

The City Council met in regular session in the Council Chambers on Wednesday, February 4, 2009 at 9:00 a.m.

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

On motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the meeting of January 21, 2009 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, Jones, Thompson and Schember. 7. Nays. 0.

Copies of the bills under date of January 30th and February 6th, 2009 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0., with the exception of invoices to the NATO Centers on which Mrs. Jenkins-Husband abstained from voting.

By Mr. Thompson, Council File Ordinances #15,629, Pending Official File Ordinance #5-2009,

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

February 4, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance #15,629 and now known as Pending Official File Ordinance #5-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

February 4 2009. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File Ordinance #15,630

an ordinance amending Part Five of the Codified Ordinances of the City of Erie, Traffic Code, Article 523 Parking Meters, Section 523.07, by allowing the installation of **Parking Meters** on the **south side of West Bay Drive by adding the Convention Center Hotel Site**.

February 4, 2009. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Jenkins-Husband, having read Council File Ordinance #15,630 on First Reading, does hereby adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

February 4, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Council File Ordinance #15,631

an ordinance appropriating the sum of **\$12,000.00** from unappropriated and unanticipated revenue from Account #015-0000-0000-3641 Capital Improvement Fund (Sisters of Mercy) and providing for the expenditure thereof by allocating said sum to Account #015-0613-0000-4078 Capital Improvements (Bureau of Police - \$4,000); #015-0639-0000-4039 Capital Improvements (Bureau of Fire - \$4,000) and #015-0713-0000-4035 Capital Improvements (Bureau of Streets - \$4,000).

February 4, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Schember, having read Council File Ordinance #15,631, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

By Mr. Aleksandrowicz, Council File Ordinance #15,632

an ordinance appropriating the sum of **\$6,524.95** from unappropriated and unanticipated revenue from Account #002-0000-0000-3641 General Fund Contributions (County of Erie) and providing for the expenditure thereof by allocating said funds to Account #002-0963-0000-4160 General Government/July 4th Celebration.

February 4, 2009. City Council on motion of Mr. Aleksandrowicz, Seconded by Mr. Thompson, having read Council File Ordinance #15,632, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

By Mr. Thompson, Council File Ordinance #15,633

an ordinance appropriating the sum of **\$130,000.00** from unappropriated and anticipated revenue from Account #460-0963-0000-3111 Debt Service Fund Balance and providing for the expenditure thereof by allocating said sum to Account #460-0963-0000-4078 Machinery & Equipment.

February 4, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Schember, having read Council File Ordinance #15,633, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

By Mr. Thompson, Council File Ordinance #15,634

An ordinance appropriating the sum of **\$40,000.00** from unappropriated and anticipated revenue from Account #215-0613-0000-3111 Police drug/Vice Fund Balance and providing for the expenditure thereof by allocating said funds to Account #215-0613-0000-4078.

February 4, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Schember, having read Council File Ordinance #15,634, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

James Klemm, City Clerk
Erie City Hall

January 26, 2009

RE: Board Appointment

Dear Jim:

Please be advised that I have made the following appointments to the Erie-Western Pennsylvania Port Authority Board:

- * Art Doloresco has been appointed to replace Sharon Knoll whose term ended in December, 2008
- * Dan Harmon has been appointed to replace Matt Gress whose term ended in January, 2008

If you have any questions, please do not hesitate to contact me.

Sincerely,
S/ Joseph E. Sinnott, Mayor

February 4, 2009. City Council receive and enter in the minutes for information.

By Mr. _____ Seconded by Mr. _____ Resolved, etc.,

That pursuant to Public Hearing held before the City Council on Wednesday, January 7, 2009, the request from Hamot Medical Center for Waterfront Conditional Use for the development of three (3) Parking Lots located at the following locations is hereby approved:

- 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.

February 4, 2009. The foregoing resolution was withdrawn from consideration at the request of City Council.

By Mrs. Jenkins-Husband, Seconded by Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Thompson and Schember. 7. Nays. 0.

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 all of the employees, students and friends of the Dr. Gertrude A. Barber National Institute, for their focus on providing all children with opportunities to develop their greatest potential, and

WHEREAS, the Dr. Gertrude A. Barber National Institute had its humble beginning in 1952 in a single classroom and has now grown into a dynamic and diverse facility that annually serves more than 3,200 children and adults with developmental disabilities, with programs in early intervention for infants and preschool, state of the art Autism Center, Elizabeth Lee Black School, job training, residential group homes, supported living program, fine arts program, in-home services, as well as, speech, physical, occupational and behavioral therapies and a retirement center, so,

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the official representatives of the Dr. Gertrude A. Barber National Institute, who have established a nationally and worldwide recognized institute that has undertaken a common goal of "making dreams come true for our children adults and families", along with our sincere best wishes and continued success in all of their future endeavors.

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays 0.

February 4, 2009. Signed by the President. Attested by the City Clerk.

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

That the City Planning Commission and the City Solicitor are respectfully requested to review the provisions of **PA House Bill #2499, Professional Licensure**, and to recommend to City Council the appropriate amendments to the City of Erie Zoning Ordinance #80-2005 required for the licensing and certification of Massage Therapists to ensure compliance with the state laws.

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

February 4, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, 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 **Attorney Donald L. Wagner** to provide legal counsel to the **Zoning Hearing Board** from January 1, 2009 through December 31, 2009 in the amount of \$1,200.00 per month, not to exceed 10 hours per month.

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

February 4, 2009. Signed by the President. Attested by the City Clerk.

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

That the communication from Mayor Joseph E. Sinnott notifying City Council that he has re-appointed **David Slomski**, VP, First National Bank, to the **Loan Review Committee** of the Commercial and Retail Loan Program ("CARL"), a small loan program managed by Economic and Community Development, that is directed toward assisting commercial and retail businesses that are located in the "Erie Downtown Partnership District" and the "Neighborhood Revitalization Strategy Area" for a three year term from February 1, 2009 to January 31, 2012, is hereby received by City Council and ordered placed on file.

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

February 4, 2009. 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, viz:

1. **Environmental Remediation & Recovery, Inc.**, 4250 Route 6N, Edinboro, Pa. 16412, for Consultant Services for the proposed Act 2 Environmental Remediation and Site Closure at the Erie Golf Course Expansion Site for a sum not to exceed \$59,041.00.
2. **Urban Engineers of Erie, Pa.**, 1319 Sassafras Street, Erie, Pa., 16501-1720, for the proposed Final Design, Plans, Specifications and Estimate and Environmental Permitting and Coordination for the Glenwood Dam and Drift Catcher on the South Side of the Erie Zoo in Millcreek Urban RFP No. 2009-002, for a sum not to exceed \$72,900.00.
3. **DATA911**, 1819 Clarkson Road, Suite 306, Chesterfield, MO 63017 for 28 M6 Mobile Data Systems @ \$6,010.00 each for a total of \$168,282.80. (These DMTs provide computer based information that is stored in various computers at the dispatching center to the officers in the field as they conduct their duties and are integral to the police department's operations and procedures in the field.)
4. **Empire Stack Testing, LLC**, 5252 Ramsey Road, Ashville, NY, for providing Quarterly/Annual Testing and Preventative Maintenance of the Continuous Emission Monitoring System at the Wastewater Treatment Plant for two (2) years through February 4, 2011, at the contract price of \$12,000.00 per year plus an unscheduled maintenance cost of \$95.00/hour for the Bureau of Sewers.
5. **American Office Services, Inc.**, 30257 Clemens Road, Suite C, Westlake, Ohio, for the re-upholstering of 108 seats in the City Council Chambers, for the sum of \$11,771.00, lowest of two bidders.
6. **Erie Center on Health & Aging**, 406 Peach Street, Erie, Pa., for a Senior Walking and Tai-Chi Fitness Program in the sum of \$13,000.00.

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

February 4, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Seconded by Mrs. Jenkins-Husband, 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. **Patricia A. Ambrose**, 319 West 8th Street, Erie, Pa., for required Psychological Evaluations of newly hired Police Officers, for the Human Resources Bureau for the sum of \$3,000.00.
2. **PA Police Chiefs of Police Association**, 395 North Front Street, Harrisburg, Pa., for a CPIN Maintenance Agreement 2009 (Mugshot Software and Hardware System) for \$4,350.00 and a Livescan Fingerprint System Maintenance Agreement for \$4,557.00 or a total sum of \$8,907.00.
3. **Sanner Office Supply**, 1225 State Street, Erie, Pa., for 15 new Conference Room Chairs for the Bureau of Sewers in the amount of \$2,610.00.
4. **Walsh Equipment**, 796 Unionville Road, Prospect, Pa., for Emergency Repairs to the JCB Load-All, for the Bureau of Sewers at a total cost of \$2,793.85.
5. **Environmental Resource Associates**, 6000 West 54th Street, Arvada, CO, for required 2009 Lab Standards/3rd Party Testing Standards, for the Bureau of Sewers at a total cost of \$4,542.48.
6. **D & W Diesel, Buffalo Branch**, Buffalo, New York, 14227, for 1800 feet of Replacement Hose for the Vacuum Truck for the Bureau of Sewers for the sum of \$5,078.00.
7. **Rochester Midland Corporation**, 333 Hollenback Street, Rochester, NY, for Boiler Chemicals thru December 31, 2009, for the Bureau of Sewers for the sum of \$8,950.00.

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.
February 4, 2009. Signed by the President. Attested by the City Clerk.

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

That the communications from City of Erie Authorities submitted pursuant to Act 339 listing the names, position and salaries of their respective employees for the six month period ending December 31, 2008 are hereby received by City Council and ordered placed on file in the Office of Accounts, Finance and Budget:

The Erie Housing Authority	Erie County Convention Center Authority
The Erie Parking Authority	Erie-Western Pennsylvania Port Authority
Erie Regional Airport Authority	Erie Metropolitan Transit Authority
Erie Redevelopment Authority	Erie Park Authority/Zoological Society
Erie Water Authority	

February 4, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.
February 4, 2009. Signed by the President. Attested by the City Clerk.

February 4, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, adjourned at 10:15 a.m. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

Attest:

President of City Council

City Clerk