

The City Council met in regular session in the Council Chambers on Wednesday, December 17, 2014 at 7:30 P.M.

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

On motion of Mr. Brennan, Seconded by Mrs. Horan-Kunco, the reading of the minutes of the Meeting of December 3, 2014 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Jones, Merski, Winarski and Witherspoon. 7. Nays. 0.

Copies of the bills under date of December 19, 26, 2014 and January 2, 2015 were given to City Council and same adopted by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Jones, Merski, Winarski and Witherspoon. 7. Nays. 0.

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By Mr. Witherspoon Council File No. 15,901 Pending Official File Ordinance 37-2014  
An ordinance **fixing the tax rate** for all city purposes for the Fiscal Year 2015 (beginning on January 1, 2015 and ending on December 31, 2015).

A proposed amendment by Mrs. Horan-Kunco, Seconded by Mr. Brennan, etc., that council reduce the tax increase to .4 mills and use \$1,000,000.00 from the reserve fund balance.

December 17, 2014. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Brennan having read Council File 15,901, now known as Pending Official File No. 37-2014 failed to adopt as amended on final passage by yeas Council Members Brennan, Horan-Kunco, Kwitowski. 3. Nays 4. Council Members Jones, Merski, Winarski and Witherspoon.

December 17, 2014. City Council on motion of Mr. Witherspoon, Seconded by Mr. Winarski having read Council File No. 15,901, now known as Pending Official File Ordinance No. 37-2014 does hereby adopt on **Final Passage** by yeas Council Members, Jones, Kwitowski, Merski, Winarski and Witherspoon. 5. Nays 2. Council Members Brennan and Horan-Kunco.

December 17, 2014, Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon Council File No. 15,902 Pending Official File Ordinance 38-2014  
An ordinance of the City of Erie, County of Erie and Commonwealth of Pennsylvania, adopting the **General Fund and certain other budgets** for the fiscal year beginning January, 1, 2015 and ending December 31, 2015.

December 17, 2014. City Council on motion of Mr. Witherspoon, Seconded by Mr. Winarski having read Council File No. 15,902, now known as Pending Official File Ordinance No. 38-2014 does hereby adopt on **Final Passage** by yeas Council Members Jones, Kwitowski, Merski, Winarski and Witherspoon. 5. Nays 2. Ayes Council Members Brennan and Horan-Kunco.

December 17, 2014, Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Council File No. 15,903  
An ordinance repealing Official File Ordinance 44-2009, Codified Ordinance of the City of Erie part seven (General Offenses Code), by repealing Article 739 (Lost or Stolen Handguns) in its entirety in accordance with Act 192 of 2014.

December 17, 2014. City Council on motion of Mr. Kwitowski, Seconded by Mr. Brennan having read Council File No. 15,903, does hereby adopt on First Reading by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays 0.

December 17, 2014, Signed by the President. Attested by the City Clerk.

Mr. Merski, Council File No. 15,904

An ordinance amending Official File Ordinance Number 53-1976, Part 9 (Streets, Utilities and Public Services Code), Article 955 (Parks and Playground Areas), Section 955.06 (Recreational Activities), Sub-section 955.06(b) (Hunting and Firearms) by deleting reference to carrying and possessing firearms in park areas in accordance with Act 192 of 2014.

December 17, 2014. City Council on motion of Mr. Merski, Seconded by Mr. Brennan having read Council File No. 15,904, does hereby adopt on First Reading by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays 0.

December 17, 2014, Signed by the President. Attested by the City Clerk.

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

A resolution authorizing and directing the proper City Officials to enter into an agreement between the City of Erie and Attorney Donald L. Wagner to provide legal counsel to the Zoning Hearing Board of the City of Erie from January 1, 2015 through December 31, 2015 in the amount of \$1,200.00 per month, and \$120.00 an hour for every hour in excess of 12 hours per month.

December 17, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 2014. Signed by the President. Attested by the City Clerk.

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

A resolution authorizing the proper City Officials that the Enterprise Zone Loan Review Committee approval of the following loan be formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
Pine Avenue Dairy Queen	\$180,000.00	15 Years	\$900.00

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 4.05 per annum. A one-time loan processing fee based on 1/2 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.

December 17, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 2014. Signed by the President. Attested by the City Clerk.

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

A resolution authorizing and directing the proper City Officials to execute an Easement Agreement between the City of Erie and the NDC Real Estate Management, Inc., 4415 Fifth Avenue, Pittsburgh, PA 15213 being the owner of 515 State Street, Index (14) 1002-103, in compliance with the attached City Engineer's metes and bounds description locating an access ramp.

December 17, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 2014. Signed by the President. Attested by the City Clerk.

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

**In various Departments:**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$114,300.00	002-0639-0000-4011	Salaries	\$72,000.00	002-0639-0000-4006	Overtime Wages
\$6,000.00	002-0709-0000-4011	Salaries	\$25,000.00	002-0639-0000-4034	.Fuel/Fluids
\$2,000.00	002-0713-0000-4056	Rep/Maint Serv.	\$11,000.00	002-0639-0000-4035	Rep/Maint.Supp
\$100.00	002-0715-0000-4035	Rep/Maint.Supp.	\$600.00	002-0639-0000-4043	Education & Trai
\$15,000.00	002-0719-0000-4006	Overtime Wages	\$100.00	002-0639-0000-4046	Postage
\$12,000.00	002-0719-0000-4011	Salaries	\$100.00	002-0639-0000-4055	Emergency/Mgmt
\$13,000.00	002-0719-0000-4033	Operating Supp.	\$3,000.00	002-0639-0000-4056	Rep/Maint Serv.
\$2,000.00	002-0723-0000-4011	Salaries	\$2,500.00	002-0639-0000-4059	Other Services
\$4,000.00	002-0725-0000-4006	Overtime Wages	\$6,000.00	002-0709-0000-4006	Overtime Wages
\$9,000.00	002-0725-0000-4033	Operating Supp.	\$2,000.00	002-0713-0000-4035	Rep/Maint.Supp
\$6,000.00	002-0725-0000-4056	Rep/Maint Serv	\$100.00	002-0715-0000-4056	Rep/Maint Serv.
\$12,200.00	002-0725-0000-4552	Summer Rec	\$35,000.00	002-0719-0000-4034	Fuel/Fluids
\$13,000.00	002-0963-0000-4019	Unemployment C	\$5,000.00	002-0719-0000-4047	Heat, Light, Pow.
<b>\$208,600.00</b>	Total		\$2,000.00	002-0723-0000-4006	Overtime Wages
			\$6,000.00	002-0725-0000-4013	Salary/Wage Sav
			\$7,000.00	002-0725-0000-4035	Rep/Maint.Supp
			\$200.00	002-0725-0000-4045	Communication
			\$18,000.00	002-0725-0000-4047	Heat, Light, Pow.
			\$13,000.00	002-0963-0000-4143	Erie Zoo Soc. Gas
			<b>\$208,600.00</b>	Total	

December 17, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 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:

- 3 Rivers Fire Equipment**, 1319 Airbrake Avenue, Turtle Creek, PA 15145 for twenty (20) Globe Gxtreme Jackets and Pants for the Bureau of Fire of the City of Erie at a total cost of \$43,862.87.
- Erie Regional Chamber of Growth Partnership**, 208 East Bayfront Parkway, Ste. 100, Erie, PA 16507 for member investment fees for the Department of Economic & Community Development for the City of Erie at a total cost of \$25,000.00.
- Walter Drane**, Suite 344, 23811 Chargin Blvd., Beachwood, OH 44122-5525 for 2014 replacement pages for the codified ordinances on CD-ROM for the Office of City Clerk for the City of Erie at a total cost of \$2,299.40.
- Graybar**, 12444 Collections Center Drive, Chicago IL, 60693 for one new light pole and assembly, for the Department of Public Works, of the City of Erie at a total cost of \$5,300.00
- Hagan Business Machines**, 1112 Peach Street, Erie, PA 16512 for two (2) Toshiba 307's (copy, print, fax and scan machine) for the Department of Economic & Community Development for the City of Erie at a total cost of \$9,990.00.
- IRR Supply Centers, Inc.**, 908 Niagara Falls Blvd., N. Tonawanda, NY 14120, for a 60-2 x 6 1/4 pump. For the Bureau of Sewers of the City of Erie at a total cost of \$2,096.80.
- N.M.S. Labs**, 3701 Welsh Road, Willow Grove, PA 19090 for lab fees for drug and alcohol testing for the Bureau of Police at a total amount of \$5,138.00.
- Process & Data Automation**, 670 West 36<sup>th</sup> Street, Erie, PA 16508 for a [service contract at the Wastewater](#) Treatment Plant for the Bureau of Sewers at a total cost of \$25,000.00.
- Rohrer Trucking, Inc.**, 3180 Route 6, Waterford, PA 16441 for the emergency demolition at 643 East 9<sup>th</sup> Street for the Department of Economic & Community Development for the City of Erie at a total cost of \$5,200.00.
- Ronald F. Talarico, Esq.**, 2150 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219-1818 for the arbitration services for IAFF v City of Erie for the Office of Solicitor of the City of Erie at a total cost of \$2,894.34.

**11. W.C. Weil Company**, 3812 Williams Flynn Highway, Bldg. 2, Allison Park, PA 15101 for the installation assistance required to place the new lift station on-line for the Bureau of Sewers for the City of Erie at a total amount of [\\$5,467.35](#).

**12. W.C. Weil Company**, 3812 Williams Flynn Highway, Bldg. 2, Allison Park, PA 15101 for additional equipment necessary to complete the revamping of the Greengarden Lift Station for the Bureau of Sewers for the City of Erie at a total amount of [\\$7,542.00](#).

**13. Xerox Business Services**, P.O. Box 201322, Dallas, TX 75320-1322, for firehouse support contract renewal for the Bureau of Fire of the City of Erie at a total cost of \$2,165.00.

December 17, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 2014. Signed by the President. Attested by the City Clerk.

### Waive Rules

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

That Ms. Jacqueline Dreyfus Spry, 225 Cherokee Drive, Erie, PA 16505 was hereby appointed to the Zoning Hearing Board for a five-year term expiring December 31, 2019 at the recommendation of Councilwoman Jessica Horan-Kunco

December 17, 2014. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 2014. Signed by the President. Attested by the City Clerk.

December 17, 2014. City Council adopt waive rules by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

December 17, 2014. Signed by the President. Attested by the City Clerk.

December 17, 2014 City Council on motion of Mr. Brennan, Seconded by Mrs. Horan-Kunco **adjourned** at 8:49 P.M. by yeas Council Members Brennan, Horan-Kunco, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk