

The City Council met in regular session in the Council Chambers on Wednesday, October 1, 2008 at 9:00 a.m.

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

On motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the meeting of September 17th, 2008 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

Copies of the bills under date of September 26th and October 3rd, 2008 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0., with the exception of invoices to the NATO Centers on which Mrs. Jenkins-Husband, abstained from voting.

By Mr. Jones, Council File Ordinance #15,608, Pending Official File Ordinance #45-2008

an ordinance designating the baseball/softball field at the intersection of West 2nd and Cherry Streets as "**Pontiac Field**".

October 1, 2008. City Council on motion of Mr. Jones. Seconded by Mr. Schember, having read Council File Ordinance #15,608 and now known as Pending Official File Ordinance #15,608, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Council File Ordinance #15,609, Pending Official File Ordinance #46-2008,

an ordinance appropriating the sum of **\$450,000.00** from unappropriated and anticipated revenue to be received from Account #335-0725-0000-3333 Pa Operating Grant - DCNR and providing for the expenditure thereof by allocating said sum to Account #333-0725-0000-4072 Land and Buildings (Griswold Plaza Renovation Project).

October 1, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance #15,609 and now known as Pending Official File Ordinance #46-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Council File Ordinance #15,610

an ordinance amending Official Ordinance #80-2005 known as the Zoning Ordinance of the City of Erie, by changing the classification of property located at **3809 Wood Street**, from R-1 (Low Density Residential District) to that of RLB (Limited Residential Business District).

(At the request of Barbara Cochis and Francine E. Cochis-Scarpino for conversion to a professional consulting center - The City Planning Commission has recommended that this request be approved.)

October 1, 2008. City Council on motion of Mr. Thompson, Seconded by Mr. Schember, having read Council File Ordinance #15,610, FAIL TO ADOPT by yeas Council Members Thompson and Jones. 2. Nays. Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband and Schember. 5.

By Mr. Cappabianca, Council File Ordinance #15,611

an ordinance appropriating the sum of **\$10,000** from unappropriated and anticipated revenue from Account #222-0613-0000-4045 Federal Forfeiture Revenue and providing for the expenditure thereof by allocating said funds to Account #222-613-0000-4045 Communications. (In order to pay the Nextel Cell Phone Bills carried by the Police Command Staff, Vice Unit, SWAT Team Leaders and the Auto Theft and Insurance Fraud Investigation Unit. The Auto Theft and Insurance Fraud Grants pay for the service for the officers assigned to the grant)

October 1, 2008. City Council on motion of Mr. Cappabianca, Seconded by Mr. Schember, having read council File Ordinance #15,611, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Mrs. Jenkins-Husband, Council File Ordinance #15,612
an ordinance appropriating the sum of **\$12,500** from unappropriated and anticipated revenue from Account #265-0727-0000-3641 Contributions and providing for the expenditure thereof by allocating said funds to Account #265-0727-0000-4039 Consumable Items (\$7,500); 4041 Professional Services (\$4,000) and 4052 Advertising (\$1,000).

October 1, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,612, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Mrs. Jenkins-Husband, Council File Ordinance #15,613
an ordinance appropriating the sum **\$25,000** from unappropriated revenue from Account #265-0727-0000-3641 Contributions (PADEP Coastal Zone Management Program Grant) and providing for the expenditure thereof by allocating said sum to Account #265-0727-0000-4059 Other Services & Charges. (These funds will be used to plant new trees and remove hazardous trees throughout the City.)

October 1, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,613, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

By Mrs. Jenkins-Husband, Council File Ordinance #15,614
an ordinance appropriating the sum of **\$80,000** from unappropriated and anticipated revenue from Account #335-1335-0000-3609 Miscellaneous Sources (Erie Water Works) and providing for the expenditure thereof by allocating said funds to Account #335-1335-0000-4072 Land and Buildings (Griswold Plaza Renovation Project).

October 1, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,614, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

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

WHEREAS, the Woman's Care Center's primary focus is on young women, men and their families before, during and after a crisis pregnancy, and

WHEREAS, the Women's Care Center's excellent program of adoption by choice (ABC) has provided hundreds of Erie families with extreme joy and happiness giving both the adopted parents the beautiful gift that is a child to love and to cherish and to nurture as their own and giving the birth mother the knowledge and comfort that her child is placed with adopted parents that she chooses that will raise that child to fulfill the American dream, and

WHEREAS, one of the Center's ministry goals is "to prevent broken hearts and broken lives" by addressing the issues that impact our youth and the choices they make that put them at risk, so

THEREFORE, BE IT RESOLVED, that the Council of the City of Erie salutes the Women's Care Center for their outstanding accomplishments and orders a copy of this commendation be placed in the archives of the City of Erie.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

October 1, 2008. Signed by the President. Attested by the City Clerk.

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

That the City Traffic Engineer is respectfully requested to review and evaluate the intersection of **East 24th and Parade Streets** and recommend if four-way Stop Signs would be appropriate for installation for traffic and pedestrian safety.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

October 1, 2008. Signed by the President. Attested by the City Clerk.

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

That the City Planning Commission is respectfully requested to study the feasibility of developing **student housing overlay zones** adjacent to college and university campuses located within the City of Erie and report their findings thereon to City Council for further review and deliberation at future study sessions.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, Resolved, etc.,
That the proper City officials are authorized and directed to execute a Grant Application and Grant Agreement in the sum of \$43,000 in order to apply to the Department of Conservation and Natural Resources for the purpose of carrying out the **TreeVitalize**-City of Erie 2008 project.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
October 1, 2008. Signed by the President. Attested by the City Clerk.

CITY OF ERIE EASEMENT DESCRIPTION FOR OUTSIDE DINING AT BREWERIE AT UNION STATION 123 WEST 14TH STREET ERIE, PA. Index No. (16) 3007-202

BEGINNING at a point located two hundred thirty-six and three tenths feet (236.30') west of the west line of Peach Street and six (6.00') feet north of the south line of West 14th Street;
THENCE; east parallel to the south line of West 14th Street a distance of fifty nine and eight tenths feet (59.80') to a point;
THENCE; north parallel to the west line of Peach Street a distance of three and one tenth feet (3.10') to a point;
THENCE; west parallel to the south line of West 14th Street a distance of fifty-nine and eight tenths feet (59.80') to a point;
THENCE; south parallel to the west line of Peach Street a distance of three and one tenth feet (3.10') to the point of Beginning.

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, Resolved, etc.,
That the proper City officials are authorized and directed to prepare an Easement Agreement between the City of Erie and **The Brewerie at Union Station**, tenant of 123 West 14th Street, locating a outside dining area in the West 14th Street right-of-way in compliance with the City Engineer's metes and bounds description.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, Resolved, etc.,
That **Change Order #1** on the contract of Environmental Remediation & Recovery, Inc., 4150 Route 6N, Edinboro, Pa. for the Site Characterization Evaluation of Environmental Conditions at the Erie Golf Course Expansion Site, adding the sum of \$21,828.45 for additional site characterization required by DEP for selection of clean up standard, increasing the original contract amount from \$14,643.00 to \$36,471.45.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 6. Nays. Mr. Cappabianca. 1.
October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mr. Schember, Resolved, etc.,
That the following amount is hereby transferred in the 2006 JAG Grant:

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$5,288.65	241-0613-2006-4078	Machinery & Equipment	\$5,288.65	241-0613-2006-4033	Operating Supplies

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7 Nays. 0.
October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mr. Schember, Resolved, etc.,
That the following amount is hereby transferred in the 2006 JAG Grant:

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$9,497.89	241-0613-2006-4078	Machinery & Equipment	\$ 9,497.89	241-0613-0000-4039	Consumable Items

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, Resolved, etc.,
 That the following amount is hereby transferred in the Bureau of Streets,
 Liquid Fuels Account:

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$26,000	013-1291-0000-4078	Machinery & Equipment	\$26,000	013-1291-0000- 4039	Consumable Items

October 1, 2008. City Council adopt by yeas Council members Aleksandrowicz,
 Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
 October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, Resolved, etc.,
 That the following amount is hereby transferred in the Sewer Revenue Fund:

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$30,000	007-0773-0000-4077	Other Improvements	\$30,000	007-0773-0000- 4035	Maintenance & Supplies

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz,
 Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
 October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, 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 does hereby ratify and confirm
 the said transactions which are to be charged to the respective Budget Code Numbers:

- Waste Management of Pennsylvania**, 625 Cherrington Parkway, Moon Township, Pa.
 for Landfill Tipping Fees for three (3) years for the Bureau of Sewers at unit
 prices:

	Price Per Ton		
	Year One	Year Two	Year Three
City Delivered Price:			
Incinerated Ash	37.41	39.28	41.24
Sludge, Grit, Screenings, Etc.	37.41	39.28	41.24
Bidder Pick-up Prices:			
Incinerated Ash	55.00	57.75	60.64
Sludge, Grit, Screenings, Etc.	55.00	57.75	60.64
- Champion Ford Sales, Inc.**, 2502 East 26th Street, for an Engine for Streets
 Vehicle 321, for the Bureau of Streets, for the sum of \$11,999.00.
- Chemung Supply**, P. O. Box 527, Elmira, NY, for Plow Blades for the Bureau of
 Streets, for the sum of \$26,648.00.
- David Milano Construction**, 1827 West 36th Street, Erie, Pa., for Storm Drain &
 Sanitary Sewer Repair at various locations for the sum of \$25,822.18 (Material
 Costs Only)

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz,
 Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
 October 1, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mr. Schember, 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 said transactions which are to be
 charged to the respective Budget Code Numbers:

- Gary's Auto Sales and Service**, 1118 Buffalo Road, Erie, Pa., for a 2005 Chevy
 Cargo Van for Arson Investigation for the Bureau of Police for the sum of
 \$8,500.00.
- Five Star International**, P. O. Box 64006, Baltimore, MD, for a Rack and Core
 for the Municipal Garage for the sum of \$3,149.38.
- Electrical Repair Technology**, 5323 Woodside Drive, Erie, Pa., for Repairs to #1
 Return Activated Sludge Pump for the Bureau of Sewers at a cost of \$2,360.00.
- Chivers Construction Co.**, 6700 Tow Road, Fairview, Pa., for the Emergency
 Repair of a 6" Chlorine Line for the Overflow Retention Facility, for the
 Bureau of Sewers in the sum of \$5,983.00
- PA Electric Motor Service, Inc.**, 4693 Iroquois Avenue, Erie, Pa., to Repair and
 Rebuild #3 low pressure Air Blower, for the Bureau of Sewers at a cost of
 \$8,800.00.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz,
 Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson, and Jones. 2. Nays.
 0.

October 1, 2008. Signed by the President. Attested by the City Clerk.

WAIVE RULES

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

That the City Council meeting regularly scheduled for Wednesday, October 15, 2008 at 7:30 p.m. is hereby rescheduled to 9:00 a.m. on that date.

October 1, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
October 1, 2008. Signed by the President. Attested by the City Clerk.

October 1, 2008. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, adjourned at 10:57 a.m. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

Attest:

President of City Council

City Clerk