

The City Council met in regular session in the Council Chambers on Wednesday, December 17, 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 December 3, 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 December 12th and 19th, 2008 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones, 7. 0., with the exception of invoices to the NATO Centers on which Mrs. Jenkins-Husband, abstained from voting.

-----  
By Mr. Jones, Council File Ordinance #15,620, Pending Official File Ordinance #59-2008,

an ordinance fixing the **tax rate** for all city purposes for the Fiscal Year 2009 (beginning on January 1, 2009 and ending on December 31, 2009), at a rate of 11.45 mills upon each dollar of assessed valuation of real estate taxable for city purposes, (said levy for debt service purposes is enacted at a tax levy rate of 1.76 mills and for real estate tax purposes at 9.69 mills).

December 17, 2008. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,620 and now known as Pending Official File Ordinance #59-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 17, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,621, Pending Official File Ordinance #60-2008,

an ordinance adopting the **General Fund** and certain other budgets for the fiscal year beginning January 1, 2009 and ending December 31, 2009) in the sum of \$59,388,497.00 to General Fund Accounts with a total of All Funds account of \$114,970,061.00.

December 17, 2008. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,621 and now known as Pending Official File Ordinance #60-2008, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

December 16, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,625

an ordinance amending the Administrative Code of the City of Erie, Article 183, Erie Municipal Airport Authority by changing its name to **Erie Regional Airport Authority**.

December 17, 2008. City Council on motion of Mr. Jones, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,625 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 #15,626

an ordinance amending the Codified Ordinances of the City of Erie, Part Eleven (**Public Health Code**), Title Three (Regulations of Board of Health), Article 1127 (Smoking Prohibited in Public Places) by repealing Article 1127 in its entirety.

December 17, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,626, 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 #15,627

an ordinance appropriating the sum of **\$19,500.00** from unappropriated and anticipated revenue received from a Pennsylvania Department of Conservation and Natural Resources (DCNR) Grant (\$12,500.00) and the Lake Erie Region Conservancy (LERC) (\$7,000.00) Account #262-0725-0000-3333 Contributions and providing for the expenditure thereof by allocating said funds to Account #262-0725-0000-4041 Professional Services.

December 17, 2008. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, having read Council File Ordinance #15,627, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.

-----  
The Lincoln Elementary School Choir was present to sing the National Anthem and several Christmas carols before City Council at this morning's meeting.

-----  
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, City Council wishes to pay special tribute to the Strong Vincent High School Varsity Football Team upon completing a successful season by finishing with a record of thirteen against only one loss and annexing the 2008 District 10 PIAA Championship and advancing in the state tournament to the State Quarter-Final Round in Class AAA, and

WHEREAS, the Strong Vincent High School Varsity Football Team is recognized for their athletic and scholastic ability along with their conscientious and dedicated work ethic in striving to attain their goals that were set before the season started, so

THEREFORE, BE IT RESOLVED by the Council of the City of Erie that this commendation is hereby presented to the Strong Vincent High School Varsity Football Team as a token of our appreciation for a job well done with best wishes for continued success in all their future endeavors.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

-----  
By Mrs. Jenkins-Husband, Seconded by Mr. Cappabianca, Resolved, etc.,  
That **Namon McWilliams**, 4111 Appleberry Drive, Erie, Pa., is appointed to the Regional Airport Authority for a five-year term expiring on December 31, 2013.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Seconded by Mrs. Horan-Kunco, Resolved, etc.,  
That **Richard Wagner**, 4228 State Street, Erie, Pa. is re-appointed to the Zoning Hearing Board for a five year term, expiring on December 31, 2013.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

HONORABLE MAYOR, PRESIDENT AND MEMBERS OF CITY COUNCIL November 26, 2008

The Design Review Committee and Planning Commission, at their regular meetings in November, reviewed a Waterfront Conditional Use application made by Hamot Medical Center for the development of three (3) parking lots located at the following locations:

- a. The Southwest corner of Sassafras and West Second Streets, a proposed 54 space lot measuring approximately 100 x 250', located in a Waterfront Residential Zoning District;
- b. Additional Parking proposed to be added to the existing PNC Bank lot, located at the Southwest corner of Peach and West Second Streets; 81 spaces in a Waterfront Commercial II Zoning District; and
- c. Three parcels at the corners of Front, Short and Sassafras Streets; a proposed 27 space lot measuring approximately 150 x 80 feet, located in a Waterfront Residential Zoning District.

Please note that all proposed lots have been granted relief by the Planning Commission from design standards in Section 306.64.4 regarding interior planter islands.

After inspection and due consideration, the following comments were made;

1. Each of the three lots demonstrate compliance with the Waterfront District Ordinance requirements. Lighting and screening will be provided in such a manner as to not disturb abutting properties and Hamot exceeded the amount of required living landscaping in each of their lots.

2. The Planning Commission encourages growth and recognizes the need for parking in our downtown Hamot's proposed 159 employee parking spaces will provide for 159 spaces to be utilized by the rest of the community, as these employees will be removed from the streets.

3. Hamot Medical Center holds high standards with the security and maintenance of their properties, and will provide an aesthetic asset to the surrounding neighborhoods.

MOTION CARRIED

Respectfully submitted,  
S/ Katie A. Deible, Secretary  
City Planning Commission

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

That the communication from the City Planning Commission recommending that the request received by Hamot Medical Center for Waterfront Conditional Use for the development of three (3) parking lots located at the following locations:

a. The Southwest corner of Sassafras and West Second Streets, a proposed 54 space lot measuring approximately 100 x 250', located in a Waterfront Residential District;

b. Additional Parking proposed to be added to the existing PNC Bank lot, located at the southwest corner of Peach and West Second Streets; 81 spaces in a Waterfront Commercial II Zoning District, and

c. Three parcels at the corners of Front, Short and Sassafras Streets; a proposed 27 space lot measuring approximately 150 x 80 feet, located in a Waterfront Residential Zoning District, be approved for the reasons listed, and

Be it Further Resolved, that the City Clerk is authorized and directed to schedule and advertise for a Public Hearing to be held before City Council on Wednesday, **January 7, 2009**, at approximately **9:30 a.m.** in regard to said request.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

To: City Council  
From: Katie Deible  
Re: Dormitories, Zoning Ordinance

December 1, 2008

As the demand for modern housing and better amenities rise, colleges and universities across the country are constructing housing that fits the needs of their students. Many campus facilities provide suite-style living with housing for 3-6 students per unit. Most of these units contain a kitchen and private bathroom(s). We have come across a dilemma with the Zoning Ordinance's definition of a Dormitory.

**DORMITORY** a building or portion thereof which contains living quarter for five or more students, staff or members of a college, university, primary or secondary boarding school, theological school, or other comparable organization, provided that such building is either owned or managed by such organization and contains not more than one cooking and eating area.

**Mercyhurst College** will soon introduce a new suite-style student housing addition to their Main Campus on East 38<sup>th</sup> Street. Although the common person would consider this structure a "dormitory", the building will not fit our Ordinance's current definition of Dormitory because many of these units are proposed to be furnished with a kitchen.

If the proposed structure may not be termed as a "Dormitory", the alternative would be "Multi-family Dwelling". The problem with this, however, is that a Multi-family dwelling is limited to housing no more than three (3) unrelated persons per unit. As mentioned above, a typical suite-style housing structure may provide living arrangements for up to or exceeding 5 students. This classification would significantly inhibit the potential of housing at maximum capacity. It is the goal of the college and the City of Erie to house students on or as close to campus as possible and to preserve the surrounding Low-Density Residential District.

As a solution, I am recommending the following revision to our definition of Dormitory:

**DORMITORY** - a building or portion thereof which contains living quarters for (five) **four** or more students, staff or members of a college, university, primary or secondary boarding school, theological school, or other comparable organization, provided that such building is either owned or managed by such organization. (and contains not more than one cooking and eating areas) This definition excludes single family and two-family dwellings.

(Note: Language in parentheses will be eliminated)

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

That the City Planning Commission is respectfully requested to study the definition of "**Dormitory**" in the City of Erie Zoning Ordinance #80-2005 and recommend language changes altering the description of such a building.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

THIS DEED

(Title Not Searched)

made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, two-thousand and eight (2008), between The City of Erie, of the County of Erie and Commonwealth of Pennsylvania, Grantor and the Young Men's Christian Association of Greater Erie, a non-profit corporation, located in the City of Erie, County of Erie and Commonwealth of Pennsylvania, Grantee

WITNESSETH, That the Grantor for and in consideration of the sum of One and 00/100 (\$1.00) Dollar, lawful money of the United States, to him/her/them in hand paid, the receipt and payment whereof is hereby acknowledged, hereby remise, release and Quit Claim, unto the Grantee:

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows: The Roadway formerly known as Keats Avenue between Peach Street and West 38<sup>th</sup> Street vacated by the City of Erie at Ordinance #39-2007, a true and correct copy of which is attached hereto as Exhibit "A".

ALSO ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows: The portion of the alley between Shunpike Road and Keats Avenue vacated by the City of Erie at Ordinance #56-2007, a true and correct copy of which is attached hereto as Exhibit "A".

It is the intention of this deed to confirm the transfer to the YMCA of Greater Erie of all right, title and interest in the portions of Keats Avenue and the alley between Shunpike Road and Cherry Street which were vacated by Ordinance #39-2007 and Ordinance #56-2007. There is no actual consideration for this deed.

Grantor has no actual knowledge of any hazardous waste as defined in Act #1980-97 of the Commonwealth of Pennsylvania, having been or which is presently being disposed of on or about the property described in this Deed.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

CITY OF ERIE  
S/ Joseph E. Sinnott, Mayor  
Casimir Kwitowski, Controller

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

That the proper City officials are authorized and directed to execute a Quit Claim Deed for the property located and described as the roadway formerly known as **Keats Avenue** between Peach and West 38<sup>th</sup> Street and the portion of the alley between **Shunpike Road and Keats Avenue** for the purpose of expanding the YMCA of Greater Erie located at 38<sup>th</sup> and Cherry Streets. (Both properties have been vacated by the City of Erie at Ordinance Nos. 39-2007 and 56-2007 respectfully.)

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the Mayor and appropriate City officials are authorized and directed to execute an agreement amending a previous agreement between the City of Erie and **Mercy Center for Women** for the use of FY2008 Emergency Shelter Grant funds, increasing the contract amount by \$2,973.00 from \$16,059.00 to \$19,032.00. (Pending Transfer of Funds)

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. Nays. 0.

December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the Mayor and appropriate City officials are authorized and directed to submit an application to the Pennsylvania Department of Community and Economic Development for a **Neighborhood Stabilization Program Grant**.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amounts are transferred in the Emergency Shelter Grant:

Amount	Account	Title	Amount	Account	Title
\$2,973.00	506-2354-0008	Snider House	\$ 2,973.00	506-1254-2008	Mercy Center
	4567			4521	for Women

December 17, 2008. City Council adopt by yeas Council Member Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the Department of Public Works, Bureau of Refuse & Recycling:

Amount	Account	Title	Amount	Account	Title
\$50,000	008-0731-0000-	Contingency	\$45,447.58	008-0731-0000-4011	Salaries
	4098	Account	4,226.21	008-0731-0000-4016	FICA/MED.
			<u>326.21</u>	008-0731-0000-4021	Savings
			\$50,000.00		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the 2008 Police Civilians General Fund account:

Amount	Account	Title	Amount	Account	Title
\$32,586.00	002-0603-0000-4011	Salaries	\$31,110.00	002-0603-0000-4006	Overtime
			<u>1,476.00</u>	"	4007 Shift
			\$32,586.00		Differential

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the 2008 Police General Fund account:

Amount	Account	Title	Amount	Account	Title
\$ 160,000.00	002-0603-0000-4011	Salaries	\$148,000.00	002-0603-0000-4006	Overtime
<u>11,969.00</u>	002-0613-0000-4056	Repair &	12,000.00	002-0603-0000-4007	Shift
		Maint.Services	8,348.00	002-0613-0000-4035	Repair &
\$ 171,969.00					Maint.Supplies
			<u>3,621.00</u>	002-0613-0000-4043	Education
			\$171,969.00		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the Department of Public Safety, Bureau of Fire:

Amount	Account	Title	Amount	Account	Title
\$10,000	002-0639-0000-4024	Tool Allow.	\$10,000	002-0639-0000-4006	Overtime
<u>3,000</u>	"	4024	<u>3,000</u>	"	4035 Repair/
\$13,000			\$13,000		Maint.Supp.

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the Department of Public Works, Bureau of Parks:

Amount	Account	Title	Amount	Account	Title
\$ 86.00	002-0725-0000-4048	Tech.Support	\$ 86.00	002-0725-0000-4006	Overtime
950.00	002-0205-0000-4043	Tptn/Seminars	12,494.00	002-0725-0000-4013	Seasonal
2,750.00	002-0205-0000-4046	Postage	20,357.00	002-0725-0000-4043	Operatg
8,784.00	002-0206-0000-4031	Prof.Services			Supplies
1,100.00	002-0205-0000-4031	Office Supp.	6,340.00	002-0725-0000-4035	Repair/
1,480.00	002-0720-0000-4059	Other Serv. &			Maint.Supplies
		Charges			
1,500.00	002-0720-0000-4039	Consum.Items	39.00	002-0725-0000-4046	Postage
1,150.00	002-0720-0000-4043	Tptn./Seminars	139.00	002-0725-0000-4052	Advertsg
1,600.00	002-0720-0000-4056	Repair/Maint.	<u>1,673.00</u>	002-0725-0000-4052	Rentals
		Services	\$41,118.00		
1,000.00	002-0709-0000-4056	Repair/Maint.			
		Services			
100.00	002-0709-0000-4048	Tech. Support			

11,100.00	002-0725-0000-4552	Summer Rec.	\$41,118.00
1,327.00	002-0727-0000-4056	Repair/Maint. Services	
190.00	002-0725-0000-4045	Communications	
4,950.00	002-0725-0000-4056	Repair/Maint.Services	
1,200.00	002-0205-0000-4059	Other Services & Charges	
39.00	002-0725-0000-4024	Tool Allowance/Uniforms	
139.00	002-0725-0000-4024	Tool Allowance/Uniforms	
1,000.00	002-0725-0000-4043	Tptn./Seminars	
673.00	002-0725-0000-4045	Communciations	
<u>\$41,118.00</u>			

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in General Government, Bureau of Streets, Paint & Sign, Garage, Radio and Parks:

Amount	Account	Title	Amount	Account	Title
\$197,481.62	002-0963-0000-4098	General Government	\$108,826.03	002-0713-0000-4011	Salaries
			8,325.18	002-0713-0000-4016	FICA/Med.
			1,218.74	002-0713-0000-4021	Defer.Comp.
			9,384.11	002-0715-0000-4011	Salaries
			717.87	002-0715-0000-4016	FICA/Med.
			82.37	002-0715-0000-4021	Defer.Comp.
			42,879.99	002-0719-0000-4011	Salaries
			3,280.31	002-0719-0000-4016	FICA/Med.
			749.42	002-0719-0000-4021	Defer.Comp.
			4,696.06	002-0720-0000-4011	Salaries
			359.24	002-0720-0000-4021	Defer.Comp.
			61.21	002-0720-0000-4021	Defer.Comp.
			15,691.40	002-0725-0000-4011	Salaries
			1,200.00	002-0725-0000-4016	FICA/Med.
			9.31	002-0725-0000-4021	Defer.Comp.
			<u>\$197,481.62</u>		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the Department of Public Works, Bureau of Public Buildings:

Amount	Account	Title	Amount	Account	Title
\$7,129.00	002-0723-0000-4059	Other Services	\$ 14.00	002-0723-0000-4031	Office Supplies
			6,069.00	002-0723-0000-4033	Operating Supplies
			1,046.00	002-0723-0000-4035	Repair & Maint.Supplies
			<u>\$ 7,129.00</u>		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the Department of Public Works, Property Maintenance:

Amount	Account	Title	Amount	Account	Title
\$6,007.00	002-0205-0000-4011	Salaries	\$5,970.00	002-0205-0000-4066	Overtime
			57.00	002-0205-0000-4007	Shift Diff.
			<u>\$6,007.00</u>		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the Department of Public Works, Golf:

Amount	Account	Title	Amount	Account	Title
\$17,438.24	009-0728-0000-4078	Machinery & Equipment	\$3,405.20	009-0728-0000-4013	Seasonal Wg.
			92.33	009-0728-0000-4021	Savings Plan
			4,123.47	009-0728-0000-4033	Oper.Supplies
			2,286.40	009-0728-0000-4041	Prof.Services
			17.15	009-0728-0000-4045	Communication
			4,341.92	009-0728-0000-4054	Rental
			3,171.77	009-0728-0000-4059	Other Service
			<u>\$ 17,438.24</u>		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
 December 17, 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 transferred in the Department of Public Works, Bureau of Streets:

Amount	Account	Title	Amount	Account	Title
\$ 1,932.24	002-0713-0000-4024	Tool Allow.	\$16,830.00	002-0713-0000-4041	Prof. Services
1,309.76	002-0713-0000-4045	Communications			
10,800.00	002-0713-0000-4047	Heat, Light, Power			
373.50	002-0713-0000-4056	Repair/Maint.Srvices			
314.50	002-0713-0000-4050	Other Services			
<u>2,000.00</u>	002-0205-0000-4059	Property Maint/Other Services			
\$16,830.00					

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
 December 17, 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 transferred in the Department of Public Works, Bureau of Streets, Paint & Sign Division:

Amount	Account	Title	Amount	Account	Title
\$ 1,345.00	002-0715-0000-4021	Defer.Comp.	\$2,223.00	002-0715-0000-4006	Overtime
878.00	"	4024 Tool Allow.	8,898.00	"	4013 Seasonal
100.00	"	4031 Office Supplies	329.00	"	4016 FICA/Med.
240.00	"	4045 Communication	<u>3,363.00</u>	"	4033 Operating
2,000.00	"	4047 Heat,Light,Power			
100.00	"	4048 Tech Support			
6,458.00	002-0205-0000-4059	Property Maint.			
329.00	002-0205-0000-4059	"			
<u>3,363.00</u>	002-0205-0000-4059	"	\$14,813.00		
\$14,813.00					

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
 December 17, 2008. Signed by the President. Attested by the City Clerk.

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

Amount	Account	Title	Amount	Account	Title
\$50,000	007-0771-0000-4098	Contingency Account	\$39,25.56	007-0771-0000-4011	Salaries
<u>50,000</u>	007-0773-0000-4098	Contingency Account	9,173.51	007-0771-0000-4016	FICA/Med.
100,000			1,574.93	007-0771-0000-4021	Defer.Comp.
			46,777.12	007-0773-0000-4011	Salaries
			2,740.98	007-0773-0000-4016	FICA/Med.
			<u>481.90</u>	007-0773-0000-4021	Defer.Comp.
			\$ 100,000.00		

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
 December 17, 1008. Signed by the President. Attested by the City Clerk

By Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, Resolved, etc.,  
 That the Mayor and proper City officials 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 hereby ratifies and confirms the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **Union Metal Corporation**, 1432 Maple Avenue, Canton, Ohio, for Traffic Signal Supports, Mast Arms, Strain Pole & Pedestals Equipment, Parade Street Revitalization and Streetscape for the sum of \$72,280.00.
2. **Electrical and Mechanical Systems**, 316 Cherry Street, Erie, Pa. for the Emergency Replacement of the Boiler and Infra-red Heaters at Engine #13 (East 28<sup>th</sup> Street) for the Bureau of Fire at a total cost of \$30,995.00, inclusive of all supplies. (This amount will be reimbursed through a Grant to the City of Erie by the PA Department of Community and Economic Development)

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
 December 17, 2008. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, 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 transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **American Test Center**, P. O. Box 408, River Falls, WI, for testing and inspection of a bucket truck (\$425.00); manlift truck (\$400.00) and 4 fire trucks (\$2,100.00) for the Bureau of Fire at a total cost of \$2,925.00.
2. **David Milano Construction**, 1827 West 36<sup>th</sup> Street, Erie, Pa., for Storm and Sanitary Sewer Repairs at various locations for the sum of \$14,369.05 (Material Costs Only) for the Bureau of Sewers (Wastewater Treatment Plant).

December 17, 2008. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember, Thompson and Jones. 7. Nays. 0.  
December 17, 2008. Signed by the President. Attested by the City Clerk.

-----

December 17, 2008. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, adjourned at 11:03 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

Deleted: ¶

¶  
3..Resolution sponsored by Councilman James Thompson respectfully requesting the City Planning Commission 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 Ciyt Council for further review and deliberation at future study sessions.

¶  
¶  
¶  
Page 2.¶

..4. Resolution authorizing and directing the proper City officials to execute a Grant Application and Grant Agreement 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.¶

..5. Resolution authorizing and directing the proper City officials 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.¶

..6. .Resolution authorizing 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 additional site characterization required for selection of clean up standard, increasing the original contract amount from \$14,643.00 to \$36,471.45.¶

Formatted

Formatted

Formatted

Formatted

Deleted: ¶

Formatted