

The City Council met in regular session in the Council Chambers on Wednesday,
May 2, 2018 at 9:00 A.M.

Council Members present: Allen, Kwitowski, Merski, Schaaf, Winarski,
Witherspoon and Arrington 7. Yeas. 0.

On motion of Mr. Witherspoon, Seconded by Mr. Winarski, the reading of the minutes
of the Meeting of April 18, 2018 were dispensed with and same adopted with copies
furnished to the members of City Council by yeas Council Members Allen, Kwitowski, Merski,
Schaaf, Winarski, Witherspoon and Arrington. 7. Nays. 0. Copies of the bills under date of
April 27, and May 4, 2018, were given to City Council and same adopted by yeas
Council Members Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7.
Nays. 0.

By Mr. Merski Council File No. 15,623 Pending Official Ordinance 14-2018

An ordinance **appropriating** the sum of **\$207,830.00** from unappropriated and
anticipated revenue to be received from the U.S. Department of Housing and
Urban Development (HUD) as Appalachian Regional Commission (ARC) Section
214 Supplemental funding. This grant will be utilized to invest in sidewalk, curb,
and greenspace improvements for the deteriorating area of West 11th Street
between Sassafras and Peach Streets as part of the Erie Renaissance District
Revitalization Project.

May 2, 2018. City Council on motion of Mr. Merski, Seconded by Mr. Kwitowski
having read Council File No. 15,623, and now known as Official File Ordinance No. 14-2018
does hereby adopt on Final Passage by yeas Council Members Allen, Kwitowski, Merski,
Schaaf, Winarski, Witherspoon and Arrington. 7. Nays 0.

May 2, 2018 Signed by the President. Attested by the City Clerk.

By Mr. Merski Council File No. 15,624 Pending Official Ordinance 15-2018

An ordinance **appropriating** the sum of **\$100,000.00** from unappropriated and
unanticipated revenue and providing for the expenditure thereof. In the Capital
Improvement Fund for use of public safety equipment as donated by Gannon
University.

May 2, 2018. City Council on motion of Mr. Merski, Seconded by Mr. Kwitowski
having read Council File No. 15,624, and now known as Official File Ordinance No. 15-2018
does hereby adopt on Final Passage by yeas Council Members Allen, Kwitowski, Merski,
Schaaf, Winarski, Witherspoon and Arrington. 7. Nays 0.

May 2, 2018 Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski Council File No. 15,625

An ordinance amending **Article 330, Landlord and Rental, Section 330.04
Residential Rental Unit Registration Required**, to extend the time period
for compliant landlords; and **Section 330.09 Fees** to reduce rental fees for
compliant landlords and to increase the fees for additional inspections.

May 2, 2018. City Council on motion of Mr. Kwitowski, Seconded by Mr. Witherspoon
having read Council File No. 15,625, does hereby adopt on First Reading by yeas Council
Members Allen, Schaaf, Winarski Witherspoon and Arrington 5. Nays 2. Kwitowski and
Merski

May 2, 2018 Signed by the President. Attested by the City Clerk.

By Mr. Merski Council File No. 15,626

An ordinance amending **Official Ordinance No. 60-1978**, and amendments thereto, codified under **Title Seven of the Codified Ordinances** of the City of Erie, Pennsylvania, Article 381, Business Regulation and Taxation Code by providing for a real estate exemption of ten (10) years for all new construction and improvements in all zoning classifications within the limits of the City of Erie.

May 2, 2018. City Council on motion of Mr. Merski, Seconded by Mr. Kwitowski having read Council File No. 15,626, does hereby adopt on First Reading by yeas Council Members Allen, Kwitowski, Merski, Schaaf, Winarski Witherspoon and Arrington 6. Nays 1. Winarski

May 2, 2018 Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon Council File No. 15,627

An ordinance **appropriating** the sum of **\$120,000.00** from unappropriated and unanticipated revenue received from **PADEP** Community Conservation Partnership Grant and providing for the expenditure thereof for the McClelland Park Improvement Project.

May 2, 2018. City Council on motion of Mr. Witherspoon, Seconded by Mr. Winarski having read Council File No. 15,627, does hereby adopt on First Reading by yeas Council Members Allen, Kwitowski, Merski, Schaaf, Winarski Witherspoon and Arrington 6. Nays 1. Winarski

May 2, 2018 Signed by the President. Attested by the City Clerk.

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

That the Proper City Officials are authorized and directed to renew the 2014 agreement for towing services between the City of Erie and **Eddie's Collectibles Towing** for towing services for the duration of one year, pursuant to Paragraph 14 of the existing contract. The terms of the contract are based on the city's current towing ordinance.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the Proper City Officials are authorized and directed to renew the 2014 agreement for towing services between the City of Erie and **McMillen's Towing** for towing services for the duration of one year, pursuant to Paragraph 14 of the existing contract. The terms of the contract are based on the city's current towing ordinance.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone** Loan Review Committee approval of the following loan is formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
<u>Velocity Network, Inc.</u>	\$350,000.00	7 year. Fixed	\$1,750.00

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to execute a nonfinancial Memorandum of Understanding between the City of Erie (applicant) and Mercyhurst University (research partner, collaborator) pending the award of a federal Bureau of Justice Assistance Grant to focus on community-based crime reduction strategies aligned with **UnifiedErie**.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to amend the agreement between the City of Erie and Mercyhurst University Civic Institute pertaining to the **Byrne Criminal Justice Innovation Grant**. The amendment will extend the contract end date to September 30, 2018 and increase the contract amount by \$6,300.00, from \$90,000.00 to \$96,300.00.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to amend the agreement between the City of Erie and the **Sisters of St. Joseph Neighborhood** pertaining to the **Byrne Criminal Justice Innovation Grant**. The amendment will extend the contract end date to September 30, 2018 and increase the contract amount by \$2,358.76, from \$63,329.35 to \$65,688.11.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to amend the agreement between the City of Erie and the Erie County Sheriff's Department pertaining to the **Byrne Criminal Justice Innovation Grant**. The amendment will extend the contract end date to September 30, 2018 and increase the contract amount by \$3,932.72, from \$34,200.00 to \$38,132.72.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
May 2, 2018. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mrs. Schaaf, Resolved, etc.

That the City of Erie(Applicant) of Erie County hereby requests a **Greenways, Trails and Recreation Program Grant** of up to \$250,00.00 from the Commonwealth Financing Agency of Pennsylvania to be used for Bayview Park Improvements in partnership with Our West Bayfront. Be it further resolved that the Applicant does hereby designate the City Director of Public Works and the City Director of Economic and Community Development as authorized officials to execute documents and agreements between the City of Erie and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant and future documents as necessary for the grant if awarded. This resolution has been duly adopted by the majority vote of the Erie City Council at the regularly scheduled meeting listed on this document and remains effective as of this date.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
May 2, 2018. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mrs. Schaaf, Resolved, etc.

That the Mayor and other appropriate City Officials and the City of Erie Department of Economic and Community Development are authorized and directed to submit a **Neighborhood Stabilization Program (NSP)** grant application to the Pennsylvania Department of Community and Economic Development to support affordable housing and housing revitalization efforts. Be it further resolved that the Applicant does hereby designate the City Director of Economic and Community Development as an authorized official to execute documents and agreements between the City of Erie to facilitate and assist in obtaining the requested grant and future documents as necessary for the grant if awarded.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.
By Mr. Merski, Seconded by Mr. Kwitowski, Resolved, etc.

That the Mayor and other appropriate City Officials are authorized and directed to amend the agreement between the City of Erie and **HANDS** pertaining to Our West Bayfront New Construction Project. The amendment will increase the contract by \$137,070.00, from \$234,783.00 to \$371,853.00.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to execute a Memorandum of Understanding between the City of Erie and Millcreek Township pending the award of an Erie County Gaming Revenue Authority Multi-[Municipal Collaboration Grant](#) to collaborate on technical assistance and training from the National Development Council.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mrs. Schaaf, Resolved, etc.

That the Mayor and other appropriate City Officials and the City of Erie Department of Economic and Community Development are authorized and directed to serve as authorized organization representatives to sign required proposal documents and to submit state and federal grant applications on behalf of the City for the 2018 calendar year.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the proper City Officials are authorized and directed to execute the attached Easement Agreement between the City of Erie and **Erie Innovation District**, 717 State Street, Erie, PA 16501 for the purpose of installing equipment boxes, cameras and sensors, on lighting poles. Installations will be within public right-of-ways on State Street, with the public rights-of-ways adjacent to Perry Square, all as part of the **Smart City Pilot Program**.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the proposed **Repository Sale** of property commonly known as E 5th Street NS (828 East 5th Street), Erie, PA and identified by Erie County Assessment Index Number 14-010-028.0-231 by the Erie County Tax Claim Bureau to Dennis Jones, 1148 Brown Avenue, Erie, PA in the amount of **\$250.00** is hereby approved.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
 May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the proposed **Repository Sale** of property commonly known as 738 1/2 East 11th Street, Erie, PA and identified by Erie County Assessment Index Number 15-020-035.0-244.00 by the Erie County Tax Claim Bureau to David Smock, 2436 West 32nd Street, Erie, PA in the amount of **\$250.00** is hereby approved.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
 May 2, 2018. Signed by the President. Attested by the City Clerk.

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

That the following amounts are transferred in the **HOME Program**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$137,070.00	505-1239-2016-4500	HANDS-NC-Midtown	\$137,070.00	505-1239-2016-4486	HANDS-NCOurWBft

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
 May 2, 2018. Signed by the President. Attested by the City Clerk.

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

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

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$50,128.50	342-1342-0000-4466	GECAC Programs	\$6,300.00	342-1342-0000-4041	Professional Svcs.
\$39,026.83	342-1342-0000-4465	ERA Programs	\$3,932.72	342-1342-0000-4467	E. County Sheriff OT
\$18.25	342-1342-0000-4470	Bethesda Programs	\$2,358.76	342-1342-0000-4468	SSJ Programs
\$1762.81	342-0613-0000-4021	DC-Police	67,165.16	342-0613-0000-4006	OT-Police
\$902.59	342-0613-0000-4006	OT-Code	973.89	342-0613-0000-4016	FICA/Medicare-Pol.
\$455.96	342-0205-0000-4021	DC-Code	10106.54	342-0613-0000-4020	WC-Police
			1,457.87	342-0205-0000-4020	WC-Code
\$92,294.94			\$92,294.94		

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington 7. Nays. 0.
 May 2, 2018. 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. **Empire Snow Management**, 1060 Donation Road, Erie, PA 16441 for the 2018 Curb Ramps/Project Bid 1742-18 on behalf of the City of Erie in the amount of \$62,785.00.
2. **Y.M.C.A. of Greater Erie**, 31 West 10th Street, Erie, PA 16501, for the Summer Learn to Swim Recreation Program in the amount of \$53,246.00.

3. **Y.M.C.A. of Greater Erie**, 31 West 10th Street, Erie, PA 16501, for the Summer Recreation Program (Kids Club) in the amount of \$140,000.00.
4. **Joseph McCormick Construction Company**, 3340 Pearl Avenue, Erie, PA 16510 for the street and road maintenance materials for the Bureau of Streets at unit prices per COG bid (4/10/28).

Virgin Materials: (picked up)

9.5mm superpave - \$51.00
 9.5mm superpave w/fiberglass - \$53.00
 19mm binder course - \$48.00
 25mm binder course - \$46.00
 FJ 1 wearing course - \$60.00

Warm Mix:

9.5mm superpave - \$51.00
 FJ 1 wearing course - \$60.00
 Cold Patch - \$100.00

Regular Materials (picked up)

9.5 mm superpave - \$51.00
 9.5mm superpave w/fiberglass - \$53.00
 19mm binder course - \$48.00
 25mm binder course - \$46.00
 FJ 1 wearing course - \$60.00

5. **Mayer Brothers Construction Company**, 1902 Cherry Street, Erie, PA 16502 for the street and road maintenance materials for the Bureau of Streets at unit prices per COG bid (4/10/28).

Virgin Materials (picked up)

9.5mm superpave - \$55.00
 9.5mm superpave w/fiberglass - \$58.00
 19mm binder course - \$53.00
 25mm binder course - \$51.00
 FJ 1 wearing course - \$62.00

Warm Mix: (picked up)

9.5mm superpave - \$55.00
 9.5mm superpave w/fiberglass - \$58.00
 19mm binder course - \$53.00
 25mm binder course - \$51.00
 FJ 1 wearing course - \$62.00

Regular Materials (picked up)

9.5 mm superpave - \$54.00
 9.5mm superpave w/fiberglass - \$57.00
 19mm binder course - \$52.00
 25mm binder course - \$50.00

6. **Russell Standard Corporation**, P.O. Box 86, Union City, PA 16438 for the street and road maintenance materials for the Bureau of Streets at unit prices per COG bid (4/10/28).

Virgin Materials (picked up)

9.5mm superpave - \$54.00
 9.5mm superpave w/fiberglass - \$64.00
 19mm binder course - \$51.50
 25mm binder course - \$50.00
 FJ 1 wearing course - \$64.00

Warm Mix: (picked up)

FJ 1 wearing course - \$62.00

Cold Patch: (picked up)

Plant Mixed Stockpile Patching - \$74.75
 Alternative Cold Patch (JASA HP) \$88.00

Regular Materials (picked up)

9.5 mm superpave - \$54.00
 9.5mm superpave w/fiberglass - \$64.00
 19mm binder course - \$51.00
 25mm binder course - \$50.00

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, and Arrington 7. Nays. 0.
 May 2, 2018. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mr. Winarski, 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. **Crime Victim Center of Erie, Inc.**, 125 West 18th Street, Erie, PA 16502, for the Summer Recreational Mid-Day Dance Breaks in the amount of \$2,700.00
2. **Occupational Health Center** 1910 Sassafra Street, Suite 200 Erie, PA 16502 for non-DOT Drug Screenings and Breath Alcohol Screenings for the office of Human Resources and the Bureau of Refuse and Recycling at a total cost of \$4,700.00.
3. **Impact Interactive**, 5400 Laurel Springs Parkway, Suite 1003, Suwanee, GA 30024 to conduct an independent audit of the City of Erie's health insurance plan for Risk Management at a cost of \$9,650.00.
4. **Sullivan Supply Company**, 1433 East 10th Street, Erie, PA 16503 for three (3) 600 ft. reels of high-pressure [Sewer Cleaning Hose](#) to replace worn and damaged hose on Sewer Collection Division Vac-Com trucks for the Bureau of Sewers at a total cost of \$5,850.00.

5. **DeZurik, Inc.**, 1121 Boyce Road, Suite 2300, Pittsburgh, PA 15241 for Eccentric [Plug Valve](#) to replace a failed unit on the #4 Tank at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$2,861.00.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Winarski, and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.

WAIVE RULES

By Mrs. Schaaf, Seconded by Ms. Allen, Resolved, etc.

That the Proper City Officials are authorized and directed to issue a purchase order to the David Milano Construction, 2202 Zimmerly Road, Erie, PA 16506, for materials only to install a sanitary manhole at 420 Walnut Street for the Bureau of Sewers at a cost of \$2,051.98.

May 2, 2018. City Council adopt waive rules by yeas Council Members Allen, Kwitowski, Merski, Schaaf, Winarski, Witherspoon and Arrington. 7. Nays. 0.

May 2, 2018. City Council adopt by yeas Council Members, Allen, Kwitowski, Merski, Schaaf, Witherspoon, Winarski and Arrington 7. Nays. 0.

May 2, 2018. Signed by the President. Attested by the City Clerk.



THE CITY OF ERIE

JOSEPH V. SCHEMBER, MAYOR

April 25, 2018

Rose Boyer, City Clerk
Erie City Hall
626 State Street
Erie, PA 16501

Dear Rose,

Please be advised that I have made the following two appointments to the Port Authority Board:

- Bill Panitzke is being appointed to a three-year term. He will serve the remainder of Dan Harman's term through 1/7/2021.
- Billy Sabatini is being appointed to replace Amos Goodwine, who has been serving in an expired term. Billy's term will be up on 10/27/2020.

If you have any questions, please do not hesitate to contact me.

Thank you!

Sincerely,

Joe Schember
Mayor
City of Erie

OFFICE OF THE MAYOR

626 State St. Room 500 | Erie, PA 16501-1128 | mayorsoffice@erie.pa.us

ph 814-870-1200
fx 814-870-1208

May 2, 2018, City Council on motion of Mr. Winarski, Seconded by Ms. Allen adjourned at 10:42 A.M. by yeas Council Members Allen, Kwitowski, Merski, Schaaf, Winarski Witherspoon and Arrington 7. Nays. 0.

Attest: _____
City Clerk

President of City Council