

The City Council met in regular session in the Council Chambers on Wednesday, August 20, 2014 at 7:30 P.M.

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

On motion of Mr. Jones, Seconded by Mr. Kwitowski, the reading of the minutes of the Meeting of August 6, 2014 was 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 August 15, 22, 29, 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.15,882, Pending Official File Ordinance No. 28 -2014 An ordinance appropriating the sum of **\$88,349.57** from unappropriated and anticipated revenue; \$87,431.37 received earnings from the Enterprise Zone Revolving Loan Fund and \$918.20 program income. These funds are to be allocated into the Enterprise Zone Program accounts.

August 20, 2014. City Council on motion of Mr. Jones, Seconded by Mrs.Horan-Kunco having read Council File No. 15,882, now known as Pending Official File Ordinance No. 28-2014 does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Winarski and Witherspoon. 7. Nays 0.

August 20, 2014. Signed by the President. Attested by the City Clerk

By Mr. Winarski, Council File No. 15,883.

An ordinance appropriating the sum of **\$250,000.00** from unappropriated revenue received from a Pennsylvania Department of Environmental Protection Act 101, Section 92 Recycling Development and Implementation Grant and providing for the expenditure thereof.

August 20, 2014. City Council on motion of Mr. Winarski, Seconded by Mr. Witherspoon having read Council File No.15,883, does hereby adopt on First Reading by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 2014. Signed by the President. Attested by the City Clerk.

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

Pursuant to the provisions of Zoning Ordinance No. 80-2005 and a Public Hearing held Wednesday, August 6, 2015 at 9:30 A.M., the request for Waterfront Conditional Use by Kidder Wachter Architecture and Design in conjunction with the **Erie County Convention Center Authority** for construction of a new hotel to be attached to the existing Erie County Convention Center at 1 Sassafras Pier, and a parking garage to be adjacent to the hotel with a covered walkway be hereby approved by City Council.

A proposed Amendment by Mr. Brennan, Seconded by Mrs. Horan-Kunco, Resolved etc.

To include an 800 square ft. concrete plaza area located on the Public Access Pathway at the water's edge with railings and safety features to be installed within one year of hotel completion.

August 20, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, and Witherspoon. 4. Nays. 3. Mr. Jones, Mr. Merski, and Mr. Winarski August 20, 2014. Signed by the President. Attested by the City Clerk.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0. as Amended. August 20, 2014. Signed by the President. Attested by the City Clerk

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

That the proper City Officials are authorized and directed to execute a contract between the City of Erie and **McGill, Power, Bell and Associates, LLP**, 1920 West 8th Street, Erie, PA, 16505, for preparation of the Annual Audit and Financial Report (DCED) for the fiscal year of 2013 at a fee of \$32,300, per letter of engagement submitted on February 10, 2014.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 2014. Signed by the President. Attested by the City Clerk.

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

That City Council has received the petition submitted by abutting property owners requesting the **vacating and closing** of a portion of an existing alleyway between East 24th Street and the northern boundary of an east-west alleyway behind 2411 French Street is hereby received and refer to the City Planning Commission for recommendation and report thereon.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 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 authorized and directed to **sell the Fire Departments 1981 American LaFrance Ladder Truck**. The truck has a scrap value of \$4,200 that will be used as a minimum reserve purchase price at auction.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 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 authorized and directed to submit the standard PennDot form requesting authorization to install and operate **flashing school speed devices**. The school flashers will be relocated from the closed Burton School. The proposed school flashing devices will be installed on East Lake Road in the location of the existing ground mounted signs, approximately 400-450 feet east and west of Gilson Avenue. This office has contacted the school principal and we are in agreement that the flasher will operate from 7:15 to 8:15 AM and 2:45 to 3:30 PM.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 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 authorized and directed to file a formal application with the Pennsylvania Department of Transportation for a permit to install and **operate a traffic signal** at the intersection of **South Park** Row/Peach Street. This signal has been previously installed and is operating; however it has not yet been issued a permit number from PennDot.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 2014. Signed by the President. Attested by the City Clerk.

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

1. That the proper City Officials are authorized and directed to enter into a Permanent [Easement Agreement](#) with Erie-Western Pennsylvania Port Authority, attached hereto as Exhibit "A", providing for the electrical and traffic control/signals on the north side of the West Bayfront Parkway located at the entrance to Liberty Park. Pursuant to Exhibit "A" (Easement Agreement) and map attached thereto as **Exhibit "1"**, the location of the Traffic Signal Easement is noted therein.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 2014. Signed by the President. Attested by the City Clerk.

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

City of Erie Higher Education Building Authority not to exceed \$3,000,000 Tax-Exempt note (Mercyhurst Preparatory School Project).

WHEREAS, the City of Erie Higher Education Building Authority (the "Authority") is a body corporate and politic existing under the laws of the Commonwealth of Pennsylvania pursuant to the Municipal Authorities Act, 53 Pa.C.S.Ch.56, as amended (the "Act"); and

WHEREAS, the Act, among other things, empowers authorities created thereunder to borrow money and to make and issue bonds and other evidences of indebtedness for the various purposes set forth in the Act and to secure payment of such bonds and other evidences of indebtedness or any part thereof by pledge or deed of trust of all or any of its revenues and receipts; and

WHEREAS, Mercyhurst Preparatory School (the "Institution"), a Pennsylvania nonprofit corporation, has requested the Authority to undertake a project (the "Project") consisting of (i) the refunding of certain existing tax-exempt indebtedness related to the construction, renovation, equipping and/or furnishing the Institution's facilities located at 538 East Grandview Boulevard, City of Erie, Erie County, Pennsylvania (the "Facilities"), (ii) expenditures related to the renovation, equipping and/or furnishing of the Facilities; and (iii) payment of certain costs of issuing the Note; and

WHEREAS, in order to provide funds for the Project, the Institution has requested the Authority to issue its tax-exempt bond or note in an amount not to exceed \$3,000,000 (the "Note").

NOW, THEREFORE, be it resolved:

1. The Project, the issuance of the Note, and the undertaking and completion by the Authority of all other matters necessary or convenient for the conclusion of the Project and the financing described hereinabove are hereby approved, and it is hereby declared that it is desirable for the health, safety and welfare of the people in the area served by the Institution that the Project be financed by the Authority.
2. Nothing in this Resolution shall be construed to pledge the credit or taxing power of the City of Erie, Pennsylvania nor shall such City be in any manner liable for any indebtedness arising out of this transaction.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 2014. Signed by the President. Attested by the City Clerk.

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

That the following amounts are transferred

<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>
\$3,000	002-0713-0000-4056	Refuse tipping fees	\$3,000	002-0713-0000-4054	Rentals

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.
 August 20, 2014. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mrs. Huron-Kunco, 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. **Department of Environmental Protection**, Rachel Carson State Office Building, PO Box 8472, Harrisburg, PA, 17105-8472 for an Act 101, Section 902 Recycling Development and Implementation Grant in the amount of **\$250,000.00**
2. **Erie Redevelopment Authority** pertaining to the Disposition Program. The [amendment](#) will increase the contract amount by **\$1,375.29**, from **\$25,000.00** to **\$26,375.29**.
3. **Day Ford, Inc.**, 3696 William Penn Highway, Monroeville, PA 15146 for a 2014 Ford [F-150](#) Pickup Truck for the Bureau of Sewers for the City of Erie at a total amount of **\$21,294.00**.
4. **Hallman Fleet Services**, 1925 State Street, Erie, PA 16501 for a 2015 Chevrolet Traverse for the Department of Economic & Community Development for the City of Erie at a total cost of **\$27,910.00**.
5. **Melzer’s Fuel Service**, 1502 Greengarden Road, Erie, PA 16501. A three (3) year contract for furnishing and delivering approximately 200,000 gallons of unleaded regular fuel and approximately 150,000 gallons of premium low sulfur diesel fuel with a 45 cetane and approximately 12,000 gallons of low sulfur off-road diesel fuel for all using city department and bureaus .The OPIS price fluctuates during the course of the contract and the delivery price shall remain as quoted. Term-August 1, 2014-July 31, 2017:
 - Unleaded Fuel (87 Octane)**
 - Large Volume Orders – OPIS Price - .02 cents @ Gallon
 - Small Volume Orders – OPIS Price +.01 cents @ Gallon
 - Summer Premium Ultra-Low Sulfur Premium Grade#2D Diesel Fuel (45 Cetane)**
 - Large Volume Orders = OPIS Price -.025 cents @ Gallon
 - Winter Premium Ultra-Low Sulfur Premium Grade#2D Diesel Fuel (45 Cetane)**
 - Large Volume Orders = OPIS Price -.015 cents @ Gallon
 - Summer Low Sulfur Off-Road Grade #2D Diesel Fuel**
 - Small Volume Orders = OPIS Price +.02 cents @ Gallon
 - Winter Low Sulfur Off-Road Grade #2D Diesel Fuel**
 - Small Volume Orders = OPIS Price +.03 cents @ Gallon

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.
 August 20, 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. **Groff Tractor & Equipment, Inc.** 100 Smith Drive, Cranberry Township PA 16066 for [repairs](#) needed on the paver for the Bureau of Streets for the City of Erie at a cost of \$5,444.24.
2. **Commonwealth of PA Clean Air Fund**, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335-3407 for the annual [emissions](#) fee for 2013, as required by the Title V Air Quality Permit for the Bureau of Sewers at a total amount of \$3,445.90.
3. **GovConnection, Inc.**, PO Box 382810, Pittsburgh, PA 15250-8810 for a replacement to one of the battery [backups](#) for the Office of Computer Services for the City of Erie at a cost of \$2,744.24, lowest of three quotes.
4. **Mine Safety Appliances Co.**, 535 Rochester Road, Pittsburgh, PA 15237 for additional [sensors](#) to expand the coverage of the chlorine leak detecting system to the outside storage area for the Bureau of Sewers for the City of Erie at a total cost of \$4,614.80.
5. **Eltech Security Systems**, 3806 Mount Royal Blvd., Allison Park, PA 15101-3511 for [replacement parts](#) for the Plant's security camera system for the Bureau of Sewers for the City of Erie at a total cost of \$11,518.41.
6. **Kinzua Environmental, Inc.**, 1176 East 38th Street, Cleveland, OH 44114 for wet well [degreaser](#) used in the Sewer Lift Stations for the Bureau of Sewers for the City of Erie at a cost of \$5,130.00
7. **GovConnection, Inc.**, PO 382810, Pittsburgh, PA 15250-8810 for a VM [Software](#) Package and SCADA System, for the Bureau of Sewers, Department of Public Works of the City of Erie at a total cost of \$15,012.00. Lowest of three quotes.

August 20, 2014. City Council adopts by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

August 20, 2014. Signed by the President. Attested by the City Clerk.

August 20, 2014 City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski adjourned at 9:43 P.M. by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

President of City Council

Attest:

City Clerk