

The City Council met in regular session in the Council Chambers on Wednesday, April 16, 2014 at 7:30 P.M.

Council Members present: Brennan, Jones, Winarski and Witherspoon, Mr. Merski participated by phone. 5. Nays. 0. Mrs. Horan-Kunco and Mr. Kwitowski were absent.

On motion of Mr. Witherspoon, Seconded by Mr. Winarski the reading of the minutes of the Meeting of April 2, 2014 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Brennan, Jones, Merski Winarski and Witherspoon. 5. Nays. 0.

Copies of the bills under date of April 18, 2014, April 25, 2014 and May 2, 2014 were given to City Council and same adopted by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

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

That Mr. **William Jerin** of 614 Vermont Avenue, Erie PA 16505 is hereby appointed to the Erie Sewer Authority replacing Mr. Lew Baldwin who's resigned and whose term expires 12/13/15.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

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

That Ms. **Robin Wilson** of 4043 Garden Heights, Erie, PA 16508 is hereby appointed to the Erie County Human Relations Commission Advisory Board serving a four-year term expiring March 1, 2018.

April 16, 2014. Signed by the President. Attested by the City Clerk.

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

That **Ms. Jill Hrinda-Patten** of 4130 Neptune Street, Erie, PA 16507 is hereby appointed to the Erie County Human Relations Commission Advisory Board serving a four-year term expiring March 1, 2018

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

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

That **Mr. George Morgan III**, 457 West 2nd Street, Erie, PA 16507 is hereby appointed to the Erie County Human Relations Commission Advisory Board serving a four-year term expiring April 1, 2018.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Winarski, 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 #C000057253. These funds shall be used to undertake a streetscape project in the **City's Little Italy Elm Street Neighborhood**

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

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

WHEREAS, under the Title I of the Housing and Community Development Act of 1974, as Amended, the Secretary of the U. S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the elimination of prevention of slums or urban blight, or activities which will benefit low and moderate income persons, or other urgent community development needs, and,

WHEREAS, under the HOME Investment Partnership Program created by the National Affordable Housing Act of 1990 (NAHA) and amended by the Housing and Community Development Act of 1991, the Secretary of the U. S. Department of Housing and Urban Development is authorized to extend financial assistance to participating jurisdictions to expand the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, under the Emergency Solutions Grants Program contained in the McKinney-Vento Homeless Act, as amended by the Homeless Emergency and Rapid Transaction Act of 2009, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to grantees and nonprofit agencies which provide essential services, operations, homeless prevention, rapid re-housing and shelter rehabilitation for homeless persons; and

WHEREAS, The U.S. Department of HUD has advised the City that FY2014 Entitlements are as follows. CDBG, \$2,849,966; HOME, \$658,817; and ESG \$234,592, and

WHEREAS, in addition to the entitlement funds, the City expects to receive \$10,000 in program income, and \$298,052.24 in reprogramming funds; and

WHEREAS, the Department of Economic and Community Development of the City of Erie has prepared an Annual Plan for the FY2014 funding year which assesses the housing needs of low and moderate income households, homeless families and individuals, and others with special needs; and

WHEREAS, the draft Annual Plan for 2014 was on public display since March 14, 2014, and the City held a Public Hearing on said Annual Plan and the comments of various agencies, groups, and citizens were taken into consideration in the preparation of the final document; and;

NOW, THEREFORE, be it resolved by the Council of the City of Erie, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

- SECTION 1 That the Annual Plan for the FY2014 CDBG, HOME, and ESG Program is hereby in all respects approved and the City Clerk is hereby directed to file a copy of said Annual Plan with the minutes of this meeting.
- SECTION 2 That it is cognizant of the conditions that are imposed in undertaking and carrying out of community development, affordable housing and emergency homeless activities with federal financial assistance, including those relating to (1) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, family status, or national origin and other assurances as set forth under the certifications.
- SECTION 3 That the Mayor, on behalf of the city of Erie, is authorized to file an application for financial assistance with the U. S. Department of HUD which has indicated its willingness to make available a grant to carry out the CDBG Program in the amount of \$2,849,966 Home in the amount of \$658,817, and ESG in the amount of \$34,592 and is further authorized to act as an authorized representative of the city of Erie to sign any and all documents in regard to these programs.
- SECTION 4 That the Mayor, on behalf of the City of Erie, Pennsylvania, is authorized to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as Amended, the National Affordable Housing Act of 1990, and the McKinney-Vento Homeless Act, and also any supplemental or revised data which the U.S. Department of HUD may request in Connection with the review of the application.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk

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

That the Mayor and other appropriate City Officials are hereby authorized to sign a Cooperation Agreement in order to facilitate the Special Conditions associated with a \$2,000,000 grant from the Commonwealth of Pennsylvania through the RACP program

WHEREAS, the Lake Erie College of Osteopathic Medicine has been designated as a recipient of a \$2,000,000 grant from the RACP program for the planning and construction of a 30 chair dental operatory at 2000 West Grandview Blvd, Erie, PA.

WHEREAS in the Special Condition of the grant award require that LECOM and the City of Erie must enter into a Cooperation Agreement,

WHEREAS, LECOM and the City of Erie had previously entered into two separate \$1,000,000 Cooperation Agreements on November 30, 2010 which will, as a requirement of the Special Conditions become null and void,

BE IT RESOLVED, that the City of Erie will reimburse the Commonwealth for the state's share of any expenditures found to be ineligible.

BE IT FURTHER RESOLVED, that LECOM shall indemnify and hold harmless the City of Erie and shall reimburse the City of Erie and/or the Commonwealth of Pennsylvania for any reimbursements that are deemed to be ineligible.

BE IT FURTHER RESOLVED, that the appropriate City of Erie officials are directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy of the Resolution and signed Cooperation Agreement to the appropriate State office.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are hereby authorized to **amend the agreement** between the **City of Erie and HANDS** pertaining to the Acquisition/Rehab/Rental Program. The amendment will increase the contract amount by \$72,465.00, from \$165,000.00 to \$237,465.00.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Winarski, 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 Housing Rehabilitation Program. The amendment will increase the contract amount by \$27,535.00, from \$265,831.00 to \$293,366.00.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk

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

That the following amounts are transferred in the Home Program.

<u>Transferred From</u>			<u>Transferred To</u>		
<u>Amount</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>	<u>Account</u>	<u>Title</u>
\$100,000.00.	505-1239-012-4453	ERA Homebuyer	\$72,465.00	505-1239-2012-4488	Acq/Rehab Rental
			\$ 27,535.00	505-1239-2012-4582	ERA Rehab

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk

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

That the following amounts are transferred in the Project Safe Neighborhood Grant.

<u>Transferred From</u>			<u>Transferred To</u>		
<u>Amount</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>	<u>Account</u>	<u>Title</u>
\$70,000.00	267-0613-2013-4039	Consumable Items	\$35,794.00	267-1613-2013-4079	Office Equip
			\$34,206.00	267-0613-2013-4078	Machinery & Equip

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk

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 **EJ USA Inc.**, 301 Spring Street, East Jordan, MI 49727, for a one (1) year extension for various street/highway castings for the Bureau of Sewers for at unit prices per bid #1675-12 (2/28/2012).
- 2 **Polydyne, Inc.** PO Box 279, Riceboro, GA 31323 to extend the current contract for Cationic Polymer/Clarifloc C-311 for the Bureau of Sewers for an additional year thru May 15, 2015 at the current price of \$.1150/lb delivered.
- 3 **Amendola Development Co Inc.**, 4153 Feidler Drive, Erie, PA 16506 for the 2014 [Curb Ramps](#) Project, Bid 1698-14 for the Bureau of Engineering in the amount of \$188,468.50. **This resolution was pulled by the administration.**
- 4 **All An Act Productions**, 1650 W 39 ST, Erie, PA 16509 for the Footlights Theater Summer Recreational Program for the Bureau of Parks in the Amount of \$25,185.00
- 5 **Pennbriar Athletic Club**, 100 Pennbriar Drive, Erie PA 16509 for the Summer Rec Tennis Program for the Bureau of Parks in the amount of \$7,449.12.
- 6 **ESRI**, File NO 54630, Los Angeles, CA 90074-4630 for the purpose of Geoshield Mapping Software, user licenses, and five (5) year service contract for the Bureau of Police at a total amount of \$35,794.00
- 7 **JFK Center**, 2021 E 20 ST, Erie, PA 16510 for the Summer Rec Program (Spoon's Court Summer Basketball) for the Bureau of Parks in the amount of \$21,663.00.
- 8 **Printing Concepts, Inc.** 4982 Pacific Avenue, Erie, PA 16506 for the 2014 Summer Parks & Recreation Guide for the Bureau of Parks in the amount of \$8,954.00.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. 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. **Potters Industries Inc.**, PO Box 840 Valley Forge, PA 19482 for 24,000.00 lbs. of [fiberglass beads](#) for the Bureau of Streets, Paint & Sign Division, at a total cost of **\$8,640.00**.
2. **Walker Tree and Ground Services**, 12166 Kerr Rd, North East, PA 16428 for the Bureau of Public Works in the amount of **\$6400.00** for tree stump removal.
- 3 **George Winston Co. Inc.** PO Box 429, Erie, PA 16512 for a hot water heater for the Bureau of Fire at a total cost of **\$2,425.00**.
- 4 **Agilent Technologies**, 2850 Centerville, RD, Wilmington, DE 19808 for the annual [service agreement for the labs](#) AA system for the Bureau of Sewers/Treatment, Dept. of Public Works, at a total cost of **\$4,324.08**.
- 5 **Northeastern Communications**, 2527 South Ridge East, Ashtabula, OH 44004 for police car lights for the Municipal Garage, Dept. of Public Works for a total cost of **\$3,998.10**.
- 6 **Vermeer Sales and Service**, 131 Wisconsin Avenue, Cranberry Township, PA 16066, for drum sprocket, cylinder, etc. for the Municipal Garage, Dept. of Public Works, at a total cost of **\$4,801.67**.
- 7 **Bucks Fabricating**, 3547 Perry Highway, Hadley, PA 16130 for one (1) [roll off can](#) for the WWTP for the Bureau of Sewers, at a total cost of **\$4,197.00**.
- 8 **SRS Systems, Inc.** 5885 East Circle DR, Suite 130, Cicero, NY 13039 for a Toshiba currency counter with discriminator for the Office of City Treasurer at a total cost of **\$2,830.00**.

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk.

WAIVE RULES

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

1. **Vavala Concrete Construction LLC**, 2059 West 20th Street, Erie, PA 16502, for the 2014 Curb Ramps I Project, Bid 1698-14 in the amount of \$202,298.80.

April 16, 2014, City Council votes to adopt the waive rules by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk

April 16, 2014. City Council adopt by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

April 16, 2014. Signed by the President. Attested by the City Clerk

April 16, 2014 City Council on motion of Mr. Witherspoon, Seconded by Mr. Winarski, adjourned at 8:10 P.M. by yeas Council Members Brennan, Jones, Merski, Winarski and Witherspoon. 5. Nays. 0.

President of City Council

Attest:

City Clerk