

The City Council met in regular session in the Council Chambers on Wednesday, August 3, 2016 at 9:00 A.M.

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

On motion of Mr. Brennan, Seconded by Mr. Kwitowski, the reading of the minutes of the Meeting of July 20, 2016 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members, Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

Copies of the bills under date of July 29, 2016 and August 5, 2016, were given to City Council and same adopted by yeas Council Members Arrington, Jones, Kwitowski, Winarski and Merski. 7. Nays. 0.

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### **2016 MID-YEAR REPORT**

Good morning. Today I present you with the 2016 mid-year financial report for the City of Erie. The figures in this report continue to reflect stability in municipal operations and cost control; as well as the advantages of the transparent budget and spending system we have developed and implemented. It shows the continued commitment of all departments to stay within budgetary constraints, find new efficiencies, and keep our operations affordable to the taxpayers. Once again all of our department heads, bureau chiefs and employees of the City of Erie are to be commended for their vigilance in these areas.

As you are aware from the discussions at each of the monthly finance committee meetings, the stability of our operation has allowed us to keep the cost of doing business within budget throughout the past ten years. We have done so by finding new operational savings, to minimize the impact of annual increases in the cost of operating each of our departments. Over a period when most cities across America have experienced significant financial distress, our push to create an efficient, cost effective operation has kept Erie stable and vibrant. Because of our successes in redesigning the way municipalities do business, we've avoided the consequences of insolvency, and long term financial distress.

This model is reflected in the numbers you will review in the body of this report. As you look at the details, you will find that the total revenue projections are below the budgeted amounts, with individual line items varying according to the different circumstances that have arisen throughout the year. As an example, our real estate taxes collected to date are \$243,000 below the projected amount. Also, some of the state funded entitlement grants that we are accustomed to receiving are down. This year, the recycling grant is almost \$62,000 less than anticipated. The PennDot grant is down \$15,000. The alcoholic beverage tax grant and the liquid fuels grant are each down \$8,000.

The revenue shortfalls will be offset by significant savings on the expenditure side. We are anticipating a half of million dollars less in expenditures than was originally budgeted. This is the result of continually working to find additional savings in every area of the operation. Vigilance of department heads, bureau chiefs and managers has proven effective and, over the years, we have managed to save our taxpayers millions of dollars. In total, we are projecting a final budgetary surplus this year of \$66,795.

In our sewer and refuse funds, we are expecting small surpluses. In our golf fund we are expecting to at least break even, despite a rainy spring, due to increased play throughout the dry, hot summer.

As you review this report you will see that all departments are expected to, again, meet their target budgets. This shows that we have been able to determine the true cost of doing

business, budget accordingly and manage our operation in order to stay within the expected expenditures. This is a pledge that we as an administration and council promised our taxpayers ten and a half years ago. We have fulfilled that promise each and every year.

Our projections are only estimates, but are based on trends we have seen throughout the course of this administration. There may be deviations in the second half of the year, but we expect all departments to operate within our budget constraints again this year.

My staff and I will be available to address any questions you may have after you've had the opportunity to digest this information. I thank you for your ongoing support of the administration as we work together to make Erie a strong, financially vibrant community. We will continue on our mission to make Erie a model for cities across the commonwealth of how they can succeed despite the challenges facing all communities.

By Mr. Kwitowski, Council File No.15, 961 Pending Official File Ordinance No. 23-2016

An ordinance amending the Codified Ordinances of the City of Erie Part One – Administrative Code, Title Seven – Employment Provisions; **Pensions, Article 147. Police Employees' Pension Plan by amending Section 147.05(e) (2)A.2 and 147.11(f)** by amending the provision regarding service-connected disability retirement pension to clarify the exclusion of mental injuries; and amending the provision regarding Anti-Alienation in order to clarify the status of former spouses under the Plan.

August 3, 2016. City Council on motion of Mr. Kwitowski, Seconded by Mr. Brennan having read Council File No. 15,961, now known as Official File Ordinance No. 23-2016 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski and Merski. 7. Nays. 0.

August 3, 2016, Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Council File No.15, 962 Pending Official File Ordinance No. 24-2016

An ordinance amending the Codified Ordinances of the City of Erie Part One – Administrative Code, Title Seven – Employment Provisions; **Pensions, Article 149, Firefighters' Pension Fund by amending Section 149.01 and 149.10(f)** by adding a definition relating to "Surviving Spouse" and amending the definition of "Survivor," and amending the provision regarding Anti-Alienation in order to clarify the status of former spouses under the Plan.

August 3, 2016. City Council on motion of Mr. Kwitowski, Seconded by Mr. Brennan having read Council File No. 15,962, now known as Official File Ordinance No. 24-2016 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski and Merski. 7. Nays. 0.

August 3, 2016, Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No.15, 963 Pending Official File Ordinance No. 25-2016

An ordinance amending **Pretreatment Ordinances, Section 934.04(d)**, Local Limits, Changing maximum allowable discharge limits for Arsenic, Cadmium, Cyanide, Lead, Zinc and Phosphorus.

August 3, 2016. City Council on motion of Mr. Winarski, Seconded by Mr. Merski having read Council File No. 15,963, now known as Official File Ordinance No. 25-2016 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski and Merski. 7. Nays. 0.

August 3, 2016, Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,964

An ordinance appropriating the sum of \$303,918.17 from unappropriated revenue received as program income from the Neighborhood Stabilization Program (NSP) to be utilized on an additional NSP project. This Ordinance is a revision to Council File No. 15,964/Official Ordinance No. 26-2016. The revision reflects a change in the amounts appropriated per line item. The total appropriated remains unchanged.

August 3, 2016. City Council on motion by Mr. Jones, Seconded by Mr. Winarski Having read Council File No.15,964 does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

By Mrs. Arrington, Seconded by Mr. Merski, Resolved, etc.

That Reverend **Anthony G. Harris**, P.O. Box 10992, Erie, PA 16514 to the Human Relations Advisory Commission. His term would expire August 31, 2020.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the City Planning Commission is respectfully requested to review regulations, or the lack thereof, within the City concerning **urban agriculture or crop farming**, and to make a recommendation to City Council for any appropriate amendments to the Zoning Ordinance to permit such land uses with proper safeguards and restrictions.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

Receiving the communications from the **City of Erie Authorities** pursuant to Act 339 listing the names, positions and salaries of their respective employees for the six month period ending **June 30, 2016** is hereby received and ordered to be placed on file in the Office of Accounts, Finance and Budget:

Erie Airport Authority	Erie County Convention Center Authority
Erie Housing Authority	Erie Metropolitan Transit Authority
Erie Park Authority/Zoological Society	Erie Parking Authority
Erie Water Authority	Erie Western-PA Port Authority
Erie Redevelopment Authority	

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to execute an agreement between the City of Erie and the Erie County Sheriffs' Department in which funds awarded to the City under the Byrne Criminal **Justice Innovation Grant** will be utilized to engage the Sheriffs' Department to provide assistance to the Erie Police Department in conducting foot patrols and data collection. The maximum amount of the agreement shall not exceed \$19,200.00.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Controller are authorized and directed to sign Non-Reimbursement [Agreement](#) No. 010W33 Between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the following:

**State Route 4016; Section 04M - Manhole Adjustment**

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are hereby authorized and directed to submit for a **Multimodal Transportation Fund Grant** of \$277,880.00 from the Commonwealth Financing Authority to be used for improved lighting on 10<sup>th</sup> and 11<sup>th</sup> Streets between Sassafras and Peach Street.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the proposed [Repository sale](#) of property commonly known as Maplewood Lot 75, Erie, PA and identified by Erie County Assessment Index Number 18-051-011.0-224.00, by the Erie County Tax Claim Bureau to Michelle Kunselman, **2119 Camphausen Avenue**, Erie, PA in the amount of \$250.00 is hereby approved.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to join with the **Erie Metropolitan Transit Authority (“EMTA”)** in any legal action necessary to compel the County of Erie to Act upon the **County’s Ordinance 44**, enacted May 31, 2016, and take all necessary steps mandated under the Municipal Authorities Act to withdraw as an incorporating municipality from EMTA.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Jones, Kwitowski, Winarski, and Merski. 5. Nays. 2. Brennan and Witherspoon

August 3, 2016. Signed by the President. Attested by the City Clerk.

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

That the following amounts are hereby transferred in the – **Community Block Grant**:

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 1,011.62	501-1251-2012-4031	Office Supplies	\$21,726.97	501-1251-2012-4011	Salaries
500.00	501-1251-2012-4033	Operating Supplies	1,662.12	501-1251-2012-4016	FICA/Medicare Tax
200.00	501-1251-2012-4035	Repair/Maint Supplies	2,947.37	501-1251-2012-4071	Pension Contribution
3,915.55	501-1251-2012-4039	Consumable Items	4,929.03	501-1251-2012-4018	Group Insurance
2,545.00	501-1251-2012-4041	Professional Services	22.39	501-1251-2012-4020	Workers Comp Ins
8,380.44	501-1251-2012-4043	Education & Training	138.64	501-1251-2012-4021	Deferred Comp
1,856.66	501-1251-2012-4045	Communication			
1,544.85	501-1251-2012-4046	Postage			
500.00	501-1251-2012-4048	Technology/Support			
6,193.00	501-1251-2012-4052	Advertising			
2,217.36	501-1251-2012-4056	Repair/Maint Services			
2,562.04	501-1251-2012-4059	Other Services/Charges			
\$31,426.52			\$31,426.52		

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 2,325.73	501-1251-2013-4016	Office Supplies	\$17,633.86	501-1251-2013-4011	Salaries
1,678.00	501-1251-2013-4031	Operating Supplies	6,554.95	501-1251-2013-4017	Pension Contribution
473.80	501-1251-2013-4033	Repair/Maint Supplies	10,962.16	501-1251-2013-4018	Group Insurance
200.00	501-1251-2013-4035	Consumable Items	49.79	501-1251-2013-4020	Workers Comp Ins
4,175.60	501-1251-2013-4039	Professional Services	1,032.59	501-1251-2013-4021	Deferred Comp
5,000.00	501-1251-2013-4041	Education & Training			
9,135.50	501-1251-2013-4043	Communication			
3,585.55	501-1251-2013-4045	Postage			
1,579.90	501-1251-2013-4046	Technology/Support			
500.00	501-1251-2013-4048	Advertising			
2,363.40	501-1251-2013-4052	Repair/Maint Services			
2,215.87	501-1251-2013-4056	Other Services/Charges			
3,000.00	501-1251-2013-4059				
\$36,233.35			\$36,233.35		

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 11,929.91	501-1253-2015-4078	Machinery/Equipment	\$9,409.58	501-1253-2015-4017	Pension Contribution
			2,355.72	501-1253-2015-4020	Workers Comp Ins
			164.61	501-1253-2015-4021	Deferred Comp
\$ 11,929.91			\$ 11,929.91		

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 3,283.76	501-1264-2015-4059	Office Supplies	\$ 2,654.41	501-1264-2015-4017	Pension Contribution
			47.58	501-1264-2015-4018	Group Insurance
			581.77	501-1264-2015-4020	Workers Comp Ins
\$ 3,283.76			\$ 3,283.76		

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk

By Mr. Merski, Seconded by Mr. Kwitowski, 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 do hereby ratify and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **2016 Curb Ramps II Project**, Bid 1724-16, be and the same is hereby awarded to **Empire Snow Management Inc.**, 10860 Donation Road, Waterford, PA 16441, in the amount of \$396,442.75; being the lowest of six (6) bids:  
 Amendola Development - \$414,295.20  
 Vavala Concrete - \$416,776.80  
 Marsh Construction - \$428,885.60  
 Russell Standard - \$429,552.76  
 Mayer Brothers Construction - \$531,800.50
2. **2016 Curb Ramps III Project**, Bid 1725-16, be and the same is hereby awarded to Russell Standard Corporation, P.O. Box 86, Union City, PA 16438, in the amount of \$343,283.64; being the lowest of six (5) bids:  
 Marsh Construction - \$344,475.67  
 Vavala Concrete - \$369,842.00  
 Amendola Development - \$377,862.76  
 Mayer Brothers Construction - \$429,863.50

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk

By Mr. Brennan, Seconded by Mr. Merski, 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. **Ace Viking**, 2222 East 30<sup>th</sup> Street, Erie, PA 16510 for a [new sludge pump](#) at the Arlington Lift Station for the Bureau of Sewers at a total amount of \$2,685.00.
2. **CDW-G, 75** Remittance Drive, Suite 1515, Chicago, IL 60675-1515 for ten(10) Lenovo PC's and five (5) [Lenovo power adapters](#) for the Office of Computer Services for the City of Erie at a cost of \$4,700.00
3. **Commonwealth of Pennsylvania**, 1800 Elmerton Avenue, Harrisburg, PA 17110 for the annual recurring data circuit lease and equipment for [NCIC](#) (Scope) for the Bureau of Police at a total amount of \$3,500.00.
4. **Dukes Root Control**, 1020 Hiawatha Blvd. West, Syracuse, NY 13204-1131, for root control in various 6" [sewer lines](#), for the Bureau of Sewers, at a cost of \$19,000.00.
5. **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 165056 for materials only at various locations for the Bureau of Sewers
6. **Environmental Remediation & Recovery, Inc.** 4250 Route 6N, Edinboro, PA 16412 for Drum Excavation and Disposal within the Richley Street right-of-way for the Department of Risk Management of the City of Erie at a cost of \$11,791.88(partial).
7. **National Vacuum Company**, 408 47<sup>th</sup> Street, Niagara Falls, NY 14304 for the [cleaning of the boiler](#) breach in the incinerator building at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$4,116.00.
8. **Northwest Restoration Inc.**, 4460 Phyllis Drive, Erie, PA 16510 for the reconstruction of the [masonry wall](#) on the east side of State Street (at 15<sup>th</sup> Street) for the Bureau of Engineering at a total cost of \$6,700.00.
9. **Wm. T. Spaeder**, 1602 East 18<sup>th</sup> Street, Erie, Pa 16514 for [plumbing work](#) at Central Fire House for the Bureau of Fire of the City of Erie at a total cost of \$5,802.15.
10. **Wm. T. Spaeder**, 1602 East 18<sup>th</sup> Street, Erie, Pa 16514 for the installation of center [column support](#) and torque device for the secondary clarifier #9 at the Wastewater Treatment Plant for the Bureau Of Sewers at a total amount of \$6,900.00
11. **Westech Engineering Inc.**, PO Box 65068, Salt Lake City, UT 84165, for a new [center column support](#) and torque device for the secondary clarifier #9 at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of \$13,259.00.

August 3, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

August 3, 2016. Signed by the President. Attested by the City Clerk

#### **COMMITTEE REPORTS ADJOURNMENT**

August 3, 2016, City Council on motion of Mr. Brennan, Seconded by Mr. Kwitowski; Adjourned at 10:38 A.M. by yeas Council Members Merski, Arrington, Brennan, Jones and Kwitowski, Winarski and Witherspoon. 7. Nays. 0.

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President of City Council

Attest: \_\_\_\_\_  
City Clerk