-147. The Special Ad Hoc Municipal Police & Firefighter Post Retirement Adjustment Form AG-PF 64, the Certification for Reimbursement (Act 88-1947) Form AG-PF 490, and the filing and Certification for Non-Uniformed Employee Retirement Fund, Firemen's Pension Fund and Police Pension Fund Form AG-PF 385 were submitted by the filing deadline of March 31, 2014. These reports were forwarded by certified mail on and before March 25, 2014 to the:

DEPARTMENT OF THE AUDITOR GENERAL
MUNICIPAL PENSION & FIRE RELIEF PROGRAMS UNIT
320 FINANCE BUILDING
HARRISBURG, PA 17120-0018

In addition, Act 205 Actuarial Valuation Report for all three City of Erie Pensions plans was filed by the deadline date of March 31, 2014 to the:

COMMONWEALTH OF PENNSYLVANIA
PUBLIC EMPLOYEES RETIREMENT COMMISSION
PO BOX 1429
HARRISBURG, PA 17105-1429

I request that this report be made a matter of Council Record at the April 2, 2014 meeting; Copies of all reports are on file in the City Controller's Office and the City Clerk's Office. Please feel free to contact me or my office should any member of Council need any additional information.

Respectfully submitted,
Teresa Stankiewicz, City Controller

April 2, 2014 City Council on motion of Mr. Witherspoon, Seconded by Mrs. Horan-Kunco adjourned at 10:15 A.M. by yeas Council Members Brennan, Horan-Kunco, Jones, Merski, Winarski and Witherspoon. 7. Nays. 0.

President of City Council

Attest:

City Clerk