

The City Council met in regular session in the Council Chambers on Wednesday, May 16, 2007 at 7:30 p.m.

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

On motion of Mr. González, Seconded by Mr. Thompson, the reading of the minutes of the meeting of May 2, 2007 were dispensed with and 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 May 11 and May 18, 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.

1. By Mrs. Horan-Kunco, Council File Ordinance #15,518, Pending Official File Ordinance #28-2007,

an ordinance amending Part Five of the codified Ordinances, known as the Traffic Code, Article 521 Parking Generally, by amending the **Residential Permit Parking** by changing its first sentence to read as follows:

"There is hereby established a Residential Permit Parking Zone consisting of West 25th Street, Peach to Sassafras north and south sides, West 25th Street (Myrtle) west of 334 West 25th Street to Chestnut north and south sides; West 24th Street west of the east property line of 328 West 24th to Chestnut Street, north and south sides, West 23rd Street from the east property line of 324 West 23rd Street to Chestnut north and south sides."

A final sentence shall be added to Section 521.11 to read as follows:
"The appropriate City Department is directed to install "No Parking Anytime" signs on both the north and south sides of West 23rd Street from the east property line of 324 West 23rd Street east to Myrtle Street; on the north and south sides of West 24th Street from the east property line of 328 West 24th Street east to Myrtle Street and on the north and south sides of West 25th Street from the east line of 334 West 25th Street east to Myrtle Street."

May 16, 2007. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. González, having read Council File Ordinance #15,519 and now known as Pending Official File Ordinance #28-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,520, Pending Official File Ordinance #29-2007,

an ordinance appropriating the sum of **\$3,200.00** from unappropriated and anticipated revenue from Account #215-0613-0000-3342 Police Drug & Vice PA Operating Account and providing for the expenditure thereof by allocating said funds to Account #215-0613-0000-4079 Office Equipment.

May 16, 2007. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,520 and now known as Pending Official File Ordinance #29-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mr. González, Council File Ordinance #15,521, Pending Official File Ordinance #30-2007,

an ordinance appropriating the sum of **\$6,000.00** from unappropriated and anticipated revenue from Account #002-0000-0000-3641 Contributions (received from Highmark Blue Cross Blue Shield) and providing for the expenditure thereof by allocating said funds to Account #002-0725-0000-4552 Summer Recreation Program.

May 16, 2007. City Council on motion of Mr. González, Seconded by Mr. Schember, having read Council File Ordinance #15,521 and now known as Pending Official File Ordinance #30-2007, does hereby adopt on Final Passage by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mr. González, Council File Ordinance #15,522

an ordinance appropriating the sum of **\$28,956.01** from Park Project Fund Balance Account #272-0725-0000-3111 and providing for the expenditure thereof by allocating said sum to #272-0725-0000-4035 Repair & Maintenance Supplies (\$14,956.01) and 4056 Repair & Maintenance Services (\$14,000.00).

May 16, 2007. City Council on motion of Mr. González, Seconded by Mr. Schember, having read Council File Ordinance #25,522, 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. González, Council File Ordinance #15,523

an ordinance appropriating the sum of **\$225,000.00** from unappropriated revenue from Account #013-0000-0000-1213 Liquid Fuels Tax Fund and providing for the expenditure thereof by allocating the said sum to Account #013-1291-0000-4078 Machinery & Equipment.

May 16, 2007. City Council on motion of Mr. González, Seconded by Mr. Schember, having read Council File Ordinance #15,523, 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. González, Council File Ordinance #15,524

an ordinance amending Part Nine of the Codified Ordinances, Streets, Utilities and Public Services, by adding a new Article 947, **Non-Use Aquifer**, regulating water wells and requiring connections to the public water supply in order to comply with current state regulations.

May 16, 2007. City Council on motion of Mr. González, Seconded by Mr. Schember, having read Council File Ordinance #15,524 does hereby adopt on First Reading by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. Nays. 0.

By Mrs. Jenkins-Husband, Seconded by Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Thompson

Resolved, by the Council of the City of Erie, That

WHEREAS, the City Council of the City of Erie wishes to pay special tribute to the **Northwest Pennsylvania Collegiate Academy High School Academic Sports League Team**, upon winning the Pennsylvania State Championship again this year which placed them in the National Championship of the United States Academic Decathlon in Honolulu, Hawaii, and

WHEREAS, the Northwest Pennsylvania Collegiate Academy took third place in Division III and earned the bronze medal in music and bronze medals in language, literature and the highest scoring honors student and bronze medal for the third highest scoring varsity student in the small schools division, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the Northwest Pennsylvania Collegiate Academy Academic Sports League Team along with our sincere congratulations and best wishes for continued success as they pursue academic excellence at the university level.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Jenkins-Husband

Resolved, by the Council of the City of Erie, That

WHEREAS, the City Council wishes to pay special tribute to **United Electrical Workers Local 506**, upon the celebration of 70 years of representing almost 4,000 working men and women at the Erie General Electric Company, and

WHEREAS, UE Local 506 was founded in 1937 and has a proud history of representing the rank and file struggle of their members seeking and maintaining a good standard of living with the best working and living environment they could attain for themselves, their families and the entire community and with hard work obtained substantial progress in wages, benefits and working conditions, so

THEREFORE, RESOLVED by the Council of the City of Erie that this commendation, marking the 70th Anniversary of UE Local 506 is hereby presented to the officers and members of this most respected union whose mission is to continue the tradition of struggle, so that those who follow are able to live and work in dignity and security and we extend to them our best wishes for great success in all their future endeavors.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Seconded by Council Members Cappabianca, González, Horan-Kunco, Jenkins-Husband, Jones and Schember

Resolved, by the Council of the City of Erie, That

WHEREAS, the City Council of the City of Erie wishes to pay special tribute to the **United Electrical Workers Local 506/618 of the General Electrical Plant** upon celebrating and sponsoring their 2007 U. S. Local 506/618 Contract Rally day on June 2, 2007, and

WHEREAS, U. E. Local 506/618 Contract Rally day has been established to kick-off contract negotiations with the General Electric Company, show strength and unity of local union members, discuss key issues of importance to the community and the membership of U. E. Local 506/618 and showcase the City of Erie to our brothers and sisters who will be here to celebrate with us and will represent other U. E. Locals, as well as many other union affiliates representing members from Connecticut to California, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the officers and membership of the United Electrical Workers Local 506/618 - Erie General Electrical Plant and we extend to them our complete support during the upcoming contract negotiations.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

PETITION FOR REZONING

President and Members of City Council

Municipal Building, 626 State Street, Erie, Pa. 16501

We request that the property we own at 2128 West 23rd Street, known as Erie County Parcel Index #19-6216-225, now zoned as R-3 (High Density Residential District) be rezoned to M-1 (Light Industrial District) for the following permitted uses as set forth in Zoning Ordinance #64-2000: any of the uses that comply with M-1 zoning.

s/ Donald B. Sceiford

5601 Buman Road, McKean, Pa. 16426

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

That the Petition submitted by Donald B. Sceiford, 5601 Buman Road, McKean, Pa. requesting the rezoning of property located at **2128 West 23rd Street**, Erie County Index #19-6216-225 presently zoned as R-3 (High Density Residential District) to that of M-1 (Light Industrial District) for any of the uses that comply with an M-1 zoning is hereby received by City Council and referred to the City Planning Commission for recommendation and report thereon.

May 16, 2007. Before the vote was taken on the foregoing resolution, the following amendment was proposed:

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

That Donald B. Sceiford, 5601 Buman Road, McKean, Pa., is requested to submit a specific plan and purpose for the above rezoning request to the City Planning Commission.

May 16, 2007. City Council adopt the following amendment by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. City Council adopt, as amended, by yeas Council Members Cappabianca, González, Horan-Kunco, Jones and Schember 5. Nays. Thompson, and Jenkins-Husband. 2. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to pay all outstanding invoices toward the cost of Professional Services incurred in the matter of the pending **Millcreek Sewer Litigation** as filed at Docket #12578-2004; to be charged to the Bureau of Sewers Budget Code #007-0771-0000-4041 in the amount of \$15,000.00.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, Gonzalez, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

To: President and Members of City Council

May 10, 2007

From: Randy DeSanto, Fiscal Administrator

Subject: City Council Resolution for the May 16, 2007 meeting

ARC Grant Resolution (\$200,000)

This resolution authorizes an agreement with Gannon University for the use of ARC (Appalachian Regional Commission) Grant funds to renovate the former Boys and Girls Club Building at 130 West 8th Street. City Council approved the appropriation ordinance for this project at the May 2nd meeting. The funds will be used, along with a federal EDI-special Project Grant in the amount of \$402,368 and Community Development 6 Block Grant funds in the amount of \$100,000, to assist in transforming the former recreational facility into a multi-use facility with private office space, advanced

computer labs, meeting rooms, a library and high-speed internet access. The building will also be brought into compliance with the Americans with Disabilities Act.

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

That the Mayor and other appropriate City officials to execute an agreement between the City of Erie and **Gannon University** whereby the City of Erie will provide ARC grant funds to be received from the U.S. Department of Housing and Urban Development to Gannon University to assist in renovating the Erie Technology Incubator Building at 130 West 8th Street, Erie, Pa. Account #501-1201-2006-4569

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mr. Jenkins-Husband, Seconded by Mr. Thompson, Resolved, etc.,

That the proposed Repository Sale of property commonly known and identified in the assessment records of Erie County as 1162 East 26th Street, Index #18-050-043.0-100.00, having a lot size of 40 x 73 to William L. Weber in the sum of **\$250.00** is hereby approved.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

To: Lou Bizzaro Kelly Fredericks
Lisa Cappabianca Don Wright, Esq.,
Anthony Logue, Esq. Joe Schember (to be approved by City Council)
Greg Orlando James Klemm, (to be filed in the Office of Accounts
Lou Porreco Finance & Budget)

From: Sheilah Bruno
Re: Single Audit Report

Attached are both the Final Audit Report and the Single Audit Report for year ended December 31, 2006 as prepared by Malin Bergquist & Company.

The Single Audit Report is a requirement under FAA grant assurance procedures. Pages 1-25 are the same report as the one presented to you at the April Board meeting. Pages 26-31 are in addition and relate to the FAA grant activity for 2006. Please let me know if you have any questions.

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

That the Final Audit Report and the Single Audit Report for the year ended December 31, 2006 for the **Erie Municipal Airport Authority** as prepared by Malin Bergquist & Company is hereby received by City Council and ordered placed on file in the Office of Accounts, Finance and Budget.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

By Mr. González, Seconded by Mr. Schember, Resolved, etc.,

That the Mayor and City Controller are authorized and directed to execute contracts between the following individuals and/or companies for goods and/or services as noted and the City Council does hereby ratify and confirm the said transaction which is to be charged to the respective Budget Code Numbers, viz:

1. **JFK Center**, 2021 East 20th Street, Erie, Pa., for the Summer Recreation Program (Spoon's Court Summer Basketball) in the amount of \$14,000.00.

2. **Y.M.C.A. of Greater Erie**, 31 West 10th Street, Erie, Pa., for the Summer Recreation Program in the sum of \$96,000.00.

3. **McCormick Structural Systems, Inc.**, 1345 West 12th Street, Erie, Pa., for the demolition of 932 West 26th Street, Index #6028-133 for the sum of \$7,200.00 and 669 Hess Avenue, Index #1101-236 for the sum of \$8,200.00; to be charged against CDBG Demolition #501-1264-2006-4059.

4. **Siemens Water Technologies**, 1901 South Prairie Avenue, Waukesha, WI for supplying two sets of skimmer beach plates and skimmer flight boards for a total cost of \$53,436.00.

5. **Siemens Water Technologies**, 595 Industrial Drive, Bradley IL 80915 at a total cost of \$69,680.00, for supplying anew Polymer Batching System for the DAF units at the Wastewater Treatment Plant per Bid #6250.

6. **Environmental Resources, Inc.**, P. O. Box 786, Pewaukee, WI, for Chain and Bucket Grit Collectors for the Wastewater Treatment Plant per Bid #6248 for the Bureau of Sewers for the sum of \$59,333.00.

May 16, 2007. City Council adopt Item #1 by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Thompson. (Mrs. Jenkins-Husband abstaining)

May 16, 2007. City Council adopt Item #3 by yeas Council Members Cappabianca, González, Jones, Schember, Thompson and Jenkins-Husband. 6. Nays. Horan-Kunco. 1.

May 16, 2007. City Council adopt Item #2, 4, 5 and 6 by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember and Thompson. 7. Nays. 0.

May 16, 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 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 transaction which is to be charged to the respective Budget Code Numbers viz:

1. **NITV**, 11400 Fortune Circle, West Palm, Beach, FL, for the trade of an older CVSA to current model with a four year on-site warranty per estimate #450 dated 4/25/07 for the Bureau of Police for the sum of \$2,995.00.
2. **Ehrlich**, 2867 West 12th Street, Erie Pa., for pest control maintenance at all Fire Houses for the Bureau of Fire for the sum of \$2,160.00.
3. **Sheldon Electric Motor Repair**, 8421 Lexington Road, Girard, Pa., for the Repair of #2 Incinerator Fan at the Wastewater Treatment Plant for the Bureau of Sewers for the sum of \$9,500.00.
4. **Ace Viking Electric Motor Co.**, 2222 East 30th Street, Erie, Pa., for the Emergency Repair of the West Structural Drainage Pump at the Wastewater Treatment Plant for the Bureau of Sewers for the sum of \$4,980.00.

May 16, 2007. City Council adopt by yeas Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

May 16, 2007. Signed by the President. Attested by the City Clerk.

May 16, 2007. City Council on motion of Mr. González, Seconded by Mr. Thompson adjourned at 9:14 p.m. by yes Council Members Cappabianca, González, Horan-Kunco, Jones, Schember, Thompson and Jenkins-Husband. 7. Nays. 0.

President of City Council

Attest:

City Clerk