

The City Council met in regular session in the Council Chambers on Wednesday, June 17, 2009 at 7:30 p.m.

Council Members present: Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0. (Mr. Schember was out of town and called in by telephone.)

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

That James N. Thompson is appointed as Council President for the City Council meeting of June 17, 2009.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

On motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the meeting of June 3, 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, Schember and Thompson. 7. Nays. 0.

Copies of the bills under date of June 12 and June 19, 2009 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0. with the exception of invoices to the NATO Centers on which Mrs. Jenkins-Husband abstained from voting.

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By Mr. Jones, Council File Ordinance #15,654, Pending Official File Ordinance #30-2009,  
an ordinance appropriating the sum of \$3,527,557.00 from unappropriated and anticipated revenue to be received from the U.S. Housing and Urban Development (HUD); \$545,459.00 reprogrammed funds from previous Community Development Block Grant (CDBG) years; and \$80,000.00 program income for a total of **\$4,153,016.00** and allocating said funds to various 35<sup>th</sup> year projects in Account Nos. 501-1227; 1238; 1245; 1251; 1252; 1253; 1255; 1264 and 1283-2009-4xxx.

June 17, 2009. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,654 and now known as Pending Official File Ordinance #30-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember and Thompson. 6. Nays. 0. (Mrs. Jenkins-Husband abstaining)  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,655, Pending Official File Ordinance #31-2009,  
an ordinance appropriating the sum of **\$1,079,902.00** from unappropriated and anticipated revenue to be received from the U. S. Department of Housing and Urban Development (HUD), Account #505-0000-0000-3305 Federal Operating Grant HUD HOME Projects and providing for the expenditure thereof by allocating said funds to various #505-1239-2009-4xxx accounts.

June 17, 2009. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,655, and now known as Pending Official File Ordinance #31-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,656, Pending Official File Ordinance #32-2009,  
an ordinance appropriating the sum of **\$156,342.00** from unappropriated and anticipated revenue to be received from the U. S. Department of Housing and Urban Development (HUD), Account #506-0000-0000-3306 HUD Emergency Shelter Services and providing for the expenditure thereof by allocating said funds to various #506-1254-2009-4xxx accounts.

June 17, 2009. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,656, and now known as Pending Official File Ordinance #32-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,657, Pending Official File Ordinance #33-2009,

an ordinance amending Article 330 (**Landlord and Rental**), by amending Section 330.02 (Definitions) to add a definition for "conditional approval" and renumbering the definitions section as necessary by amending Section 330.02(1) (Definitions) to clarify the definition of immediate family as including parents, parents-in-law and adult children; by amending Section 330.04(a) (Residential Rental License Required) to add Section 330.04(a)(7) to provide that owner occupied flats and duplexes shall not be subject to the annual fee and will not be inspected provided that other units remain vacant; by amending Section 330.04(a) (Residential Rental License Required) to add Section 330.04(a)(8) to provide that the fee and inspection requirements will be temporarily suspended for buildings under construction or rehabilitation that have obtained a building permit to perform approved construction; by amending Section 330.05(a) (Exemptions) to clarify that registration and licensing shall not be required of properties by the Housing Authority of the City which are inspected by third parties according to HUD requirement; by amending Section 330.06 (Appeals from Revocation of Conditional Rental Registration or Residential Rental License) to provide that appeals shall be submitted to the Building Code Official for review by the Blighted Property Review Committee/Property Maintenance Appeals Board; and by amending Section 330.09 (Fees) to change the fee deadlines.

June 17, 2009. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,657 and now known as Pending Official File Ordinance #33-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

By Mrs. Jenkins-Husband, Council File Ordinance #15,658

an ordinance appropriating the sum of **\$149,519.06** from the Paving and Sewer Revolving account fund balance #017-0000-0000-3001 and providing for the expenditure thereof by allocating said funds to Account #017-0707-0000-4075 Bridges and Streets. The Paving and Sewer Revolving Fund is comprised of assessment payments made to the city from property owners who, during the 1980s, requested paving projects that converted tar and chip roads into full-depth paved roadways that included drainage, driveway aprons and sidewalks.)

June 17, 2009. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco having read Council File Ordinance #15,658, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

By Mrs. Jenkins-Husband, Council File Ordinance #15,659

an ordinance appropriating the sum of **\$75,180.00** from unappropriated revenue received from a PADEP-Growing Greener Grant #270-0707-0000-3330 contributions and providing for the expenditure thereof by allocating said funds to Account #270-0707-0000-4077 Other Improvements.

(This project will construct a litter trap on Mill Creek adjacent to Garrison Run at the Wastewater Treatment Plant. Mill Creek is one of the primary sources of conveyance for litter into Presque Isle Bay. The litter trap will be used to reduce the amount of floating debris and serve as an educational tool to study the volume and constituency of the litter. The City has agreed to provide in-kind services in the form of design, bidding and construction management as well as on-going care and maintenance of the device. The educational component will be carried out by PLEWA with the assistance of Junior PLEWA and Lake Erie-Allegheny Earth Force, Mr. Mike Campbell, PhD, of Mercyhurst College and Chairman of the Presque Isle Bay Public Advisory Committee, prepared the grant application, and Ed Kissell from the S.O.N.S. of Lake Erie assisted during the grant process.)

June 17, 2009. City Council on motion of Mrs. Jenkins-Husband, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,659, does hereby adopt on First Reading by yeas Council Member Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

By Mr. Jones, Council File Ordinance #15,660

an ordinance appropriating the sum of **\$27,814.00** from unappropriated and anticipated revenue from Account #250-0613-0000-3111 Tobacco Compliance Grant Fund Balance and providing for the expenditure thereof by allocating said funds to various 0613 account including 4006 Overtime (\$22,000.00; 4016 FICA/Medicare (\$814.00); 4021 Valic/Deferred Comp (\$1,000.00) and 4059 Other Services & Charges (\$4,000.00).

June 17, 2009. City Council on motion of Mr. Jones, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,660, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

By Mr. Jones, Council File Ordinance 15,661  
an ordinance appropriating the sum of **\$20,000.00** from unappropriated and anticipated revenue from Account #260-0613-2009-3699 2009 Weed & Seed Mini-Grants and providing for the expenditure thereof by allocating said funds to Account #260-0613-2009-4059 Other Services & Charges. (These funds are for Administrative Services by Stephan Chatman and for Neighborhood Mini-Grants for the City and County neighborhoods with a maximum amount of \$500.00 per grant.)

June 17, 2009. City Council on motion of Mr. Jones, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,661, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

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

That the City Solicitor is authorized and directed to prepare **an ordinance amending the Zoning Code** of the City of Erie #80-2005 by (1) adding a new Section 305.51 **Licensed Massage Therapy** which requires a degree or certificate of all persons performing therapeutic massage techniques and grandfathering existing practitioners, as provided by new Pennsylvania legislation and amending the definitional provision of the ordinance accordingly, (2) amending Section 205.16 **Fraternities, Sororities and Dormitories** to provide that one off-street parking space shall be required for each 4 residential occupants, (3) amending the **Definition of Dormitory** by reducing from five to four the minimum number of persons qualifying for a Dormitory, deleting reference to cooking and eating areas and excluding single and two-family dwellings and (4) amending **Section 305.45(b)** by establishing a 15 square footage maximum of directional or panel communications antennas. (Public Hearing was held on Wednesday, June 3, 2009)

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays 0  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

WHEREAS, the City Council of the City of Erie wishes to pay special tribute and give recognition to the **Arts Council of Erie** for their outstanding works performed throughout our community, and

WHEREAS the Arts Council of Erie strives to nurture the arts and enrich the lives of the citizens of Northwestern Pennsylvania through leadership, financial support, education and advocacy and they envision a community where access to the arts is open to everyone, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the Arts Council of Erie and extend to them our heartfelt thanks for a job well done and wish them the best in all their future endeavors.

June 17, 2009. City Council adopt by yes council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the members of the United States Congress is respectfully requested by the City Council of the City of Erie to support President Obama's **Quality Affordable Health Care Legislation** for all Americans, especially the uninsured and underinsured.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

To: Rubye Jenkins-Husband, City Council Liaison June 12, 2009  
FROM: Doug Mitchell, Director of Public Works, Property & Parks  
RE: Energy Efficiency and Conservation Block Grant

On the Agenda for the council meeting of June 17th is a resolution authorizing the proper City officials to apply for and receive funding through the **Energy Efficiency and Conservation Block Grant (EEG) Program**. This is a program funded by the American Recovery and Reinvestment Act that makes formula-based grants available in the local government entities.

The City of Erie's allocation is in the amount of \$1,031,500. In order to secure the funding, the City must submit an application to the department of Energy by June 25<sup>th</sup> outlining the City's energy strategy that meets the objectives of reducing energy and improving energy efficiency. The Public Works Department is

currently in the process of assessing City buildings and facilities capital need that meet the criteria. Additionally, we are exploring the possibility of collaborating with Penelec regarding utilizing EECEBG funds for converting existing streetlight fixtures to more energy efficient units (e.g. LED), etc. If there are any questions, do not hesitate to contact me at Ext. 1453.

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

That the Mayor and City Controller and City Engineer and other appropriate officials are hereby authorized and directed to apply for and receive funding based on Title V, Subtitle E, **Energy Efficiency and Conservation Block Grant**, Sections 541(3)(A) or 5413)(B) of EISA 2007, Public Law 110-140. The Mayor and duly authorized officials within the City of Erie hereby certify that the City Engineer, 626 State Street, Room 400, Erie, Pa. 16501 is authorized to receive funds on behalf of the City of Erie and implement the EECEBG Program.

The Energy Efficiency and Conservation Block Grant program funded by the American recovery and Reinvestment Act will provide a formula-based grant to the City of Erie in the amount of **\$1,031,500.00** to be used for projects that reduce total energy use and fossil fuel emissions and improve energy efficiency.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the President and members of City Council are respectfully requested to schedule a Study Session and timeline for reviewing the **"Citizens Review Board options."**

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones and Thompson. 6. Nays. Mr. Schember. 1.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are hereby authorized to execute the necessary agreements with subrecipients to carry out the following **Community Development Block Grant (FY 2009) Projects:**

|                    |                              |    |         |         |
|--------------------|------------------------------|----|---------|---------|
| 501-1251-2009-4394 | CHRB-VFI                     | \$ | 12,000  | #606143 |
| 501-1252-2009-4146 | GEIDC Brownfield Coordinator |    | 40,000  | #606144 |
| "                  | "                            |    | 150,000 | #606145 |
| "                  | "                            |    | 22,000  | #606146 |
| "                  | "                            |    | 25,000  | #605148 |
| "                  | "                            |    | 85,000  | #606149 |
| "                  | "                            |    | 100,000 | #606150 |
| "                  | "                            |    | 60,000  | #606751 |
| "                  | "                            |    | 35,000  | #606752 |
| "                  | "                            |    | 50,000  | #606753 |
| "                  | "                            |    | 57,000  | #606754 |
| "                  | "                            |    | 6,000   | #606755 |
| "                  | "                            |    | 8,250   | #606756 |
| "                  | "                            |    | 7,000   | #606757 |
| "                  | "                            |    | 21,840  | #606758 |
| "                  | "                            |    | 60,000  | #606759 |
| "                  | "                            |    | 50,000  | #606760 |
| "                  | "                            |    | 75,000  | #606762 |
| "                  | "                            |    | 45,000  | #606762 |
| "                  | "                            |    | 30,000  | #606763 |
| "                  | "                            |    | 40,000  | #606764 |
| "                  | "                            |    | 164,059 | #606765 |
| "                  | "                            |    | 40,000  | #606766 |
| "                  | "                            |    | 40,000  | #606767 |
| "                  | "                            |    | 410,000 | #606768 |
| "                  | "                            |    | 15,000  | #606769 |
| "                  | 1255-2009-4397               |    | 11,200  | #606137 |
| "                  | "                            |    | 8,000   | #606138 |
| "                  | "                            |    | 8,000   | #606139 |
| "                  | "                            |    | 8,000   | #606140 |
| "                  | "                            |    | 3,913   | #606141 |
| "                  | "                            |    | 5,000   | #606142 |

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are authorized to execute the necessary agreements with sub-recipients to carry out the following **Emergency Shelter Grant (FY 2009) Projects:**

|                    |                       |    |        |         |
|--------------------|-----------------------|----|--------|---------|
| 506-1254-2009-4404 | Safe Net-Bridge House | \$ | 16,905 | #606773 |
| "                  | "                     |    | 14,490 | #606776 |

|   |   |   |      |                            |        |         |
|---|---|---|------|----------------------------|--------|---------|
| " | " | " | 4429 | Community Shelter Services | 33,207 | #606777 |
| " | " | " | 4511 | City Mission               | 16,905 | #606778 |
| " | " | " | 4519 | SafeNet                    | 16,905 | #606774 |
| " | " | " | 4521 | Mercy Center for Women     | 16,302 | #606779 |
| " | " | " | 4522 | The Refuge                 | 16,905 | #606780 |
| " | " | " | 4570 | SafeNet-TLC                | 3,623  | #606775 |
| " | " | " | 4591 | St. Patrick's Haven        | 13,283 | #606781 |

June 17, 2009. City Council adopt by yeas Council members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
 June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are authorized to execute the necessary agreement with sub-recipients to carry out the following **HOME Programs:**

|                    |                                    |              |         |
|--------------------|------------------------------------|--------------|---------|
| 505-1239-2004-4422 | Bayfront NATO-MLK Center-Homebuyer | \$ 30,000.29 | #606788 |
| "                  | "                                  |              |         |
| 2005-4557          | St. Martin Center-Homebuyer        | 150,000.00   | #606789 |
| "                  | "                                  |              |         |
| 4582               | ERA-Rehabilitation                 | 150,000.00   | #606790 |
| "                  | "                                  |              |         |
| 4483               | HANDS-811 Rental II                | 105,750.00   | #606792 |
| "                  | "                                  |              |         |
| 4497               | HANDS-New Construction             | 194,250.00   | #606791 |
| "                  | "                                  |              |         |
| 4403               | BEST-CHDO Operating                | 20,889.12    | #606793 |
| "                  | "                                  |              |         |
| 4400               | BEST-Homebuyer                     | 22,346.00    | #606794 |

June 17, 2009. City Council adopt by yeas council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember and Thompson. 7. Nays. 0.  
 June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are hereby authorized to execute the necessary agreements with sub-recipients to carry out the following **HOME (FY 2009) Projects:**

|                    |  |           |         |
|--------------------|--|-----------|---------|
| 505-1239-2009-4424 | City Mission-Acquisition/Rehab.-Rental | \$300,000 | #606782 |
| "                  | "                                      |           |         |
| 4500               | HANDS-811 Rental                       | 185,000   | #606783 |
| "                  | "                                      |           |         |
| 4505               | HANDS-CHDO Operating                   | 45,000    | #606784 |
| "                  | "                                      |           |         |
| 4571               | Zoey Meadows                           | 80,562    | #606875 |
| "                  | "                                      |           |         |
| 4582               | ERA Rehabilitation                     | 201,000   | #606786 |
| "                  | "                                      |           |         |
| 4605               | ERA-Union Square-Homebuyer Assistance  | 160,000   | #606787 |

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Schember and Thompson. 7. Nays. 0.  
 June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the proper City officials are authorized to execute a Quit Claim Deed for a parcel located on the easterly portion of **Berst Avenue**, Erie, Pa., a twenty-five (25) foot wide street previously vacated by City Council by Ordinance #23-1968. The purpose of executing this deed is to resolve any potential clouds on the title of said parcel. A copy of the Quit Claim Deed and the aforesaid ordinance are attached hereto.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays 0.  
 June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

TO: Mrs. Rubye Jenkins-Husband  
 City Council Liaison  
 FROM: Jon Tushak, P. E., City Engineer  
 SUBJECT: City Council Change Order Award resolution - June 17, 2009 meeting  
 PROJECT: 2008 Proposed Milling and Asphalt Resurfacing of Various City Streets and Installation of Concrete Curb Ramps-II Bid No. 1621-08

A resolution to award Change Order No. 1 on the contract on the above referenced project to Joseph McCormick Construction Company, P. O. Box 176, Erie, Pa., 16512, in the amount of \$21,874.49 will be presented to City Council at their Wednesday, June 17, 2009 meeting. The original contract amount was \$778,835.11. The revised contract amount is \$800,709.60. The contract has increased by 2.8% percent.

The change order is required due to the adjustment from estimated plan quantities to actual field quantities. When the work was actually performed, due to field conditions, it was necessary to increase the milling and resurfacing quantities a total of 2,530 SY. Due to field conditions related to curb ramps, it was necessary to increase the curb quantity a total of 228 LF and to increase the sidewalk quantity a total of 2,014.SF. Other related quantities increased proportionately.

This change order is to be charged to the 018 Bond Issue fund, Budget Code 018-0713-0000-4075. Please contact me at extension 1377 if you have any questions.

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

That Change Order No. 1 on the contract of **Joseph McCormick Construction Co.**, P. O. Box 176, Erie, Pa., for the 2008 **Proposed Milling and Asphalt Resurfacing** of various City Streets and the installation of Concrete Curb Ramps-II, as recommended by the Bureau of Engineering, increasing the original amount of the

contract by \$21,874.49 from \$778,835.11 to \$800,709.60 is hereby received by City Council and concurred with and copies of this resolution are to be ordered attached to the original contract and additional copies are to be forwarded to the contractor, Engineer and other interested parties. To be charged to Budget Code #018-00713-0000-4075.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting President. Attested by he City Clerk.

TO: Mrs. Rubye Jenkins-Husband, City Council Liaison June 10, 2009  
FROM: Jason W. Sayers, P. E., Assistant City Engineer  
Re: Easement Agreement - Erie Downtown Partnership

A resolution to execute the following Easement Agreement will be presented to City Council at their Wednesday, June 17, 2009 meeting.

\*Between the City of Erie and the Erie Downtown Partnership for the placement of banners and trash/cigarette containers in City rights-of-way within the District's boundaries.

This agreement will provide for a trash/cigarette receptacle at each corner of the District, as this is their long-term goal. Approximately 250 banners will be placed within the District. Please find correspondence from the Partnership attached to this memorandum. The City Engineer's office has reviewed the proposal and finds it acceptable. Please contact me at 870-1397 if you have any questions.

Jason Sayers, Assistant City Engineer June 9, 2009  
626 State Street, Erie, Pa. 16501  
RE: Easement Agreement

As you are aware, the Erie Downtown Partnership is the recipient of a PaDOT Transportation Enhancement grant. This grant will allow for the purchase of banners and trash/cigarette containers to be placed within the right-of-way of our District.

We are requesting approval of approximately 205 banners 30" x 60" in size. We are hoping to have both the City and Penelec approve the use of new brackets which are spring mounted to allow for the banner to be deflected by the wind.

The number of trash and cigarette containers will be based upon the amount of funding left after the purchase of the banners. However, we have requested approval to place one of each at each corner of our District. We have submitted other grant requests to assist with the funding of additional containers and therefore request approval for our long term goal of placing one at each corner.

In discussion with Dave Mulvihill, these trash containers will not be anchored into the ground; thereby allowing them to remain mobile. We have chosen to use the same containers as the Partnership has previously purchased, therefore history has shown that these containers are heavy enough to prevent theft. The cigarette receptacles will be secured to each trash container.

I submit the following for your review:

1. Maps of the requested locations of banner and receptacles
2. Example of the banners to be ordered
3. Example of the trash and cigarette containers

If these items meet your approval, I would appreciate their inclusion in the Jun 17th City Council meeting. Unfortunately, we are working under a time constraint regarding the grant and would appreciate City Council's favorable consideration at their June 17th meeting. Thank you for your assistance with this request.

S/ Brenda A. Sandburg, CEO

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

That the proper City official are authorized and directed to execute an Easement Agreement between the city of Erie and the **Erie Downtown Partnership** for the placement of banners and trash/cigarette container in **City rights-of-way within the District's boundaries**. The locations are shown on the attached map.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

To: Mrs. Rubye Jenkins-Husband June 10, 2009  
City Council Liaison  
From: Jason W. Sayers, P. E., Assistant City Engineer  
RE; Easement Agreements: John T and Caryl M. Nash and EMTA

Resolutions to execute the following Easement Agreements will be presented to City Council at their Wednesday, June 17, 2009 meeting.

\* Between the City of Erie and John T. and Caryl M. Nash for the construction of an accessible ramp at the Nash Chiropractic office (3201 Peach Street).

\* Between the City of Erie and the Erie Metropolitan Transit Authority (EMTA) for the placement of two (2) Bus shelters within the State Street right-of-way. The bus shelters that are presently located along State Street within Perry Square will be relocated to their new locations as indicated on the attached drawings. The northbound shelter will be placed just north of the Richford Arms building (15 State Street). The southbound shelter will be placed just south of the Northwest Savings Bank (801 State Street). We have received correspondence from both the Erie Downtown Partnership and the Northwest Savings Bank expressing support for this

request at both shelter locations, an adequate width of sidewalk will remain for pedestrian travel. The City Engineer's Office has reviewed the proposals and finds them acceptable. Please contact me at 870-1397 if you have any questions.

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

That the proper City officials are hereby authorized and directed to execute an Easement Agreement between the City of Erie and **John T. and Caryl M. Nash**, owners of 3201 Peach Street, Index No. (18) 5329-112, in compliance with the attached City Engineer's metes and bounds description locating an accessible ramp in the **Metz Street right-of-way**.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

Michael Tann, Director of Operations  
EMTA, 127 East 14th Street, Erie, Pa.  
Re: Movement of Bus Shelters

May 19, 2009

I am writing today to show our support of relocating the existing bus shelters from Perry Square to the adjacent blocks along State Street. It is my understanding that the northbound shelter will be relocated in front our building, causing some of the parking to be shifted, with no net loss to the block.

The Perry Square Master Plan, completed last year, has recommended the relocation of these bus shelters. I would like to thank you for working with the City of Erie to make this recommendation a reality on such a short time frame. By removing the shelters, it will not only assist with the health of the trees and other plantings in the park; it will also allow for future renovation to the park as outlined in the Master Plan.

Should you have any questions regarding this letter, please do not hesitate to contact me at the number listed above.

Respectfully,  
S/ Brenda A. Sandburg, CEO

By Mrs. Jenkins-Husband, 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)**, in compliance with the attached City Engineer's metes and bounds descriptions locating two (2) bus shelters in the **State Street right-of-way**.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

By

That the proposed repository sale of property commonly known as **511 East 14<sup>th</sup> Street**, Erie, Pa., and identified as Erie County Assessment Index No. (15) 020-028.0-120.00 by the Erie County Tax Claim Bureau to **Michael Neal**, in the amount of \$250.00 is hereby approved.

June 17, 2009. The foregoing resolution was withdrawn at the request of the City Administration.

By

That the proposed repository sale of property commonly known as **116 East 24<sup>th</sup> Street**, and identified as Erie County Assessment Index N. (18) 050-006.0-130.00 by the Erie County Tax Claim Bureau to **Albert Morante** of Land Liquidator, in the amount of \$250.00 is hereby approved.

June 17, 2009. The foregoing resolution was withdrawn at the request of the City Administration.

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

That the proposed Repository sale of property commonly known as **639 East 7<sup>th</sup> Street**, Erie, Pa. and identified as Erie County Assessment Index N. (14) 10-19.0-109.00 by the Erie County Tax Claim Bureau to **Svetlana Kostenko**, in the amount of \$250.00 is hereby approved.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7 Nays. 0.

June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

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

That the proposed Repository sale of property commonly known as **Brindle Farm Sub Lots 116 and 118**, Erie, Pa., and identified as Erie County Assessment Index No. (18) 051-015.0-210.00 by the Erie County Tax Claim Bureau to **Svetlana Kostenko** of SK Investment Solutions, LLC, in the amount of \$250.00 is hereby approved.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting 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. **Paragon Print Systems, Inc.**, 2021 Paragon Drive, Erie, Pa., for 150,000 Traffic/Parking Tickets at \$42.94/M for the Bureau of Police and the Erie Parking Authority at a total cost of \$6,441.00.
2. **Rohrer Trucking**, 3180 Route 6N, Waterford, Pa., for the Emergency demolition of 805 East 8<sup>th</sup> Street, for the Department of Economic and Community Development at a total cost of \$5,500.00.
3. **ISS Facility Services**, P. O. Box 118, New Castle, Pa., for cleaning of the exterior windows and panels of the Municipal Building for the sum of \$6,245.00.
4. **Smoracy, LLC**, P. O. Box 77000, Detroit MI, for Carbide Teeth, Nuts, Washers and Bolts for the Beast Grinder for the Municipal Garage for the total cost of \$3,706.54.
5. **M-B Companies**, 79 Montgomery Street, Montgomery, Pa., for a Walk-Behind Line Sprayer, for the Bureau of Streets for the sum of \$9,975.00. The existing Walk-Behind Line Sprayer is aged and deteriorating requiring more frequent and costly repairs resulting in increased downtime. (The only other quote received for this piece of equipment was from the Will Moon Sales Co. in the amount of \$11,287.50.)
6. **HACH/American Sigma**, 580 Lindberg Drive, Loveland, CO, for one (1) Open Channel Flow Meter for the Sewer Maintenance Division of the Bureau of Sewers at a total cost of \$7,702.25. They are the manufacturer of the meter.
7. **Bucks Fabricating**, 3547 Perry Highway, Hadley, Pa., for two (2) Roll-off Container Cans for the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$9,584.00. These cans are used to haul the incinerator ash to the landfill.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

TO: Ms. Rubye Jenkins-Husband, City Council Liaison June 17, 2009  
FROM: Jon Tushak, P. E., City Engineer  
SUBJECT: City Council Resolution to execute Federal Aid Reimbursement Agreement  
PROJECT: State Street Enhancements from Bayfront Parkway to Dobbins Landing

A resolution to execute a reimbursement agreement between the City of Erie and PennDOT in the amount of \$900,000.000 for the above referenced project will be presented to City Council at their Wednesday, June 17, 2009 meeting.

The Federal Aid Contribution is \$900,000.00 for the construction phase. There is no local match requirement. The City of Erie Bureau of Engineering has provided design services and will provide inspection services. The Erie Western PA Port Authority has provided design services for landscaping and irrigation and will provide \$200,000 for the construction phase.

PennDOT will reimburse the City of Erie upon receipt of certified invoices (submitted monthly) from the City and upon receipt of funds from FHWA. The City of Erie must pay the Contractor within 10 calendar days of the date on the PennDOT check.

Please contact me at extension 1377 if you have any questions.

WAIVE RULES

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

That the Mayor and City Controller are hereby authorized to execute the Federal Aid Reimbursement Agreement No. 010R27 MPMS No. 98407) between the City of Erie and the Commonwealth of Pennsylvania, Department of Transportation for the construction of the **State Street Enhancements** from the Bayfront Parkway to Dobbins Landing. The total amount of the reimbursement is \$900,000.00.

June 17, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.  
June 17, 2009. Signed by the Acting President. Attested by the City Clerk.

June 17, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, adjourned at 9:45 p.m. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Schember and Thompson. 7. Nays. 0.

Attest:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk