

The City Council met in regular session in the Council Chambers on Wednesday, January 4, 2017 at 9:00 A.M.

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

On motion of Mr. Brennan, Seconded by Mr. Kwitowski, the reading of the minutes of the Meeting of December 21, 2017 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 December 30 & January 6, 2017, were given to City Council and same adopted by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

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

That Mr. Casimir Kwitowski is appointed City Council President for 2017.

January 7, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

January 7, 2017 Signed by the President. Attested by the City Clerk.

Council File No. 15,976

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 4, 2017. City Council on motion of Mr. Merski, Seconded by Mr. Kwitowski having read Council File No. 15,976, does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays 0.

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

That the Mayor and other appropriate City officials are authorized and directed to submit an application to the Commonwealth of Pennsylvania Office of the **Budget for a Redevelopment Assistance Capital Program (RACP)** grant in the amount of \$5,000,000.00 which will be utilized for the construction of the **Bayfront Harbor Place Hotel**.

Further resolved, that the City of Erie hereby designate **Chris Mong**, Director of the City of Erie Department of Community and Economic Development (**DECD**) as the Official to execute all documents and agreements between the City of Erie and the Commonwealth of Pennsylvania to facilitate and assist in obtaining the requested grant.

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.

January 4, 2017. Signed by the President. Attested by the City Clerk.

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

That Gregory A. Karle, Esq. is authorized and directed to file an appeal to the Court of Common Pleas of Erie County, Pennsylvania from the decision rendered by the **Erie County Board of Assessment Appeals in the Erie County Convention Center Authority assessment appeal** for properties located at Index No.: 17-040-049.0-202.0 (Case No. E16-130, State Street); Index No.: 17-040-048.0-100.99 (Case No E16-143, 30 Sassafras Pier); and Index No.: 17-040-048.0-300.99 (Case No. E16-144, 2 Sassafras Pier).

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.

January 4, 2017. Signed by the President. Attested by the City Clerk.

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

That the Proper City Officials are authorized and directed to accept **Ferguson & Holdnack reporting**, Inc.'s [proposal for stenography services](#) for the City of Erie's Zoning Board, Building Code Appeals Board and Property Maintenance Board of Appeals hearings for the 2017 calendar year. The terms of this contract will be \$130.00 for daytime hearings. We will charge \$30.00 per hour for each additional four. Transcript page rates are \$3.00 per page for the original and \$2.00 per page for transcript copies, as more fully set forth in Exhibit "A" attached.

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.

January 4, 2017. Signed by the President. Attested by the City Clerk.

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

That the communication from the **City Planning Commission** recommending that the request for Waterfront Conditional Use submitted by [Lake Front Realty, LLC](#) for an eating and drinking place located at East Dobbins Landing (index no. 1046-103, the property being located in the **WC Waterfront Commercial district**), is approved and authorizing and directing the City Clerk to advertise notice of a Public Hearing to be held before City Council on Wednesday, February 1, 2017 at approximately 9:30 a.m. in the City Council Chambers, Municipal Building, 626 State Street.

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.

January 4, 2017. Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to prepare an ordinance for the [closing and vacating of a historic alley](#) that runs parallel to East 18th Street and through the middle of the project development site from **Wayne Street to Buffalo Road** at the request of Attorney Timothy M. Ziezula, representing **Pol's Real Estate and Pro Waste Services, Inc.** and with Planning Commission approval.

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.

January 4, 2017. Signed by the President. Attested by the City Clerk.

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

That the communication received from the **City Planning Commission** recommending the request from Attorney Timothy M. Ziezula, representing **Pol's Real Estate and Pro Waste Services**, for the [rezoning of property](#) that is currently classified as M1 (Light Manufacturing) and R2 (Medium Density Residential) to M2 (Heavy Manufacturing) as described in Exhibit A (attached) is hereby approved and authorizing and directing the City Clerk to advertise notice of a Public Hearing to be held before City Council, in City Council Chambers, 626 State Street, Erie, PA on Wednesday, February 15, 2017 at approximately 8:00 p.m. concerning this request.

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.

January 4, 2017. Signed by the President. Attested by the City Clerk.

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

Upon the initiative of City Council, receiving the request for rezoning submitted by [Testa Enterprises](#), of the Subject Property, as defined on Exhibit A (attached) located on the block bordered by West 2nd Street (North), W. 3rd Street (South), Poplar Street (West) and Cherry Street (East) consists of 13 City lots for an approximate total of 2.1 acres. The City lot bordering W 2nd Street are currently zoned W-R (Waterfront Residential). The remaining 12 City lots bordering W 3rd Street are currently zoned R-2 Medium Density Residential; Testa Enterprises is requesting the rezoning of these 12 parcels to accommodate the proposed development of a mixed income apartment community. As part of the development, all 13 City lots will be consolidated into one parcel with one zoning designation. Since the W. 2nd Street lots are already zoned W-R, this will only change the zoning of those contiguous lots within the same block. This request is hereby received and referred to the City Planning Commission for recommendation and report thereon. (Accompanied by the request filing fee of \$500).

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.
January 4, 2017. Signed by the President. Attested by the City Clerk.

By Mr. Merski, 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. **Environmental Remediation & Recovery, Inc.**, 4250 Route 6N, Edinboro, PA 16412 for [Drum Excavation and Disposal](#) within the Richley Street right-of-way for the Bureau of Engineering at a total cost of \$8,640.44 (final).

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.
January 4, 2017. Signed by the President. Attested by the City Clerk.

WAIVE RULES

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

That Mr. Jeffrey J. Johnson 404 West 10th Street, Erie PA 16502 is hereby appointed to the Zoning Hearing Board for a five year term expiring December 31, 2021.

January 4, 2017. City Council votes to adopt the waive rules by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 4, 2017. City Council adopt by yeas Council Members, Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski 7. Nays. 0.
January 4, 2017. Signed by the President. Attested by the City Clerk.

January 4, 2017, City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington adjourned at 9:55 A.M. by yeas Council Members Kwitowski, Arrington, Brennan, Jones, Merski, Winarski and Witherspoon. 7. Nays. 0.

President of City Council

Attest: _____
City Clerk