

The City Council met in regular session in the Council Chambers on Wednesday, December 3, 2008 at 9:00 a.m.

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

On motion of Mr. Thompson, Seconded by Mr. Schember, the reading of the minutes of the meeting of December 19th and December 26, 2008 were dispensed 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 December 5th, 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 Mrs. Horan-Kunco, Council File Ordinance #15,619, Pending Official File Ordinance #55-2008,

an ordinance amending the **Uniform Construction Code** of the City of Erie, Article 1502, Fees and Licensing, by declaring unlicensed Plumbing and Electrical Contacting to be a Summary Offense and providing a penalty not to exceed \$1,000 and/or incarceration of not more than 90 days.

December 3, 2008. City Council on motion of Mrs. Horan-Kunco, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,619 and now known as Pending Official File Ordinance #55-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Council File Ordinance #15,622, Pending Official File Ordinance #56-2008,

an ordinance appropriating the sum of **\$1,500.00** from unappropriated and anticipated revenue from Account #215-0613-0000-3342 Police Drug & Vice PAOpr and providing for the expenditure thereof by allocating said funds to Account #215-0613-0000-4033 Operating Expenses. (Funds were received from GECAC for professional services by Stephen Chatman (Weed & Seed Tall Team Coordinator for his help with a grant application GECAC was applying for. These funds will be used to purchase Thanksgiving and Christmas Baskets for families in the Weed & Seed program area.)

December 3, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Thompson, having read Council File Ordinance #15,622 and now known as Pending Official File Ordinance #56-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,623, Pending Official File Ordinance #57-2008,

an ordinance appropriating the sum of **\$25,000.00** from unappropriated and anticipated revenue from Account #267-0613-2008-3336 Project Safe Neighborhood and providing for the expenditure thereof by allocating said funds to various #267-0613-2008-40xx Accounts including Overtime, FICA/Medicare Taxes; Valic; Consumable Items and Repair & Maintenance Services. (These additional funds are for overtime expenses for saturation patrols in the target grant areas (\$15,000), repairs and updates for the surveillance vehicle (\$2,000.00) and surveillance equipment for the surveillance van (\$8,000.00).)

December 3, 2008. City Council on motion of Mr. Cappabianca, Seconded by Mr. Thompson, having read Council File Ordinance #15,623 and now known as Pending Official File Ordinance #57-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,624, Pending Official File Ordinance #58-2008,

an ordinance appropriating the sum of **\$85,000.00** from unappropriated and anticipated revenue in Account #3929 Operating Transfer - Erie Insurance Exchange BUDAG and providing for the expenditure thereof by allocating said sum to Account #335-1335-0000-4072 Land & Buildings for the Griswold Plaza Renovation Project.

December 3, 2008. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Jenkins-Husband, having read Council File ordinance #15,624 and now known as Pending Official File Ordinance #58-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, Resolved, etc.,
The following resolutions were **TABLED** at the Council meetings of November 5, 2008 and November 19th, 2008:

For the proposed Griswold Park Renovations Project - Peach Street between West 13th and West 14th Street:

- a) **Eriez Construction**, 2218 East 30th Street, Erie, Pa., lowest of four bids received for General Construction, for the sum of \$628,927.30.
- b) **Graybar Electric Co.**, 1220 Myrtle Street, Erie, Pa., only bid received, for Electrical Construction in the sum of \$33,575.85.
- c) **Doan Pyramid, LLC**, Keystone Electric Division, 3125 Brandes Street, Erie, Pa., for Electrical Construction, they being the lowest of two bids received from twelve bids solicited, for the sum of \$57,117.00.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

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

WHEREAS, the City Council of the City of Erie wishes to pay special tribute to **The ARC of Erie County**, for their outstanding work with individuals with disabilities since 1952, which began with a small group of parents and other concerned individuals to devise a program to develop a support organization in communities to assist families in the development and care of children and adults with developmental disabilities, and

WHEREAS, ARC of Erie County, is recognized for its devoted and committed services to promote and improve supportive services to family members and public awareness, resources, education and research to family members and individuals with disabilities here in Erie County, so

THEREFORE, Be It Resolved by the Council of the City of Erie that this commendation is presented to the official representatives of The ARC of Erie County and we extend to them our heartfelt thanks for the work they do in our community for the disabled and we offer our best wishes for continued success in all their future endeavors.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Seconded by Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Schember, Thompson and Jones,
Resolved, by the Council of the City of Erie, that

WHEREAS, the Council of the City of Erie wishes to pay special tribute to the 2009 Erie Metropolitan Black Yellow Pages Award winners, as selected by the Committee to salute Black Business in our community, and

WHEREAS, City Council also honors the following businesses and individuals for being chosen as this year's award winners: Keys Construction, Entrepreneur of the Year Award; Creation's Eye, Emerging Company of the Year Award; Christeen Tolbert, Black Yellow Pages Shero Award; Historian Johnnie Johnson, Black Yellow Pages Hero Award; Stellar Beats, Community Participation Award; Agape International, International Business Award; and Michael Hooks, Business Innovator Award, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to each of the honored award winners and we congratulate them all for investing in Erie and themselves and extend to them our best wishes and continued success in all their future endeavors.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to prepare an ordinance repealing Article 1127 of the Codified Ordinances of the City of Erie, entitled **"Smoking, Prohibited in Public Places"** as the Commonwealth of Pennsylvania has adopted a new similar law which took effect in September of this year.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

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

That the following individuals are re-appointed to the **Blighted Property Review Committee**, for two year terms, expiring on December 31, 2010:

Mr. Del Birch, 209 Parade Street, Erie, Pa.

Mr. Edward Dawson, 344 East 6th Street, Erie, Pa.

Mr. John Farnum, 809 Pennsylvania Avenue, Erie, Pa.

Mr. Steve Flamio, 3525 Roma Drive, Erie, Pa.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. 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 and directed to enter into a **Settlement Agreement with Wesleyville Borough** in the Court of Common Pleas of Erie County, Pennsylvania (#12579-2004) which will include payment of \$53,471.97 to the City in four quarterly payments (\$13,367.99) by Wesleyville Borough as consideration for additional peak flow capacity and the City's costs to properly receive and convey such additional flows.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to enter into an **Intergovernmental Cooperation Agreement** for the Joint City of Erie and County of Erie Emergency Operations Plan for the purpose of developing and maintaining an Emergency Operations plan to respond to actual or potential disasters within their respective political subdivisions. The parties, by agreement intend to use the Erie County Public Safety Building located at 2880 Flower Road, Erie Pa., as the Emergency Operations Center (EOC) and will utilize grant funds from the Shared Municipal Services Grant to purchase equipment to include safety equipment to pay for any additional training and training equipment and supplies.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amounts are hereby transferred in the Bureau of Streets, Liquid Fuels:

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$6,632.98	013-1291-0000-4039	Consumable Items	\$130,000.00	013-1292-0000-4035	Repair & Maint. Supplies
30,000.00	" 4049	Street Ltng./Traffic Signals			
7,000.00	" 4054	Rentals			
17,844.62	" 4056	Repair/Maint. Services			
8,064.20	" 4057	Refuse Tipping			
51,906.13	" 4075	Bridges & Streets			
8,552.07	" 4078	Machinery & Equipment			
130,000.00					

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 3, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mr. Schember, 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, viz:

1. **New World Systems**, 888 W Big Beaver, Suite 800, Troy, Michigan for a one-half (1/2) year (11/1/08 - 4/30/09 Maintenance Agreement for the AS400 Computer Aided Dispatch System, for the Bureau of Police in the sum of \$28,340.00.

2. **American Rock Salt Co., LLC.**, P.O. Box 8000-Dept 909, Buffalo New York, to purchase Rock Salt @ \$75.00 a ton.
3. **Powell's Portable Toilets**, 18536 Cussewago Road, Meadville, Pa, for portable toilet services and rentals for the Bureau of Parks and for special events, at unit prices per Bid #6281.
4. **GraybaR Electric**, 1220 Myrtle Street, Erie, Pa., for Lighting Equipment for the Parade Street Revitalization and Streetscape, Bid #1629-08, for the sum of \$129,254.40.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.
 December 3, 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 confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **Paragon Media One**, P. O. Box 8573, Erie, Pa., for Website Services for the Bureau of Police in the sum of \$2,000.00. (This expenditure will link the Erie Weed & Seed website to the DA Office site and add the Project Safe Neighborhood information to the Erie Alert website. These services are an approved expenditure of the Project Safe Neighborhood Grant and will be paid from the Grant 4059 account.)
2. **Markl Supply Co.**, 4029 Perrysville Avenue, Pittsburgh, Pa., for eight (8) Second Chance Ballistic Vests, for the Bureau of Police (replacement vest for the Motorcycle Unit) at a total cost of \$5,680.00.
3. **Heilman Pavement Specialties, Inc.**, 290 North Pike Road, Sarver, Pa., for 30.33 tons of Latex-Modified Patching Material @ \$63.66 a ton plus a surcharge of \$602.99 for a total of \$2,533.80.
4. **HACH/American Sigma**, 5800 Lindberg Drive, Loveland, Co., for the repair of a Flow Monitor for the Bureau of Sewers for a total cost of \$2,302.95.
5. **ONEX, Inc.**, 2225 Colonial Avenue, P. O. Box 8436, Erie, Pa., for Repair of 12 Burners in Incinerator #2, for the Bureau of Sewers in the sum of \$4,120.00.

December 3, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones 7. Nays. 0.
 December 3, 2008. Signed by the President. Attested by the City Clerk.

December 3, 2008. City Council on motion of Mr. Thompson, Seconded by Mr. Schember, adjourned at 11:00 a.m. by yeas Council Members Aleksandrowicz, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 6. Nays. 0. (Mr. Cappabianca left the meeting at 10:55 a.m.)

Attest:

 President of City Council

 City Clerk