

The City Council met in regular session in the Council Chambers on Wednesday, January 7, 2015 at 9:00 A.M.

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

On motion of Mrs. Horan-Kunco, Seconded by Mr. Winarski, the reading of the minutes of the Meeting of December 17, 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 January 9, 2015 and January 16, 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, Seconded by Mr. Merski, Resolved etc.

That Mr. David Brennan is appointed City Council President for 2015.

January 7, 2015. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

By Mr. Kwitowski, Council File No. 15,903, Pending Official File Ordinance 1-2015.

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.

January 7, 2015. City Council on motion of Mr. Kwitowski, Seconded by Mr. Brennan having read Council File No. 15,903, now known as Pending Official File Ordinance No. 1-2015 does hereby adopt on **Final Passage** by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No. 15,904, Pending Official File Ordinance 2-2015.

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.

January 7, 2015. City Council on motion of Mr. Merski, Seconded by Mr. Brennan having read Council File No. 15,904, now known as Pending Official File Ordinance No. 2-2015 does hereby adopt on **Final Passage** by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

By Mr. Witherspoon, Council File No. 15,905.

An ordinance approving the **editing and inclusion of certain ordinances** as parts of the various component codes of the codified ordinances of Erie, Pennsylvania

January 7, 2015. City Council on motion of Mr. Merski, Seconded by Mr. Brennan having read Council File No. 15,905, does hereby adopt on First Reading by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan, 7. Nays 0.

January 7, 2015, Signed by the President. Attested by the City Clerk

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

That **Mr. Daniel Giannelli**, 461 West 31<sup>st</sup> Street, Erie, PA 16508 to the Erie Airport Authority whose term expires December 31, 2019. Mr. Giannelli replaces Mary Tseng who chose to serve only one five-year term.

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

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

That **Mr. Robert Maclsaac** of 3300 Baer Beach Rd. A-6, Erie PA 16505 to the Board of Directors of the Erie City Water Authority for his first five-year term expiring January 5, 2020. Mr. Maclsaac of Millcreek has been recommended by the Millcreek Township Supervisors replacing Thomas Kownacki whose second term has expired. Under the Articles of Incorporation of the Erie City Water Authority, the supervisors may submit names for consideration in the filling of a vacancy to the Authority.

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

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

That the proper City Officials are authorized and directed to accept **Doxey & Black Reporting's** proposal for stenography services for the City of Erie's Zoning Board, Building Code of Appeals Board and Property Maintenance Board of Appeals hearings for the 2015 calendar year. The terms of this contract will be \$125.00 for daytime hearings and \$150.00 for evening hearings. Said rates cover the first two hours of attendance. They will charge \$40.00 per hour for each additional hour; to be billed in half-hour increments where applicable, as more fully set forth in Exhibit "A" attached.

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

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

That the proper City Officials are authorized and directed to execute an Expedited Penalty Action and Consent Agreement, attached hereto as **EXHIBIT "A"**, on behalf of the City with the United States Environmental Protection Agency, whereby the City will agree to pay the penalty resulting from the violations of May 20, 2014, in the amount of **\$3,600.00** within 15 days of receipt of the fully executed Expedited Penalty Action.

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

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

That the Mayor and other City Officials are authorized and directed to amend the agreement between the City of Erie and HANDS pertaining to the Acq/Rehab/Rental Program-Goodrich House. The amendment will increase the contract amount by **\$159,108.00, from \$237,465.00 to \$396,573.00.**

Account #505-1239-2010-4488      Req #614075      \$159,108.00

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
January 7, 2015, Signed by the President. Attested by the City Clerk

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

That the Mayor and other City Officials are authorized and directed to amend the agreement between the City of Erie and HANDS pertaining to the Acq/Rehab/Rental Program-Freedom Square. The amendment will increase the contract amount by **\$260,000.00, from \$517,654.85 to \$777,654.85.**

Account #505-1239-2005-4488	Req #614071	\$40,000.00
Account #505-1239-2006-4488	Req #614072	75,000.00
Account #505-1239-2008-4488	Req #614073	70,000.00
Account #505-1239-2009-4488	Req #614074	75,000.00

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
 January 7, 2015, 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:

TRANSFERRED FROM: TRANSFERRED TO:

AMOUNT	ACCOUNT	TITLE	AMOUNT	ACCOUNT	TITLE
\$5,881.31	505-1239-2013-4011	Salaries	\$4,284.85	505-1239-2013-4017	Pens. Contributions
			\$1,578.27	505-1239-2013-4018	Group Insurance
			\$18.19	505-1239-2013-4020	Worker's Comp.
<b>\$5,881.31</b>			<b>\$5,881.31</b>		

December 2014 Transaction

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
 January 7, 2015, 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:

TRANSFERRED FROM: TRANSFERRED TO:

AMOUNT	ACCOUNT	TITLE	AMOUNT	ACCOUNT	TITLE
\$40,000.00	505-1239-2005-4597	ERA-CC-HOMEBUYER	\$40,000.00	505-1239-2005-4488	ACQ/REHAB/RENTAL
\$75,000.00	505-1239-2006-4597	ERA-CC-HOMEBUYER	\$75,000.00	505-1239-2006-4488	ACQ/REHAB/RENTAL
\$70,000.00	505-1239-2008-4598	ERA-NRSA-HOMEBUY	\$70,000.00	505-1239-2008-4488	ACQ/REHAB/RENTAL
\$75,000.00	505-1239-2005-4453	ERA-HB ASSIST	\$75,000.00	505-1239-2009-4488	ACQ/REHAB/RENTAL
\$49,518.00	505-1239-2010-4582	ERA-HOUSING REHAB	\$159,108.00	505-1239-2010-4488	ACQ/REHAB/RENTAL
\$69,590.00	505-1239-2010-4557	ST. MARTIN-HB	\$20,316.18	505-1239-2010-4011	Salaries
\$24,206.18	505-1239-2010-4534	ST. MARTIN-HB-ADM.	\$1,554.00	505-1239-2010-4016	FICA/Medicare
\$40,000.00	505-1239-2010-4575	BEST-HB	\$2,031.00	505-1239-2010-4018	Group Insurance
			\$305.00	505-1239-2010-4021	Deferred Comp
<b>\$443,314.18</b>			<b>\$443,314.18</b>		

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.  
 January 7, 2015, 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:

TRANSFERRED FROM: TRANSFERRED TO:

AMOUNT	ACCOUNT	TITLE	AMOUNT	ACCOUNT	TITLE
<b>\$15,408.00</b>	505-1239-2010-4582	ERA-HOUSING REHAB	<b>\$15,408.00</b>	505-1239-2010-4557	ST. MARTIN-HOMEBU

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays 0.  
 January 7, 2015, 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 Bureau of Fire:

TRANSFERRED FROM:			TRANSFERRED TO:		
AMOUNT	ACCOUNT	TITLE	AMOUNT	ACCOUNT	TITLE
\$8,000.00	002-0639-0000-4024	Tool Allow & Uniform	\$8,000.00	002-0639-0000-4056	Repair & Maint. Serv.

**December 2014 Transaction**

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan 7. Nays 0.

January 7, 2015, 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. **Lund Industries**, 3185 MacArthur Blvd., Northbrook, IL 60062, for two PASS XL [wrap around guards](#) and covers for the Municipal Garage of the City of Erie at a total cost of \$3,060.00
2. **Premier Safety & Service**, Two Industrial Park Drive, Oakdale, PA 15071 for a Hurst Streamline Power Unit for the Bureau of Fire of the City of Erie at a total cost of \$7,650.00.
3. **McCarl's Services Inc.**, 2004 Lowell Avenue, Erie, PA 16506 for control boards, harnesses and sensors for the Bureau of Fire at a total cost of \$2,363.55.

January 7, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.

January 7, 2015, Signed by the President. Attested by the City Clerk

WAIVE RULES:

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

That Mr. Paul D. Gambill of 2303 Holland Street, Erie, PA 16503, is appointed to the Erie City Water Authority whose term expires December 31, 2020. Mr. Gambill replaces board member Nettie Smith who chose to serve only one five-year term.

January 7, 2015. City Council votes to adopt the waive rules by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.

January 7, 2015, Signed by the President. Attested by the City Clerk

A proposed amendment by Mrs. Horan-Kunco, Seconded by Mr. Merski that the expiration date of this appointment be amended to December 31, 2019.

January 7, 2015. City Council adopt by yeas as amended Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan.7. Nays 0.

January 7, 2015, Signed by the President. Attested by the City Clerk

January 7, 2015 City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Winarski **adjourned** at 10:00 A.M. by yeas Council Members Horan-Kunco, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk