

The City Council met in regular session in the Council Chambers on Wednesday, January 18, 2017 at 7:30 P.M.

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

On motion of Mr. Witherspoon, Seconded by Mr. Winarski, the reading of the minutes of the Meeting of January 4, 2017 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

Copies of the bills under date of January 13, 2017, and January 20, 2017 were given to City Council and same adopted by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

By Mr. Merski, Council File No.15, 976, Pending Official File Ordinance No. 1-2017

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 18, 2017. City Council on motion of Mr. Merski, Seconded by Mr. Kwitowski having read Council File No. 15,976 now known as Pending Official File Ordinance No. 1-2017 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 15,977

An ordinance appropriating the sum of \$250,000.00 from unappropriated revenue received from a Pennsylvania Department of Environmental Protection **Act 101**, Section **902 Municipal Recycling Program Grant** and providing for the expenditure thereof.

January 18, 2017. City Council on motion of Mr. Witherspoon, seconded by Mr. Winarski having read Council file No. 15,977 does hereby adopt on first reading by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 15,978

An ordinance appropriating the sum of \$8,000.00 from unappropriated and anticipated revenue from **Star Athletic Club** for the Bureau of Fire of the City of Erie.

January 18, 2017. City Council on motion of Mr. Witherspoon, seconded by Mr. Winarski having read Council file No. 15,978 does hereby adopt on first reading by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That Council President Casimir J. Kwitowski nominates **Councilman Mel Witherspoon** as City Council Vice President for 2017.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That **Trevor Thompson**, 106 West 41 Street, Erie, PA 16508 is appointed to the **Erie Land Bank** for a two-year term expiring January 18, 2019.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That **Mr. T.J. Sandell** of 2712 Plum Street, Erie, PA 16508 is hereby appointed to the **Erie Land Bank** for a two-year term expiring January 18, 2019. This designation is made by the Erie Redevelopment Authority Board of Directors.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following members of Erie City Council are hereby being assigned to the **Erie Area Council of Governments for 2017**:

Casimir J. Kwitowski – COG Delegate

James Winarski - 1st Alternate

Sonya Arrington - COG Delegate

Dave Brennan - COG Delegate

Curtis Jones Jr. - COG Delegate

Robert E. Merski - COG Delegate

Mel Witherspoon - COG Delegate

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the **Independent Auditor's Report** of the Erie Area Council of Governments for the Calendar Year Ending December 31, 2015 is hereby received.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That City Council received a petition from **Great Lakes Metal Finishing, Inc.**, located at 1113 West 18th Street, requesting the [closing and vacating](#) of a paper street located between Raspberry and Cranberry Streets; just to the west of where West 19th Street ends (see map attached) for possible expansion. The expansion would allow for additional needed storage and production floor space. Request received and is referred to the City Planning Commission for recommendation and report thereon. (Accompanied by the requisite filing fee of \$300.00).

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute a Payment in Lieu of Taxes (“**PILOT**”) **Agreement with Saint Vincent Health Center**, d/b/a Saint Vincent Hospital. The agreement provides for a five year term, commencing January 1, 2017 and concluding December 31, 2021. Also, the agreement provides for automatic renewal at the expiration of the term unless timely notice is given by either party in the agreement’s final year. The terms of the agreement further commits Saint Vincent to a PILOT based on 50% of the assessed value of the scheduled tax exempt properties.

To: Mrs. Rose Boyer, City Clerk January 18, 2017
From: David Brennan, City Council Member
RE: Abstention from Voting

Because I am an employee of the Bostwick Design Partnership I will abstain from voting on the resolution #7 an agreement between the City of Erie and St. Vincent Hospital for a Payment in Lieu of Taxes (Pilot) Agreement. I will abstain from voting on this resolution to avoid any appearance of conflict of interest.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Jones, Merski, Winarski, Witherspoon and Kwitowski. 6. Nays. 0. Mr. Brennan Abstains
January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to execute an agreement between the City of Erie and **Scott Enterprise** to construct the [Bayfront Harbor Place Hotel](#) not to exceed \$5,000,000.00 of **Redevelopment Assistance Capital Program (RACP)** grant funds pending the Commonwealth of Pennsylvania Office of the Budget award.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.
January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials execute an Agreement between the City of Erie and **Mullin & Lonergan Associates** to provide consulting services to assist the City with Community and Housing Development [consulting services](#), Consolidated Plan, **Environmental Review**, and Affirmative Fair Housing Study for the three-year period 2017, 2018 and 2019. The total compensation to be paid to Mullin & Lonergan under the agreement is not to exceed \$88,000.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.
January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

Steven Uplinger II 515 Andrews Park Blvd., Erie, PA 16511

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.
January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

1. **Justin Starvaggi**, 11491 Ashton Road, Northeast, PA 16428
2. Patrick Behr, 3131 West 12th Street, Apt. C Erie, PA 16505
3. Kevin Mullaney, 3 Liberty Court, Annandale, NJ 08801

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

1. **Patrick Behr**, 3131 West 12th Street, Apt. C Erie, PA 16505
2. Kevin Mullaney, 3 Liberty Court, Annandale, NJ 08801
3. Michael Attalla, 435 Erica Drive, Erie, PA 16509

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

1. **Kevin Mullaney**, 3 Liberty Court, Annandale, NJ 08801
2. Michael Attalla, 435 Erica Drive, Erie, PA 16509
3. Anthony Fatica, 1416 High Street, Erie, PA 16509

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

1. **Anthony Allman**, 2346 Norcross Road, Erie, PA 16510
2. Michael Attalla, 435 Erica Drive, Erie, PA 16509
3. Anthony Fatica, 1416 High Street, Erie, PA 16509

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

1. **Michael Attalla**, 435 Erica Drive, Erie, PA 16509
2. Anthony Fatica, 1416 High Street, Erie, PA 165059
3. Ryan Prylinski, 5419 Exeter Road, Erie, PA 16509

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the following individual be appointed as Probationary Patrolman at the current salary of \$44,601.89 in the City of Erie Bureau of Police as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on January 19, 2017.

1. **Anthony Fatica**, 1416 High Street, Erie, PA 16509
2. Ryan Prylinski, 5419 Exeter Road, Erie, PA 16509
3. Daniel Potts, 2015 Andover Lane, Erie, PA 16509

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That the proper City officials authorized and directed to issue a purchase order to **Marshall & Stevens, Inc.**, 601 South Figueroa Street, Suite 2301, Los Angeles, CA 90017, in order to fund the City of Erie's share of a \$15,000 property appraisal that will be used to determine the value of the Erie Insurance Group Properties. The amount, \$5,250.00 which includes fees, represents 35% of the appraisal's total cost. Erie County has agreed to fund their share of the cost which represents 15%. The Erie School District is initiating this action and will be funding their share of 50%. The percentages correspond with the amount of property tax revenue for each taxing authority.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That **Change Order No. 1** on the contract of [Amendola Development](#) CO., Inc., 4153 Feidler Drive, Erie PA 16506; for the **2016 Curb Ramps IV**, Bid 1730-16, as recommended and concurred with by the Bureau of Engineering, be approved as follows:

Original Contract Amount:	\$65,023.20
Change Order: (per attachment) Add \$	2,308.60
Final Contract Amount	\$67,331.80

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

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

That **Change Order No. 2** on the contract of Electrical and Mechanical Systems, Inc. 316 Cherry Street, Erie, PA 16507

for the [Perry Square East Improvements](#)

Electrical Construction Bid. No. 1719-15-C

Increased scope of work for fountain fans, as recommended and concurred with By the Bureau of Engineering, be approved as follows: Net Change: \$2,752.96.

The original contract was \$78,960.00. The current amount prior to this change order was \$94,560.44. The revised contract is \$97,313.40.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.

January 18, 2017. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mr. Jones, 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. **KidderWachter Architecture & Design**, 201 French Street, Erie PA 16507 for the Architecture and Engineering Design Services Proposed [Perry Square Enhancements](#)-2017 in the sum not to exceed \$7,500.00

2. **Jerry's Sports Inc.**, 100 Capital Road, Jenkins Twp., PA 18640-6146 for the 2017 department duty and [training ammunition](#) for the Bureau of Police at a total amount of \$29,646.20.
3. **Process & Data Automation, Inc.**, 5451 Merwin Lane, Erie, PA 16510 for annual [service contract at the Wastewater Treatment](#) Plant for the Bureau of Sewers at a total cost of \$30,000.00
4. **SunGard Public Sector, Inc.**, 12709 Collection Center Drive, Chicago, IL 60693 for the Finance Plus annual maintenance agreement for the Pentamation System used by Finance, Payroll, Human Resources, Code Enforcement and the office of City Treasurer for the City of Erie at a total amount of \$82,172.96.
January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.
January 18, 2017. Signed by the President. Attested by the City Clerk.

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 30th Street, Erie PA, 16510 for the [repair of a 50HP Drainage](#) Pump Motor at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of \$4,275.00.
2. **Empire Stack Testing**, 1090 Cain Road, Angola, NY 14006 for the 2017 Annual CEMS [Audit Program](#) for the Incinerators at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$12,000.00.
3. **MSDS Online**, 222 Merchandise Mart Plaza, Suite 1750, Chicago, IL 60654 for the 2017 [annual service](#) and support for the Material Safety Data Sheet Online Library used at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of \$4,024.00.
4. **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 16506 for materials only to repair a sanitary sewer at 130 Eagle Point for the Bureau of Sewers: **\$8,462.96 (MATERIAL COSTS ONLY)**
5. **PA Chiefs of Police Association**, 3905 North Front Street, Harrisburg, PA 17110 for the [annual maintenance agreements](#) for the Livescan/CPIN Systems, the fingerprint and mugshot equipment, for the Bureau of Police at a total amount of \$6,500.00.
6. **Rabe Environmental Systems, Inc.**, 2300 West 23rd Street, Erie, PA 16506-2919 for the [emergency boiler](#) work done at Engine 6 for the bureau of Fire of the City of Erie at a total cost of \$5,265.00.
7. **Schultz Process Corp.**, P.O. Box 450902, Westlake, OH 44145 for various [replacement pump parts](#) at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of \$5,592.00.
8. **Wm. T. Spaeder, Co. Inc.**, 1602 East 18th Street, PO Box 10066, Erie, PA 16514 for a snow melt control valve for the Department of Public Works in the Amount of 2,410.78.
9. **Wm. T. Spaeder, Co. Inc.**, 1602 East 18th Street, PO Box 10066, Erie, PA 16514 for the repair and installation of the [Ash Conveyance](#) Line at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of \$6,900.00.
10. **J.J. Keller & Associates**, P.O. Box 6609, Carol Stream, IL 60197-6609 for the renewal of the Alcohol and Drug Pull Software for the Office of Human Resources at a total cost of \$2,040.00.
11. **WSG Solutions**, 160 Commerce Drive, Suite 100, Montgomeryville, PA 18936 for a replacement sprocket for the [Grit Chambers](#) at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of \$2,380.00.

January 18, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski, Witherspoon and Kwitowski. 7. Nays. 0.
January 18, 2017. Signed by the President. Attested by the City Clerk.

January 18, 2017, City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington adjourned at 8:44 P.M. by yeas Council Members Kwitowski, Arrington, Brennan, Jones, Merski, Winarski and Witherspoon. 7. Nays. 0.

President of City Council

Attest: _____
City Clerk