

The City Council met in regular session in the Council Chambers on Wednesday, December 16, 2015 at 7:30 P.M.

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

On motion of Mr. Winarski, Seconded by Mr. Witherspoon, the reading of the minutes of the Meeting of December 2, 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 December 18, 2015 and December 25, 2015, were given to City Council and same adopted by yeas Council Members Brennan, Horan-Kunco, Jones, Kwitowski, Merski, Witherspoon and Winarski. 7. Nays. 0.

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Council File 15,936, Pending Official File Ordinance 35-2015

An ordinance fixing the tax rate for all city purposes for the Fiscal Year 2016 (beginning on January 1, 2016 and ending December 31, 2016).

December 16, 2015. The above ordinance will be considered at recessed meeting of December 17, 2015

Council File 15,937, Pending Official File Ordinance 36-2015

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, 2016 and ending December 31, 2016).

December 16, 2015. The above ordinance will be considered at recessed meeting of December 17, 2015

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

That **Mr. Dennis Kudlak**, 4052 West 32<sup>nd</sup> Street, Erie, PA 16506 is appointed to the **Erie Airport Authority** for his first five-year term expiring December 31, 2020. Mr. Kudlak replaces Mr. Lou Bizzarro who has served two-five year terms.

**Pulled at the request of City Council**

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

That **Mr. John Reiting** of 716 West 5<sup>th</sup> Street, Erie, PA 16507 is hereby appointed to the **Blight Property Review Committee (BPRC)** for a two year term expiring on December 31, 2017.

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

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

That the City Solicitor to prepare an ordinance upon the initiative of City Council and at the request of **Aspen Hill Partners LLC**, [rezoning](#) the properties located on East 37<sup>th</sup> and East 38<sup>th</sup> Streets between Pine Avenue and Reed Streets identified as Tax Parcels (18)053-0920-40700 commonly known as 714 718 E. 38<sup>th</sup> Street, (18)053-0920-40600 commonly known as 704 E. 38<sup>th</sup> Street, (18)053-0920-40500 commonly known as 703 E. 37<sup>th</sup> Street, (18)053-0920-40400 commonly known as 709 E. 37<sup>th</sup> Street, from (R-1) Low Density Residential District to that of (C-1) Local Commercial District and after preparation of said ordinance, refer to the City Planning Commission for recommendation and report thereon to Erie City Council. (Accompanied by the requisite filing fee of \$500.00).

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

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

**Resolved, by the Council of the City of Erie,**

**Whereas**, the approval is sought for the Erie County Regional Analysis of Impediments to Fair Housing Choice (RAI), and authorizing submission of the FY 2015 Actions and Activities to Affirmatively Further Fair Housing to the U.S. Department of Housing and Urban Development (HUD):

**Whereas**, the City is a recipient of funds from the U.S. Department of Housing and Urban Development (HUD) and pursuant to 24 CFR § 91.225, the City of Erie, as an entitlement community under the Community Development Block Grant Program (CDBG), must annually certify that it will affirmatively further fair housing; and

**Whereas**, such certification serves as the City's acknowledgement that it accepts the obligation to affirmatively further fair housing within its jurisdiction; and

**Whereas**, the City carries out its certification by implementing a process to address the following three (3) components of the certification: (1) Conducting an analysis to identify impediments to fair housing choice within the jurisdiction, (2) Taking appropriate action to overcome the effects of any impediments identified through that analysis, and (3) Maintaining records reflecting the analysis and actions in this regard; and

**Whereas**, the City in partnership with Destination Erie, a regional partnership of local governments, regional planning agencies and nonprofit/private-sector organizations, have prepared the Regional Analysis of Impediments to Fair Housing Choice and FY 2015 Actions and Activities to Affirmatively Further Fair Housing; and

**Whereas**, drafts of the Regional Analysis of Impediments to Fair Housing Choice (RAI) were on public display for thirty (30) days ending on February 12, 2015, after the Destination Erie held interviews, meetings, and a public hearing on Thursday, February 5, 2015 to solicit comments from various agencies, groups, and citizens in the preparation of the final document; and

**Whereas**, the City desires to confirm its continuing commitment to affirmatively furthering fair housing choice in the City of Erie, which includes a commitment to and the requirement to equally enforce all land use development and other laws regarding accessibility of housing in its jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ERIE, PENNSYLVANIA, AS FOLLOWS:**

That the Council of the City of Erie approves and adopts the Regional Analysis of Impediments to Fair Housing Choice for the City of Erie, Pennsylvania and confirms the City's continuing commitment to affirmatively further fair housing through the following activities:

**SECTION 1.** That the City of Erie has participated in the Regional Analysis of Impediments to Fair Housing Choice within its jurisdiction; and

**SECTION 2.** That the City of Erie will take appropriate actions to overcome the effectives of any impediments identified through the Analysis; and

**SECTION 3.** That the President of the Council of the City of Erie, on behalf of the City of Erie, Pennsylvania, is hereby authorized to file the Regional Analysis of Impediments to Fair Housing Choice and FY 2015 Actions and Activities to Affirmatively Further Fair Housing Plan with the U.S. Department of Housing and Urban Development.

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

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

Approving [Change Order #1 on the contract of Vavala Concrete Construction LLC](#), 2059 West 20<sup>th</sup> Street, Erie, PA 16502; for the 2015 Curb Ramps IV, Bid 1718-15, as recommended and concurred with by the Bureau of Engineering is approved as follows:

Original Contract Amount	\$	149,473.50
Change Order (per attachment) ADD	\$	<u>8,825.00</u>
Final Contract Amount	\$	<b>158,298.50</b>

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

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

Approving the Change Order #1 on the contract of **Considine Biebel & Company**, 2949 West 15<sup>th</sup> Street, Erie, PA 16505-3925 for the Perry Square West Improvements General Construction Bid No. 1709-15-A increased scope of work:

Original Contract Amount	\$	722,000.00
Current Contract Amount prior to this		
Change Order	\$	722,000.00
The revised Contract Amount	\$	742,093.00
<b>The Change Order Total</b>	\$	<b>20,093.00</b>

December 16, 2015. City Council adopt by yeas Council Members Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 6. Nays. 0. Mrs. Horan-Kunco abstains.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

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

**1. That the following amounts are transferred in various departments:**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$312.00	002-0201-0000-4056	Repair/Maint Serv	\$312.00	002-0201-0000-4045	Communication
\$375.00	002-0205-0000-4021	Deferred Comp	\$375.00	002-0205-0000-4006	Overtime Wages
\$75.00	002-0501-0000-4033	Operating Supplies	\$75.00	002-0501-0000-4031	Office Supplies
\$50.00	002-0531-0000-4059	Other Charges	\$50.00	002-0531-0000-4056	Repair/Maint. Serv.
\$300.00	002-0549-0000-4039	Consumable Items	\$100.00	002-0549-0000-4033	Operating Supplies
\$60,000.00	002-0639-0000-4011	Salaries	\$200.00	002-0549-0000-4021	Deferred Comp
\$30,000.00	002-0639-0000-4016	Fica/Medicare Tax	\$100,000.00	002-0639-0000-4006	Overtime Wages
\$10,000.00	002-0639-0000-4035	Repair/Maint Supp	\$2,000.00	002-0639-0000-4033	Operating Supplies
\$3,000.00	002-0639-0000-4047	Heat/Light/Pwr/Wtr	\$1,000.00	002-0639-0000-4043	Education & Training
\$3.00	002-0707-0000-4031	Office Supplies	\$3.00	002-0707-0000-4035	Repair/Maint. Supp
\$4,000.00	002-0709-0000-4011	Salaries	\$4,000.00	002-0709-0000-4006	Overtime Wages
\$700.00	002-0720-0000-4043	Education/Training	\$700.00	002-0720-0000-4039	Consumable Items
\$4,700.00	002-0723-0000-4047	Heat/Light/Pwr/Wtr	\$4,700.00	002-0723-0000-4006	Overtime Wages
\$5,005.00	002-0725-0000-4006	Overtime Wages	\$5,005.00	002-0725-0000-4013	Seasonal Wages
\$2,000.00	002-0725-0000-4035	Repair/Maint Supp	\$15.00	002-0725-0000-4046	Postage
\$1,600.00	002-0725-0000-4039	Consumable Items	\$1,085.00	002-0725-0000-4047	Heat/Light/Pwr/Wtr
\$110.00	002-0859-0000-4011	Salaries	\$2,500.00	002-0725-0000-4056	Repair/Maint. Serv.
\$38,000.00	002-0963-0000-4019	Unemploy/Comp	\$110.00	002-0859-0000-4006	Overtime Wages
\$42,000.00	002-0963-0000-4143	Erie Zoo Society Gas	\$80,000.00	002-0963-0000-4012	Employee Payouts
\$7,500.00	007-0771-0000-4057	RefuseTip/Recy Fee	\$7,500.00	007-0771-0000-4041	Professional Serv
\$5.00	008-0731-0000-4019	Unemploy/Comp	\$5.00	008-0731-0000-4017	Pension Contribution
\$5,000.00	009-0728-0000-4019	Unemploy/Comp	\$5,000.00	009-0728-0000-4047	Heat/Light/Pwr/Wtr
\$16,700.00	009-0728-0000-4020	Workers Comp Ins	\$15,000.00	009-0728-0000-4013	Seasonal Wages
			\$200.00	009-0728-0000-4054	Rentals
			\$1,500.00	009-0728-0000-4059	Other Services
<b>\$231,435.00</b>	<b>Total</b>		<b>\$231,435.00</b>	Total	

December 16, 2015. City Council adopt by yeas Council Members Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 6. Nays. 0. Mrs. Horan-Kunco abstains.  
December 16, 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 various departments:**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$7,000.00	002-0603-0000-4006	Overtime Wages	\$151,000.00	002-0613-0000-4006	Overtime Wages
\$8,000.00	002-0603-0000-4011	Salaries	\$15,000.00	002-0613-0000-4007	Shift Diff. Wages
\$7,000.00	002-0603-0000-4016	Fica/Medicare Tax			
\$11,000.00	002-0603-0000-4021	Deferred Comp			
\$30,000.00	002-0613-0000-4011	Salaries			
\$10,000.00	002-0613-0000-4016	Fica/Medicare Tax			
\$55,000.00	002-0613-0000-4021	Deferred Comp			
\$2,000.00	002-0617-0000-4011	Salaries			
\$1,000.00	002-0617-0000-4021	Deferred Comp			
\$35,000.00	002-0963-0000-4098	Contingency Acct.			
<b>\$166,000.00</b>	<b>Total</b>		<b>\$166,000.00</b>	<b>Total</b>	

December 16, 2015. City Council adopt by yeas Council Members Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 6. Nays. 0. Mrs. Horan-Kunco abstains.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

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

**That the following amount is transferred in the Office of City Solicitor:**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$6,650.00	002-0249-0000-4041	Professional Services	\$6,650.00	002-0249-0000-4079	Office Equipment

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Witherspoon, 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. **Bonded Services Corporation**, 4859 Pacific Avenue, Erie, PA 16506 for providing janitorial services for the City of Erie Municipal Building for the amount of **\$89,340.00** for 2016 and **\$92,112.00** for 2017.
2. **SunGard Public Sector, Inc.**, 1000 Business Center Drive, Lake Mary, FL 32746 for the Pentamation System license fees and services for the Office of Computer Services of the City of Erie at a cost of **\$19,919.00**.
3. **Polydyne Inc.**, 1 Chemical Plant Road, Riceboro, GA 31323 for Polydyne C-311 at the Unit price of \$0.109/lb. in effect for a two-year period with an option for one additional year extension for the Bureau of Sewers' Wastewater Treatment Plant.

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Witherspoon, 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. **Jim Brozell Construction**, 9298 Peach Street, Waterford, PA 16441 for the installation of 21 [delineators](#) to be placed on islands and bump-outs for the Department of Public Works of the City of Erie at a total cost of **\$2,100.00**.

2. **Centrisys Centrifuge Systems**, 9586 58<sup>th</sup> Place, Kenosha, WI 53144 for the [emergency repair of a hydraulic back-drive motor](#) for a dewatering Centrifuge at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of **\$18,865.00**.
3. **Cooper Business Machines**, 3304 State Street, Erie, PA 16508 for the purchase of a Sharp MX-M565N Network Copier for the Office of the City Solicitor in the amount of **\$6,650.00**.
4. **Michael Fahey** for Fire CPAT Proctor 148 hours @ \$25/hour for the Office of Human Resources at a total cost of **\$3,700.00**.
5. **GovConnection, Inc.**, P.O. Box 382810, Pittsburgh, PA 15250-8810 for a Kodak scanner for the Office of Computer Services of the City of Erie at a cost of **\$4,176.94**.
6. **GovConnection, Inc.**, 732 Milford Road, Merrimack, NH 03054 for software support for the [VSPHERE software](#) at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost **\$10,419.00**.
7. **Hagan Business Machines, Inc.** 1112 Peach Street, Erie, PA 16501 for a Cross cut Shredder for the Office of Computer Services of the City of Erie at a cost of **\$2,695.00**.
8. **Johnston's Evergreen Nursery, Inc.**, 9i865 Wales Road, Erie, PA 16510-5499 for the Department of Public Works-Shade Tree of the City of Erie for the purchase of trees in the amount of **\$3,159.00**.
9. **Leo's Pneumatics & Hydraulics, Inc.**, 1821 Franklin Avenue, Erie, PA 16510 for Ladder Truck inspection, repairs and labor for the Bureau of Fire of the City of Erie at a total cost of **\$10,721.00**.
10. **Softmart**, 450 Acorn Lane, Downingtown, PA 19335 for 14 hard drives, a Synology tail kit and a Synology RackStation server for the Office of Computer Services of the City of Erie at a cost of **\$7,609.29**.
11. **J. Thomas Tree Service**, P.O. box 9367, Erie, PA 16505 for the Department of Public Works, Property & Parks of the City of Erie [for emergency tree and stump removal](#) in the amount of **\$9,150.00**.
12. **Xerox Business Services, LLC**, P.O. Box 201322, Dallas, TX 75320-1322 for FH support contract renewal for the Bureau of Fire of the City of Erie at a total cost of **\$2,165.00**.

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

### Waive Rules

That the communication from the City Planning Commission recommending the request to amend the Zoning Ordinance of the City of Erie No.80-2005, sections 304.45, Article 6 and any other relevant provisions providing for the purposes, adding and amending defined terms establishing certain general and specific standards relating to the location, placement, construction and maintenance to Tower-based Wireless Communication Facilities and Non-tower Wireless Communication Facilities is approved and,

Be it Further Resolved, that the City Clerk is authorized and directed to advertise legal notice of a Public Hearing to be held before City Council on Wednesday, January 6, 2016 at approximately 9:30 a.m. in the Council Chambers, Municipal Building, 626 State Street, Erie, PA regarding said request.

December 16, 2015. City Council adopt **waive rules** by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

December 16, 2015. City Council adopt by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.  
December 16, 2015 Signed by the President. Attested by the City Clerk.

December 16, 2015 City Council on motion of Mr. Winarski Seconded by Mr. Witherspoon recessed at 9:38 P.M. by yeas Council Members Horan-Kunco, Jones, Kwitowski, Merski, Winarski, Witherspoon and Brennan. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk