

The City Council met in regular session in the Council Chambers on Wednesday, January 21, 2009 at 7:30 p.m.

Council Members present: Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

On motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the meeting of January 7, 2009 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

Copies of the bills under date of January 16th and January 23rd, 2009 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

TO: Ms. Rubye Jenkins-Husband, City Council Liaison January 7, 2009
FROM: Jon Tushak, P. E., City Engineer
SUBJECT: Project Update
PROJECT: Parade Street Revitalization and Streetscape

I am unable to attend the informational meeting on January 9, 2009 regarding the above referenced project.

In response to your memo, I am providing this project update. The Project scope from East 6th Street to East 12th Street has not changed. These limits of work will preserve continuity through the corridor from previous enhancement work completed from East Front Street to East 6th Street. All work south of East 12th Street has been eliminated because funding is insufficient to cover bid prices. The project scope of work still includes sidewalks, curbs, curb ramps, bumpouts, boulevard with trees, and crosswalks from the north side of East 7th Street to the south side of East 10th Street and the intersection of East 11th Street. Full width milling and paving of Parade Street will occur from the north side of East 7th Street to the south side of East 10th Street. Pedestrian supplemental lighting will be installed from the south side of East 6th Street to the north side of East 10th Street. Construction will include new traffic signals at the intersections of East 6th, 8th, 10th and 11th Streets.

From the initial planning phase of the project, the Bureau of Engineering was not certain that the section proposed from East 12th to East 15th Street could be funded as indicated by early project cost estimates. PennDOT does not allow alternate add items in bid documents. The bid documents had to be prepared to include all desired work with the hope that the bids would be received with sufficient unit prices to fund the entire scope. It did not happen on this project. Bids were such that the section from East 12th to East 15th could not be funded. Additional funding was required just to avoid any elimination of work on the section from East 6th to East 12th Street. The administration and the ERA were successful in obtaining through 6th to East 12th Street. The administration and the ERA were successful in obtaining through the MPO after the bid opening an additional \$300,000 in funding for the project.

Project development time was somewhat increased due to several neighborhood meetings and adjustments to project design documents. The end result was positive in that all interested parties had input into the project development.

The Prime Contractor is SET, Inc. from Lowellville, OH. They have set up a project field office at the northwest corner of East 9th and Parade Street. A color-coded map of the project is on the wall for viewing. Please contact Scott Rodgers, Superintendent, on the project. All interested parties are also welcome to view the contract drawings in Room 400 of the Municipal Building.

Substantial completion is expected to be October 28, 2009.

The current construction contract amount with SET is \$1,918,296.46. The City of Erie is purchasing direct the light poles and luminaries and the traffic signal support poles, mast arms, strain pole and pedestals. The lighting contract amount with Graybar is \$125,254.40. The traffic pole contract amount with Union Metal Corporation is \$72,280.00. The total budget for the Parade Street project is \$2,115,830.86. The budget includes the additional \$300,000 obtained after the bid opening.

The Contractor has commenced limited work due to inclement weather. Bricks have been removed from the sidewalks from East 8th to East 10th Street. The Contractor is beginning light pole foundations and electrical underground work within these limits. He may also begin limited drainage work weather permitting.

As work progresses, the contractor and the Project Engineer will hold frequent progress and coordination meetings. Business owners and interested parties will be included and informed as required with adequate advanced notice. Questions on the progress of the work informed and schedule may be directed to Scott Rodgers on the project or to the Project Engineer.

The City Administration continues its commitment to the Parade Street corridor and will continue to seek additional funding for future enhancements.
Please contact me at extension 1377 if you have any questions.

January 21, 2009. City Council receive and enter in the minutes for information.

By Mr. Jones, Council File Ordinance #15,628, Pending Official File Ordinance #4-2009,

an ordinance approving the Editing and Inclusion of certain Ordinances as parts of the various component codes of the **Codified Ordinances** of the City of Erie.

January 21, 2009. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,628 and now known as Pending Official File Ordinance #4-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009 Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Council File Ordinances #15,629

an ordinance renaming the roadway that exists on the south side of the Sheraton Bayfront Hotel and adjacent parking ramp being west of the foot of State Street from West Dobbins Landing to **West Bay Drive**.

January 21, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Jones, having read Council File Ordinance #15,629, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

Since Councilwoman Rubye Jenkins-Husband could not attend this evening's meeting, she requested that her statement in regard to the resolution requesting approval for Waterfront Conditional Use be read into the record.

TO: James Klemm, City Clerk
FROM: Councilwoman Rubye Jenkins-Husband
SUBJECT: Statement regarding Hamot Medical Center Waterfront Conditional Use
January 15, 2009

I have requested that our City Clerk read this prepared statement at the January 21, 2009 meeting of City Council regarding the Parking Lots for waterfront conditional use located in a waterfront residential zoning district. This week I will be out of town attending the historical inauguration of President-Elect Barack Obama.

I would like to thank the Hamot Staff for the on-site review this week of the proposed parking lot plans and I was able to walk around with some of my colleagues for observations of the proposed site areas. I also appreciate the neighbors for their input on these proposed plans.

I do support the project as it has met all the required zoning guidelines. However, it was good to see that Hamot was willing to consider some fencing modification as it relates to the resident concerns in one of the residential parking lot areas. Thank you.

Sincerely,
S/ Rubye Jenkins-Husband, Councilwoman

By Mr. Schember, Seconded by Mr. Thompson, Resolved, etc.,
That pursuant to Public Hearing held before the City Council on Wednesday, January 7, 2009, a resolution approving the request from 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' in area, 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 Conditional 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 30 feet, located in a Waterfront Residential Zoning District.

January 21, 2009. The foregoing resolution was withdrawn from consideration at the request of City Council.

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

That Mayor Joseph E. Sinnott is authorized and directed to execute a withdrawal request, as recommended by the Sinking Fund Committee and investment counselor Morgan Stanley, by transferring the total sum in the Select Investment Account #W2-000668, (Hedge Fund) in the Water Reserve Fund, to cash accounts in the **Water Reserve Fund**.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

That the Mayor and appropriate City officials are authorized and directed to execute a Cooperation Agreement between the City of Erie and the **Erie Downtown Partnership** located at 515 State Street, Erie, Pa., whereby the City agrees to designate and appoint the Erie Downtown Partnership to administer the SNOOPS Neighborhood Elm Street Program.

This Agreement is conditioned upon the receipt of the PA DCED Elm Street Operational Grant funding. In addition, the operational funding for the SNOOPS Elm Street Program shall be provided to the Partnership via a subrecipient agreement upon the award and receipt of the funds from the PA DCED.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

TO: President and Members of Erie City Council January 14, 2009
FROM: David W. Deter, Assistant Director
Department of Economic and Community Development
RE: Resolution for Elm Street Plan Approval and Authorization to Submit Grant Application

The Department of Economic and Community Development is presenting a resolution to approve the SNOOPS Neighborhood Elm Street Plan and authorization for the City administration to submit a PA DCED Single Application for funding related to the implementation of the SNOOPS Elm Street Program.

The SNOOPS Neighborhood Elm Street Plan was funded by a PA DCED Elm Street Planning Grant of \$25,000. The development of a Strategic Plan is the first step in a process outlined by DCED in order to receive designation as an Elm Street community and become eligible to receive additional Elm Street funds through an Operational Grant and Residential Reinvestment Grant.

The Operational Grant will cover the costs of administering the program, which include the salary of an Elm Street Manager, training and technical assistance, supplies and office expenses. Residential Reinvestment Grants may be used to carry out physical improvements within the neighborhood that have been identified in the Strategic Plan such as streetscape improvements, residential façade improvements, residential rehabilitation, park improvements and demolition of blighted structures.

The Department of Economic and Community Development intends to submit the SNOOPS Neighborhood Elm Street Plan to the PA DCED for review and approval for the purpose of requesting official designation as an Elm Street community, while at the same time submit applications for Elm Street funding.

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

That the Mayor and appropriate City officials are authorized to approve the **SNOOPS Elm Street Plan** and authorizing a request for funding under the Elm Street Program from the Department of Community and Economic Development (DCED).

WHEREAS, the City of Erie has prepared an Elm Street Plan for the SNOOPS neighborhood within the city;

WHEREAS, the SNOOPS Elm Street Plan meets the requirements of the PA DCED Elm Street Program;

WHEREAS, the City of Erie wants to obtain funding from the PA DCED for the implementation of various elements of the SNOOPS Elm Street Plan;

NOW, THEREFORE, Be It Resolved, that the SNOOPS Elm Street Plan, as presented, is hereby approved:

BE IT FURTHER RESOLVED, that the City of Erie's Department of Economic and Community Development is hereby directed to file a PA DCED Single Application or funding related to the implementation of the SNOOPS Elm Street Program. The amount of the funding request shall be for \$225,000 per year. Of this amount, \$30,000 will be allocated for implementation of the program and \$195,000 for a Residential Reinvestment Grant.

BE IT FURTHER RESOLVED, that the City of Erie will provide the full local share of project costs as required by the Elm Street Program and that the City will reimburse the Commonwealth for the State's share of any expenditures found by Pa DCED to be ineligible;

BE IT FURTHER RESOLVED, that the project area covered by the SNOOPS Elm Street Plan is part of the City of Erie's approved Pennsylvania Weed and Seed Program which is administered by the Pennsylvania Commission on Crime and Delinquency and is therefore not required to provide a 10% local match under the PA DCED Elm Street Program;

BE IT FURTHER RESOLVED, that the City Clerk is directed to execute a Certificate attesting to the adoption of this resolution and to furnish a copy of the resolution to the City's Department of Community and Economic Development.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to enter into an agreement between the City of Erie and **Stephen R. Chatman** for the continued service as AID Team Coordinator/Project Manager and Consultant in connection with the administration of the Erie Weed and Seed initiative which contract provides for a bi-weekly payment of \$2,297.70 for a total of \$59,740.00 to be paid by the City of Erie commencing January 1, 2009 for the term of one year ending December 31, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to enter into an agreement between the City of Erie and **Jennifer Dobbs Woods** for her continued service as Target Area Local Leaders Team Consultant in connection with the administration of the Erie Weed and Seed initiative, further providing for total payment not to exceed \$27,089.00 at a rate of \$26.06 per hour to be paid by the City of Erie commencing January 1, 2009 for the term of one year ending December 31, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

**CITY OF ERIE EASEMENT DESCRIPTION - ERIE METROPOLITAN TRANSIT AUTHORITY (EMTA)
AT NATIONAL CITY BANK (2005-109) 1727 STATE STREET**

BUS SHELTER

Beginning at a point in the east line of State Street, said point being fifty-three and five-tenths feet (53.5') north of the intersection of the east line of State Street and the north line of East 18th Street;
Thence north along the east line of State Street a distance of twelve feet (12') to a point;
Thence west perpendicular to the east line of State Street a distance of six feet (6') to a point;
Thence south parallel to the east line of State Street a distance of twelve feet (12') to a point;
Thence east perpendicular to the east line of State Street a distance of six feet (6') to the point of the Beginning

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

That the proper City officials are authorized and directed to execute an Easement Agreement between the City of Erie and the **Erie Metropolitan Transit Authority (EMTA)** for location of a bus shelter in the right-of-way at 1727 State Street fronting the National City Bank 53.5' north of the intersection of the east line of State Street and the north line of East 18th Street.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

TO: Jim Klemm, City Clerk January 15, 2009
FROM: Joseph E. Sinnott
RE: New Appointment to the City of Erie Planning Commission

Please be advised of the following appointment to the City of Erie Planning Commission.

Keith Miller has replaced Don Crenshaw whose term expired December 2008. Mr. Miller will serve the term ending December 2012. Thank you.

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

That the communication from Mayor Joseph E. Sinnott informing City Council that he has appointed **Keith Miller** to the City Planning Commission for a four year term expiring December 2012. (Replacing Don Crenshaw whose term expired December 2008)

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

1. Samuel R. Fiorelli, 32 Second Street, Union City, Pa. 16438
2. Michelle D. Orsini, 603 Powell Avenue, Eire, Pa. 16505
3. Ronald J. Pilarski, Jr., 5149 Henderson Road, #19, Erie, Pa. 16509

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers.

Be It Resolved, that **Samuel R. Fiorelli**, 32 Second Avenue, Union City, Pa., 16438, No. 1 on the list, having been nominated by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of \$31,599.00 and that he is on probation for one (1) year from the date of his appointment on Monday, January 26, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

1. Michelle D. Orsini, 603 Powell Avenue, Erie, Pa. 16505
2. Ronald J. Pilarski, Jr., 5149 Henderson Road, #19, Erie, Pa. 16509
3. David J. Stucke (Veteran), 434 East 38th Street, Erie, Pa. 16504

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers.

Be It Resolved, that **David J. Stucke** (Veteran), 434 East 38th Street, Erie, Pa., 16504, No. 3 on the list and being a veteran, having been nominated by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of \$31,599.00 and that he is on probation for one (1) year from the date of this appointment on Monday, January 26, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays . 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

1. Michelle D. Orsini, 603 Powell Avenue, Erie, Pa. 16505
2. Ronald J. Pilarski, Jr., 5149 Henderson Road, #19, Erie, Pa. 16509
3. Daniel R. Shields, 4325 Genesee Avenue, Erie, Pa., 16510

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers.

Be It Resolved, that **Michelle D. Orsini**, 603 Powell Avenue, Erie, Pa., 16505, No. 1 on the List, having been appointed by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of \$31,599.00 and that he is on probation for one (1) year from the date of his appointment on Monday, January 26, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

1. Ronald J. Pilarski, Jr., 5149 Henderson Road, #19, Erie, Pa. 16509
2. Daniel R. Shields, 4325 Genesee Avenue, Erie, Pa. 16510, Erie, Pa. 16510
3. David P. Madurski, 5309 Washington Avenue, Erie, Pa., 16508

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers.

Be It Resolved, that **Ronald J. Pilarski, Jr.**, 5149 Henderson Road, #19, Erie, Pa. 16509, No. 1 on the list, having been nominated by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of \$31,599.00 and that he is on probation for one (1) year from the date of this appointment on Monday, January 26, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

1. Daniel R. Shields, 4325 Genesee Avenue, Erie, Pa. 16510
2. David P. Madurski, 5309 Washington Avenue, Erie, Pa. 16508
3. Patrick A. Ginkel (Veteran), 950 West 21st Street, Erie, Pa. Erie, Pa. 16502

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers.

Be It Resolved, that **Patrick A. Ginkel** (Veteran), 950 West 21st Street, Erie, Pa., 16502, No. 3 on the list and being a Veteran, having been nominated by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of \$31,599.00 and that he is on probation for one (1) year from the date of his appointment on Monday, January 26, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

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

1. Daniel R. Shields, 4325 Genesee Avenue, Erie, Pa., 16510
2. David P. Madurski, 3309 Washington Avenue, Erie, Pa. 16508
3. Jason A. Lantzy, 9125 Perry Highway, Waterford, Pa. 16441

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers.

Be It Resolved, that **Daniel R. Shields**, 4325 Genesee Avenue, Erie, Pa., 16510, No. 1 on the List having been nominated by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of \$31,599.00 and that he

is on probation for one (1) year from the date of his appointment on Monday, January 26, 2009.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

TO: Erie City Council January 14, 2009
FROM: Paul A. Lichtenwalter, Finance Department
RE: Debt Service Budget Transfer

The accompanying \$5,187.66 transfer is needed to provide the necessary balance in the Debt Service Fund, Washington County Authority expense account. This amount will be used to make the January 2009 interest payment.

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

That the following amount is hereby transferred in the Office of General Government:

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$5,187.66	460-0963-0000-4870	Note Interest	\$5,187.66	460-0963-0000-4895	Washington County Authority

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, 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 transaction which is to be charged to Budget Code #002-0613-0000-4033.

1. **Markl Supply Company**, 4029 Perrysville Avenue, Pittsburgh, Pa., for 35 cases of Assorted Duty and Training Ammunition for the Bureau of Police at a total cost of \$5,880.90. (PA Contract #1305-1)
2. **William T. Spaeder Co.**, 1602 East 8th Street, Erie, Pa., for a ten (10") inch Check Valve for the Incinerator Building, for the Bureau of Sewers for the sum of \$4,800.00.
3. **JWC Environmental**, 290 Paularino Avenue, Costa Mesa, CA, for replacement of the Grinder Core/Muffin on the Master Grinder for the Bureau of Sewers for the sum of \$6,814.00. (Only Supplier)
4. **Kappe Associates**, 4268 Northern Pike, Monroeville, Pa., for two Replacement Boiler Feed Pumps for the Bureau of Sewers for the sum of \$7,010.00 (\$3,330.00 each) + shipping.

January 21, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

January 21, 2009. Signed by the President. Attested by the City Clerk.

TO: Jim Klemm January 15, 2009
FROM: Joseph E. Sinnott
RE: Erie County Planning Commission Appointment

Please be advised of the following appointment to the Erie County Planning Commission.

Edward Williams has replaced Gary Horton whose term expired in 2007. Mr. Williams will serve the term ending December 31, 2011. Thank you.

January 21, 2009. City Council receive and enter in the minutes for information.

January 21, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, adjourned at 8:10 p.m. by yeas Council Members Aleksandrowicz, Horan-Kunco, Jones, Thompson and Schember. 5. Nays. 0.

Attest: _____
City Clerk President of City Council