

The City Council met in regular session in the Council Chambers on Wednesday, April 4, 2007 at 9:00 a.m.

Council Members present: Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

On motion of Mr. Schember, Seconded by Mr. Jones, the reading of the minutes of the meeting of March 28, 2007 were dispensed with and the same adopted with copies furnished to the members of City Council by yeas Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

Copies of the bills under date of April 6, 2007 were given to City Council and same adopted by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0., with the exception of invoices to the NATO Centers on which Mrs. Jenkins-Husband abstained from voting.

By Mrs. Horan-Kunco, Council File Ordinance #15,512, Pending Official File Ordinance #21-2007,

an ordinance appropriating the sum of **\$300,000.00** from unappropriated and anticipated revenue from Account #324-1324-2005-3336 State Operating Grant-Department of Community and Economic Development and providing for the expenditure thereof by allocating said funds to Account #324-1324-2005-4041 Prof. Services (\$2,000.00) and #324-1324-2005-4443 ERA (\$298,000.00).

April 4, 2007. City Council on motion of Mrs. Horan-Kunco, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,512 and now known as Pending Official file Ordinance #21-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

April 4, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Council File Ordinance #15,513

an ordinance amending Official Ordinance #80-2005 known as the Zoning Ordinance of the City of Erie by changing the classification of property located on **East 10th Street and Gilson Avenue**, known as Lot #2 being 2,294 acres in area from RLB (Residential Limited Business District) to that of M-1 (Light Industrial District).

(Pursuant to Public Hearing held March 21, 2007 and the request of R. Larry Bossolt, Greater Erie Industrial Development Corporation for reuse by a current incubator company, Beaumont Technologies, Inc. The City Planning Commission recommends approval of this rezoning request)

April 4, 2007. City Council on motion of Mrs. Horan-Kunco, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,513 does hereby adopt on First Reading by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

By Mr. Cappabianca Seconded by Mr. Thompson, Resolved, etc.

That the proper officials of the City Administration are respectfully requested to take all steps necessary to ensure the City is protected on all environmental issues with proper required permits regarding the proposed construction of the "tire-to-energy" plant by Erie Renewal Energy, Inc. a Division of Caletta Renewal Energy of Boston, Massachusetts.

April 4, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

April 4, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mr. Jones, Resolved, etc.,

That the proper City Officials are authorized and directed to enter into an agreement with the Quinn Law Firm for the purpose of investigating and recovering in the state of Florida funds owed to the City from **IFP North American** on a contingent fee basis of one third of any recovery. The agreement further provides that the City agrees to reimburse out of pocket costs in an amount no greater than \$3,000.00. The city will be acting jointly with the Enterprise Development Fund of Erie County, Inc., which is also a creditor of IFP and will share the recovery of funds and out of pocket expenses on a pro rata basis.

April 4, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.
April 4, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Seconded by Mr. Thompson, Resolved, etc.,

That the Mayor and other appropriate City officials are authorized to accept and enter into an amendment for PA Department of Community and Economic Development New Communities Program Contract #C000014419 (July 1, 2004 - June 30, 2007), which covers the \$500,000 Enterprise Zone Competitive Grant that was awarded to the City of Erie on May 12, 2005.

The \$5,000,000 will be loaned to **Custom Engineering Company** for a period of seven years at a fixed interest rate of 3.25% per annum (Default Rate: 3.0% over the effective interest rate). A one time loan processing fee of \$1,500 will be assessed to the Company. The loan proceeds will be used for the purchase of a robotic weld station and a plasma burn table for use at its 2800 McClelland Avenue facility, which is located in the Erie Enterprise Zone.

Further, City Council directs that the proper City officials are authorized to sign the Loan Documents and Agreement with Custom Engineering Company effectuating same. The City of Erie Enterprise Development Zone Revolving Loan Fund will have a "purchase money" security interest in the machinery and equipment being financed.

April 4, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Thompson and Jenkins-Husband. 6. Nays. 0. (Councilman Schember abstained from the vote)

April 4, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, Resolved, etc.,

That the proper City officials are authorized to enter into a Settlement Agreement regarding the federal litigation involving **Voices for Independence, et al**, vs PennDOT and the Cities of Erie and Meadville at Civil Action #06-78-Erie. This agreement involves curb ramps which are required by the Americans with Disabilities Act on PennDOT roadways intersection City Streets. The City and PennDOT will construct or reconstruct curb ramps serving both state and city streets in PennDOT's rights-of-way throughout the City. It also extends the deadline for compliance under the City's Fourth and Final Consent Decree for curb ramps on City streets from 2010 to 2016 allowing a significantly smaller expenditure by the City each year as compared with the existing Decree.

April 4, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

April 4, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mr. Thompson, Resolved, etc.,

That the City Purchasing Agent is authorized and directed to issue a purchase order to **PA Chiefs of Police Association**, 3905 North Front Street, Harrisburg, Pa., 17110, for the CPIN Maintenance Agreement for 2007 (Mugshot Software and Hardware System) for the Bureau of Police at a total cost of \$3,850.00.

Be It Further Resolved, that the City Council does hereby ratify and confirm the said transaction which is to be charged against Budget Code Number 002-0613-0000-4056.

April 4, 2007 City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

April 4, 2007. Signed by the President. Attested by the City Clerk.

April 4, 2007. City Council on motion of Mr. Schember, Seconded by Mr. Jones, adjourned at 10:30 a.m. by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Jenkins-Husband. 6. Nays. 0. (Mr. Thompson left the meeting at 10:05 a.m.)

Attest:

President of City Council

City Clerk