

The City Council met in regular session in the Council Chambers on Wednesday,  
April 15, 2015 at 7:30 P.M.

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

On motion of Mrs. Horan-Kunco, Seconded by Mr. Winarski the reading of the minutes  
of the Meeting of April 15, 2015 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 17, 2015, April 24, 2015 and May 1, 2015 were given  
to City Council and same adopted by yeas Council Members Brennan, Horan-Kunco,  
Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

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By Mr. Jones, Council File No. 15,912, Pending Official File Ordinance 10-2015.

An ordinance appropriating the sum of **\$1,000,000.00** from unappropriated and anticipating  
revenue; **\$350,000.00** to be received as a Grant from the PA Department of Community and  
Economic Development and **\$650,000.00** to be received from private donations for the Perry  
Square Project.

April 15, 2015. City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski having  
read Council File No. 15,912, now known as Pending Official File Ordinance No. 10-2015 does  
hereby adopt on **Final Passage** by yeas Council Members Horan-Kunco, Jones Kwitowski, Merski,  
Winarski, Witherspoon and Brennan. 7. Nays 0.

April 15, 2015, Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No. 15,913

An ordinance approving and adopting Amended and Restated Articles of Incorporation of the  
Erie County Convention Center Authority (the "Authority") in the form of **Appendix "A"**  
attached hereto; and authorizing the filing of the Amended and Restated Articles of  
Incorporation in accordance with the provisions of Act 148 of 1999, as amended and  
supplemented, known as the "Third Class County Convention Center Authority Act"  
(Alternative Provision), 16 P.S. § 2399.51 *et seq.* (the "Act").

April 15, 2015. City Council on motion of Mr. Merski, Seconded by Mr. Brennan having read  
Council File No. 15,913, does hereby adopt on **First Reading** by yeas Council Members Horan-  
Kunco, Jones Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays 0.

April 15, 2015, Signed by the President. Attested by the City Clerk.

By Mr. Brennan, Council File No. 15,914

An ordinance authorizing an increase in the non-electoral debt of the City of Erie, Erie  
County, Pennsylvania by authorizing and approving the issuance and sale of \$16,000,000\*  
General Obligation Bonds, Federally Taxable Series A of 2015 and \$30,000,000\* General  
Obligation Bonds, Series B of 2015, and \$4,000,000\* General Obligation Notes, Series of  
2015 for the purposes recited herein: directing the City Clerk to prepare, certify and file the  
required debt statement and to take all other necessary action; covenanting that the City shall  
include the amount of annual debt service in its budget for each fiscal year; providing for  
registered bonds and notes, date of the bonds and notes and payment dates; providing for  
facsimile signatures, seal and authentication; approving the form of the bonds and notes,  
paying agent's authentication certificate, endorsement and registration; providing for  
temporary bonds and notes, providing for the stated principal maturity amounts and fixing the  
rates of interest on the bonds and notes; awarding the bonds and notes at private sale; creating  
sinking funds; authorizing the proper officers of the City to contract with a bank for its  
services as a sinking fund depository and paying agent; authorizing and directing the City  
Clerk to certify and file with the Department of Community and Economic Development  
certified copies of the necessary proceedings; covenanting that the proceeds of the Series B  
Bonds and Notes shall not be in such manner as to cause the Series B Bonds and Notes to be  
Arbitrage Bonds under federal tax law provisions; authorizing the proper officers of the City

to do all things necessary to carry out the ordinance; providing for municipal bond insurance; and rescinding all inconsistent ordinances.

April 15, 2015. City Council on motion of Mr. Brennan, Seconded by Mr. Witherspoon having read Council File No. 15,914, does hereby adopt on **First Reading** by yeas Council Members Horan-Kunco, Jones Kwitowski, Winarski, Witherspoon and Brennan. 6. Nays 0. Merski abstains April 15, 2015, Signed by the President. Attested by the City Clerk.

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

That **Mr. Roger Whelan** of 1215 East 28<sup>th</sup> Street, Erie, PA 16504 is hereby appointed to the Sewer Authority for a five-year term expiring December 31, 2019.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan, 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

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

That City Council supports the **Neighborhood Resource Organization and the Mercyhurst Civic Institute** in their application to the US Department of Justice for a Byrne Criminal Justice Innovation Program Planning Grant for up to \$175,000.00 for a period of 18 months to provide critical resources to communities that need assistance in pursuing, building and convening appropriated stake holders, along with community residences to collect and analyze data to design and complete a strategic, collaborative, and community-oriented plan to reduce crime in the targeted neighborhoods of Bayfront to East 15<sup>th</sup> Street and French Street to Wayne which encompasses the following three neighborhood groups; Eastside Eagles, Neighborhood Watch and SNOOPS Neighborhood Association.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan, 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

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

That the **Traffic Engineer** conduct a **study of Even/Odd Parking** from East 34<sup>th</sup> Street to East Grandview and East Avenue to Old French Road; to study a Turning Arrow Light on East 38<sup>th</sup> Street and Pine Avenue and East 38<sup>th</sup> Street and Old French Road and to study a Traffic Light on Pine Avenue and Lake Pleasant Road and report findings thereon to City Council.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan, 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

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

That the proper City Officials submit the Plan Revision for New Land Development for the proposed development of a parcel of land identified as **Greene Township Sanitary Sewer Project-Phase I**, name of subdivision for Sewer Extension:

#### COUNCIL CHAMBERS

3800-FM-BPNPSM0356 10/2012

Erie, PA **APRIL 15, 2015**  
DEP Code No. **M6-13-042**

#### Commonwealth of Pennsylvania Department of Environmental Protection Bureau of Point and Non-Point Source Management RESOLUTION FOR THE PLAN REVISION FOR NEW LAND DEVELOPMENT

**RESOLUTION OF THE COUNCIL OF THE CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA**, (hereinafter “the municipality”).

**WHEREAS**, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the “Pennsylvania Sewage Facilities Act”, as Amended and the Rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71, Title 25, of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS, Millcreek Township Sewer Authority**, land developer, has proposed the development of a parcel of land identified as **Greene Township Sanitary Sewer Project-Phase 1**, name of subdivision, and described in the attached Sewage Facilities Planning Module, and extension, new treatment facility, individual on-lot systems, community on-lot systems, spray irrigation, retaining tanks, other, (please specify): **Sewer extension.**

**WHEREAS, THE CITY OF ERIE** finds that the subdivision described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the **City of Erie** hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the “Official Sewage Facilities Plan” of the municipality the above referenced Sewage Facilities Module which is attached hereto.

I \_\_\_\_\_ (Roseann Robie, City Clerk, of the City of Erie)  
(Signature)

City Council hereby certify that the forgoing is a true copy of the City Resolution # \_\_\_\_\_ adopted **April 15, 2015.**

Municipal Address:  
City of Erie  
626 State Street, Rom 104  
Erie, PA 16501  
Telephone: 814-870-1291

Seal of Governing Body

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan, 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Officials execute an agreement between the City of Erie and **SNOOPS Neighborhood Watch** whereby the City will make available to SNOOPS, from HOME Program funds appropriated, a grant in the amount of **\$98,350.00** to carry out the SNOOPS Acquisition/Rehab/Rental Project as described in the amended FY2011 Annual Plan.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

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

That the proper City Officials execute an **Easement Agreement between the City of Erie and Erie Insurance**, 100 Erie Insurance Place, Erie, PA 16530 for the installation of **video surveillance steel poles** in City rights-of-way. The poles and associated equipment are proposed at the following three (3) locations:

- East 6<sup>th</sup> Street and French Street – southeast corner**
- East 6<sup>th</sup> Street – south side- approximately 146’ EEL of French Street**
- French Street – east side – approximately 108’ SSL of East 6<sup>th</sup> Street**

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
April 15, 2015 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 HOME Program:

TRANSFERRED FROM:			TRANSFERRED TO:		
AMOUNT	ACCOUNT	TITLE	AMOUNT	ACCOUNT	TITLE
\$98,350.00	505-1239-2011-4582	ERA-Rehab	\$98,350.00	505-1239-2011-4488	SNOOPS-Nbrhood Wat
<b>\$98,350.00</b>			<b>\$98,350.00</b>		

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Seconded by Mr. Winarski, 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. **Considine Biebel & Company**, 2949 West 15<sup>th</sup> Street, Erie, PA 16505, for the [West Perry Square Improvements \(General Construction\)](#) at a cost of **\$722,000.00**. Bid No. 1709-15-A
2. **George H. Althof Inc.**, 1526 French Street, Erie, PA 16501 for the **West Perry Square Improvements (Plumbing Construction)** at a cost of **\$22,800.00**. Bid No. 1709-15-B.
3. **Electrical and Mechanical Systems, Inc.**, 316 Cherry Street, Erie, PA 16507 for the **West Perry Square Improvements (Electrical Construction)** at a cost of **\$90,828.00**. Bid No. 1709-15-C.
4. **Homecourt Sports, Inc.**, 222 Hemlock Road, St. Mary's, PA 15857, for the painting of [basketball courts](#) in the amount of **\$6,400.00**.
5. **Keystone Electric Division Zenith Systems**, 3125 Brandes Street, Erie, PA 16504 being the lowest bidder for the City of Erie Municipal Building [Fire Alarm Replacement](#) Bid No. 6425 in the amount of **\$109,447.00**.
6. **Kingsview Enterprises, Inc.**, 7 West 1<sup>st</sup> Street, P.O. Box 2, Lakewood, NY 14750 for the [demolitions of the following properties](#) listed below in the amount of **\$38,100.00**:

512 ½ West 3 <sup>rd</sup> Street	-	(\$4,300.00)
1020 Plum Street	-	(\$5,200.00)
2228 Parade Street	-	(\$9,400.00)
2201 German Street	-	(\$7,200.00)
2308 German Street	-	(\$6,700.00)
902 East 5 <sup>th</sup> Street	-	(\$5,300.00)
7. **Pennbriar Athletic Club**, 100 Pennbriar Drive, Erie, PA 16509 for the Summer Recreational [Tennis Program](#) in the amount of **\$7,507.44**.
8. **Vermeer Sales and Services Inc.**, 2389 Medina road, Medina, OH 44256, in the amount of **\$36,398.00** for (1) Vermeer BC 1000XL [Brush Chipper](#) for the Department of Public Works.
9. **W. Rodgers Mobile**, 570 Butler Pike, Mercer, PA 16137, for the [Rodger Young Pool Project](#) in the amount of **\$9,500.00**.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Seconded by Mr. Winarski, 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. **CMC Rescue**, 6740 Cortona Drive, Goleta, CA 93117 Tactical Rappelling Ropes for the ["tactical ropes program"](#) for the department's SWAT team for the Bureau of Police at a total amount of **\$3,419.50**.
2. **Electrical Repair Technology, LLC.**, 5323 Woodside Drive, Erie, PA 16505 for the rebuild and [repair of a return activated sludge pump](#) at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of **\$8,750.00**.
3. **Erie Bearings Inc.**, 1432 East 12<sup>th</sup> Street, Erie, PA 16503 for sprockets and bearings to be used in the [Dissolved Air Flotation Building](#) at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of **\$7,154.28**.
4. **Garnon Truck Equipment, Inc.**, 1617 Peninsula Drive, Erie, PA 16505 structural repair work on [Water Rescue 1](#) so the vehicle will pass PA State Inspection for the Bureau of Fire of the City of Erie at a total cost of **\$2,479.86**.
5. **Great Lakes & St. Lawrence Cities Initiative**, 20 North Wacker Drive, Suite 2700, Chicago, IL 60606 for the renewal of [membership dues](#) for the Bureau of Sewers for the City of Erie at a total cost of **\$7,000.00**.
6. **Quality Plastics**, 1685 Industrial Way, Sparks, NV 89431 for [prisoner transport seat systems](#) for the City of Erie Police vehicles for the Municipal Garage at a total amount of **\$3,323.40**.
7. **Wm. T. Spaeder**, 1602 East 18<sup>th</sup> Street, Erie, PA 16514 for the [emergency repair and valve inspection](#) at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of **\$4,356.00**.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
April 15, 2015 Signed by the President. Attested by the City Clerk.

## **WAIVE RULES**

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

That the Mayor 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 \$2,806,751, HOME in the amount of \$604,751, and ESG in the amount of \$254,036 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.

**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 Partnerships 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 housings; and

**WHEREAS**, under the Emergency Solution 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 of the FY2015 Entitlements, we have been advised as follows: CDBG, \$2,806,751; HOME, \$604,751; and ESG \$254,036; and

**WHEREAS**, in addition to the entitlement funds, the City expects to receive \$25,776.38 in program income, and \$130,016.62 in reprogramming funds; and

**WHEREAS**, the Department of Economic and Community Development of the City of Erie has prepared a Five Year Consolidated Plan for FY2015-2019 and an Annual Plan for the FY2015 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 Five Year Consolidated Plan for FY2015-2019 and Annual Plan for 2015 was on public display since March 13, 2015, and the City held three Public Hearings on said Consolidated Plan and 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 Five Year Consolidated Plan for the FY2015-2019 and Annual Plan for FY2015 CDBG, HOME, and ESG Program is hereby in all respects approved and the City Clerk is hereby directed to file a copy of said Consolidated Plan and 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 to a grant to carry out the CDBG Program in the amount of \$2,806,751, HOME in the amount of \$604,751, and ESG in the amount of \$254,036 and it 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 this application.

April 15, 2015. City Council adopt waive rules by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.

April 15, 2015 Signed by the President. Attested by the City Clerk.

April 15, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.

April 15, 2015 Signed by the President. Attested by the City Clerk.

April 15, 2015 City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Winarski **adjourned** at 9:32 P.M. by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Winarski and Witherspoon. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk