

The City Council met in regular session in the Council Chambers on Wednesday, May 3, 2017 at 9:00 A.M.

Council Members present: Kwitowski, Arrington, Brennan, Jones, Merski and Winarski and. 6. Nays. 0. Witherspoon, Absent

On motion of Mr. Winarski, Seconded by Mrs. Arrington, the reading of the minutes of the Meeting of April 19, 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 and Kwitowski. 6. Nays. 0.

Copies of the bills under date of April, 28 2017, and May 5, 2017 were given to City Council and same adopted by yeas Council Members Arrington, Brennan, Jones, Merski and Winarski, and Kwitowski. 6. Nays. 0. Witherspoon, Absent

By Mr. Brennan Council File No. 15,985 Pending Official File Ordinance 10-2017

An ordinance renewing **Erie Downtown Improvement District (EDID)** for the area shown on Exhibit "A" at the request of the Erie Downtown Partnership: An Improvement District Association and a coalition of property owners, business leaders, retailers and local government and institutional representatives as provided by the Neighborhood Improvement District Act of 2000.

May 3, 2017. City Council on motion of Mr. Brennan, Seconded by Mr. Winarski having read Council File No. 15,985 now known as Pending Official File Ordinance No. 10-2017 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

By Mrs. Arrington Council File No. 15,986 Pending Official File Ordinance 11-2017

An ordinance appropriating the sum of \$15,000.00 from unappropriated revenue for the expenditure thereof (contribution is from the **Sisters of Mercy** for the purpose of police equipment, fire prevention supplies or equipment and winter maintenance equipment).

May 3, 2017. City Council on motion of Mrs. Arrington, Seconded by Mr. Winarski having read Council File No. 15,986 now known as Pending Official File Ordinance No. 11-2017 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon Council File No. 15,987 Pending Official File Ordinance 12-2017

An ordinance requiring all persons, partnerships, businesses and corporations to obtain a permit for any construction or development; providing for the issuance of such permits; setting forth certain minimum requirements for new construction and development within areas of the **City of Erie** which are subject to **flooding**; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this ordinance.

May 3, 2017. City Council on motion of Mr. Jones, Seconded by Mr. Brennan having read Council File No. 15,987 now known as Pending Official File Ordinance No. 12-2017 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

By Mr. Jones

Council File No. 15,988

A resolution authorizing the Mayor to 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 \$2,804,599. Home in the amount of \$655,049 and ESG in the amount of \$252,664 and is further authorized to act as an authorized representative of the City of Erie to sign any and all documents in regards to these programs.

These figures are subject to change

**** Pulled by the administration for amounts from HUD. Will re-submit for May 17, 2017.**

By Mr. Witherspoon Council File No. 15,989

An Ordinance no. 80-2005 known as the Zoning Ordinance of the City of Erie by changing the classification of the property commonly known as 648 [West 3rd Street](#) (17-040-021.0-222.00), 646 West 3rd Street (17-040-021.0-223.00) 642 West 3rd Street (17-040-021.0-224.00) 640 West 3rd Street (17-040-021.0-225.00) 636 West 3rd Street (17-040-021.0-226.00) 632 West 3rd Street (17-040-021.0-228.00), West 3rd Street (17-040-021.0-229.00) West 3rd Street (17-040-021.0-230.00) 624 West 3rd Street (17-040-021.0-231.00) 165-624 FT (17-040-021.0-232.00) and 641 West 3rd Street (17-040-021.0-233.00) from R-2 (Medium Density Residential) to W-R (**Waterfront Residential**)

May 3, 2017. City Council on motion of Mr. Winarski, Seconded by Mr. Brennan having read Council File No. 15,989 now known as Pending Official File Ordinance No. 14-2017 does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

Pursuant to the provisions of proper legal advertising a Public Hearing was held on Wednesday May 3, 2017 at approximately 9:30 AM in City Council Chambers, 626 State Street, Municipal Building, Erie, PA relative to the proposed amendments to Official Ordinance No 80-2005 known as the Zoning Ordinance of the City of Erie Articles, 2, 3 and 6 by adding a provision to allow an "**Urban Garden**" as a Permitted Use and "[Market Garden](#)" as a Special Exception in R-2 (Medium Density Residential), R-3 (High Density Residential), and RLB (Residential Limited Business) District upon City Council initiative and approval of the City of Erie Planning Commission.

Pursuant to the provisions of proper legal advertising a Public Hearing was held on Wednesday May 3, 2017 at approximately 9:30 AM in City Council Chambers, 626 State Street, Municipal Building, Erie, PA, regarding the request for **Waterfront Conditional Use** relative to the proposed construction of a one-story single family dwelling at the request of Mark Gusek of VTL Properties LLC and with Planning Commission approval.

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

That pursuant to the provisions of Zoning Ordinance No. 80-2005 and a Public Hearing held Wednesday, May 3, 2017 the request for **Waterfront Conditional Use** for property located at 946 West 2nd Street (Index No. 4038-114) for the proposed construction of a [one-story single family dwelling](#) at the request of Mark Gusek of VTL Properties LLC is hereby approved by the City Council.

**** Pulled by City Council as not to circumvent the established process and will be placed on the May 17, 2017 meeting.**

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

Receiving the communication from Raymond Massing, Executive Director, Erie [Parking Authority](#) submitting the annual financial statements and reports for the year ending December 31, 2016 of the **Parking Authority** is hereby received and placed in the Office of Accounts, Finance and Budget.

May 3, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

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

That the proposed **Repository sale** of property commonly known as 739 East 12th Street, Erie, PA and identified as Erie County Assessment Index Number 15-020-036.0-307.00, by the Erie County Tax Claim Bureau to **Darnell Ramsey**, 737 East 12th Street, Erie, PA in the amount of \$250.00 is hereby approved; and that the proposed Repository sale of property commonly known as W 17th Street between Cascade and Plum Streets, Erie, PA and identified as Erie County Assessment Index Number 16-030-043.0-115.00, by the Erie County Tax Claim Bureau to **Maithem Abbar**, 418 Huron Street, Erie, PA in the amount of \$250.00 is hereby approved;

May 3, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

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

That the following amounts be transferred in the **Byrne Criminal Justice Innovation Grant**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 9,620.05	342-0859-0000-4096	Opr Transfer Out-ECD	\$ 15,480.00	342-1342-0000-4468	SSJ Programs
61.73	342-0205-0000-4045	Communications Code	15,000.00	342-1342-0000-4467	County Sheriff-OT
55,798.22	342-1342-0000-4069	Youth Programs	25,000.00	342-1342-0000-4041	Professional Svcs.
			10,000.00	342-1342-0000-4470	Bethesda Program
\$65,480.00			\$65,480.00		

May 3, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

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

That the following amounts be transferred in the **Office of Refuse and Recycling**

Amount	Account	Title	Amount	Account	Title
\$ 14,300.00	008-0731-0000-4033	Operating Supplies	\$ 14,300.00	008-0731-0000-4019	Unemp. Comp

May 3, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

By Mrs. Arrington, Seconded by Mr. Brennan, 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. **Cutter Equipment Company**, 3710 Progress Street, NE, Canton, OH 44705, for a 2011 Toro Groundsmaster 4300D Rotary Mower for Department of Golf at a cost of \$22,800.00.
2. **Schultz Process Corp.**, 27503 Bassett Road, Westlake, OH 44145 for furnishing and delivering Thickened Sludge Pumps and replacement pump parts per proposal #6453-2017 for the Bureau of Sewers **at unit prices.**

3. <u>Byrne</u> Criminal Justice Innovation Grant:		
Sisters of St. Joseph Neighborhood Network		Req #615383
342-1342-0000-4468 Original Contract		\$47,849.35
	Change	<u>15,480.00</u>
	Revised Contract	\$63,329.35
Erie County Sheriff's Department		Req #616919
342-1342-0000-4467 Original Contract		\$19,200.00
	Change	<u>15,000.00</u>
	Revised Contract	\$34,200.00
Mercyhurst University Civic Institute		Req #612623
342-1342-0000-4441 Original Contract		\$65,000.00
	Change	<u>25,000.00</u>
	Revised Contract	\$90,000.00

4. **Byrne Criminal Justice Innovation Grant** will be used to hire and instructor to reach out to the neighborhood youth in the disciplines of songwriting, recording, vocals and instrumental instruction. The maximum amount of the agreement shall not exceed \$10,000.00
5. **Town and Country Builders**, 2121 Elk Creek Road, Waterford, PA 16441, they being the lower of (2) bids received in the sum of \$19,000.00 for proposed [rain shelters](#) at Downing and JC Martin Golf Courses
6. **Empire Snow Management, Inc.**, 10860 Donation Road, Waterford, PA 16441, in the amount of \$242,253.00 for 2017 Curb Ramps/Project.
7. **McGill, Power, Bell & Associates, LLC**, 1920 West 8th Street, Erie, PA 16505 for the preparation of the 2016 Development (DCED) not to exceed the amount of \$33,600.00.

May 3, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk.

By Mrs. Arrington, Seconded by Mr. Brennan, 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. **3 Rivers Wholesale**, 1020 W. Saw Mill Blvd., Pittsburgh, PA 15220, for twenty-five (25) Keystone Lockers (including setup and delivery) for the boys locker room at J.C. Martin Golf Course for the Department of Golf at a cost of \$3,075.00.
2. **Ganzer Equipment Co.**, 5405 Buffalo Road, Erie, PA 16510 for a hot water pressure washer for the Bureau of [Fire](#) at a total cost of \$3,400.00.
3. **Smoracy, LLC. (The Beast)**, Dept. #77982 P.O. Box 77000, Detroit, MI., 48277-0982, in the amount of \$5,200.00 for refurbishing composting equipment for the Department of Public Works, Refuse and Recycling.
4. **Vasco Sport Contractors**, 427 Sterilite Street, SE, Massillon, OH 44646, in the amount of \$17,145.00 for the repair of two (2) basketball courts, for the Department of Public Works, Bureau of Parks/Recreation.
5. **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 16506 for materials only to repair the sanitary connection at 1243 West 6th Street for the Bureau of Sewers. \$2,621.36 (MATERIAL COSTS ONLY).
6. **Plasterer Equipment**, 2550 Cumberland Street, Lebanon, PA 17042, for the purchase of a new [Backhoe Loader](#) for the Bureau of Sewers for the City of Erie at a total amount of \$92,200.00.

May 3, 2017. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Merski, Winarski and Kwitowski. 6. Nays 0.

May 3, 2017. Signed by the President. Attested by the City Clerk

May 3, 2017, City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington adjourned at 11:15 A.M. by yeas Council Members Kwitowski, Arrington, Brennan, Jones, Merski and Winarski. 6. Nays. 0.

President of City Council

Attest: _____
City Clerk