

The City Council met in regular session in the Council Chambers on Wednesday, September 16, 2009 at 7:30 p.m.

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

On motion of Mr. Thompson, Seconded by Mrs. Horan-Kunco, the reading of the minutes of the meeting of September 2, 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 September 10th and September 18th, 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.

As noted on the City Council Agenda, Mr. Kevin Stewart from the American Lung Association, Camp Hill, Pa. was present with a review of the Independent Study and Medical Society Report on the health risk assessment of the proposed Tires to Energy Plant.

James Klemm, City Clerk
626 State Street, Erie, Pa.

September 15, 2009

RE: Board Appointment

Dear Jim:

Please be advised that I have made the following appointments to the Redevelopment Authority Board:

* Greg Baldwin, Jr. has been appointed to replace Joe Koehle whose term ended August 19, 2009. Mr. Baldwin will serve the term ending August 18, 2014.

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

Sincerely,

S/ Joseph E. Sinnott, Mayor

September 16, 2009. City Council receive and enter in the minutes for information.

By Mr. Thompson, Council File Ordinance #15,677, Pending Official File Ordinance #53-2009 an ordinance appropriating the sum of **\$6,800.00** from unappropriated and anticipated revenue from Account #215-0613-0000-3342 Police Drug & Vice Account and providing for the expenditure thereof by allocating said funds into Account #215-0613-0000-4078 Machinery & Equipment.

September 16, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance #15,677 and now known as Pending Official File Ordinance #d53-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Council File Ordinance #15,678, Pending Official File Ordinance #54-2009 an ordinance appropriating the sum of **\$10,508.00** from unappropriated and anticipated revenue from Account #274-0613-2009-3331 PLCB Underage Drinking Grant (\$7,620.00) and #215-613-0000-3342 Police Drug Vice Program (\$2,888.00) and providing for the expenditure thereof by allocating said funds to #274-0613-2009-4006 Overtime (\$8,368.00); #4016 FICA/Medicare (\$100.00); #4021 Valic (\$300.00); 4039 Consumable Items (\$740.00); #4059 Other Services & Charges (\$1,000.00).

September 16, 2009. City Council on motion of Mr. Thompson, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance #15,678 and now known as Pending Official File Ordinance #54-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,680, Pending Official File Ordinance #56-2009

an ordinance appropriating the sum of **\$7,495.00** from unappropriated and anticipated revenue from Account #501-0000-0000-3301 Federal Operating Grant/ Department of Housing and Urban Development (HUD) and providing for the expenditure thereof by allocating said sum to Account #501-1245-2009-4072 Land & Buildings.

September 16, 2009. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,679 and now known as Pending Official File Ordinance #55-2009, does hereby adopt on Final Passage by yeas Council members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,681, Pending Official File Ordinance #57-2009

an ordinance appropriating the sum of **\$1,125.00** from unappropriated and anticipated revenue from Account #328-1328-0000-3699 Miscellaneous Sources and providing for the expenditure thereof by allocating said funds to Account #328-1328-0000-4059 Other Services & Charges.

September 16, 2009. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,681 and now known as Pending Official File Ordinance #57-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,682, Pending Official File Ordinance #58-2009

an ordinance appropriating the sum of **\$27,320.00** from unappropriated and anticipated revenue from Account #507-1242-0000-3699 Miscellaneous Sources and providing for the expenditure thereof by allocating said funds to Account #507-1242-0000-4052 Advertising (\$10,000.00) and 4059 Other Services & Charges (\$17,320.00).

September 16, 2009. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,682 and now known as Pending Official File Ordinance #58-2009, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,683, Pending Official File Ordinance #59-2009

an ordinance appropriating the sum of **\$1,458,364.00** from unappropriated and anticipated revenue from Account #508-1244-0000-3308 Federal Operating Grant - HUD-HPRP and providing for the expenditure thereof by allocating said funds to Account #508-1244-0000-4011 Salaries (\$28,700.00); 4016 FICA/Medicare Tax (\$2,200.00); #4017 Pension Contribution (\$3,100.00); #4018 Group Insurance (\$9,200.00); #4021 Deferred Compensation (\$551.00); and #4441 Erie County MHMR (\$1,414,613.00).

September 16, 2009. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15,683 and now known as Pending Official File Ordinance #59-2009. does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File Ordinance #15,684

an ordinance appropriating the sum of \$2,089,416.00 from unappropriated and anticipated revenue from Account #387-1376-0000-3336-State Operating Grant-PA Department of Community and Economic Development and providing for the expenditure thereof by allocating said funds to various #387-1387-0000-40XX accounts.

September 16, 2009. City Council on motion of Mr. Jones, Seconded by Mr. Schember, having read Council File Ordinance #15,684 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. Cappabianca, Seconded by Council Members Aleksandrowicz, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember, Resolved, etc.,

WHEREAS, the City Council of the City of Erie wishes to pay special tribute to Mr. Harry Hahn, upon celebrating his 100th Birthday on August 09, 2009, and

WHEREAS, Harry, who has been a life-long resident of the City of Erie, was educated in the parochial school system and attend Penn State Behrend, has been a member of St. Patrick's Church for 28 years and a member of St. Ann's Church for the last 72 years, where he is very active to this day and has been a 25 year volunteer at the American Red cross, Erie Greater Safety Council, Community Chest and received the prestigious Joseph A. Moor Achievement Award as Volunteer of the Year 1998 and the Outstanding Citizenship Award for Chairmanship of the Welfare Council Board of the Community Chest, so

THEREFORE, BE IT RESOLVED by the Council of the City of Erie that this commendation is hereby presented to Mr. Harry Hahn and we extend to him our best wishes for good health and another wonderful 100 here in Erie.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That members of Erie City Council wish to recognize the month of September as **Sickle Cell Awareness** month and acknowledges the advances in treatment, education, counseling and outreach for Sickle Cell Anemia Disease.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That the City Traffic Engineer is respectfully requested to conduct a Traffic Study for speed control on **West 10th Street between Cascade Street and Weschler Avenue** and report her findings thereon to City Council.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 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 of said municipality be authorized and directed to execute **Winter Traffic Services Agreement #3900035356** between the City of Erie and the Commonwealth of Pennsylvania and that the City Clerk is authorized and directed to attest the same.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials to execute an agreement between the City of Erie and **Erie County MHMR**, whereby the City will provide Erie County MHMR with grant funds in the amount of \$1,414,613.00 for the Homeless Prevention and Rapid Re-Housing Program (HPRP).

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

WHEREAS, the Erie Municipal Airport Authority, now by change of name the Erie Regional Airport Authority (the "Authority"), previously issued General Revenue Bonds, Refunding Series B of 1999 (the "1999 Bonds"), and

WHEREAS, the Airport Management and Agency Agreement between the Authority and the City of Erie dated November 26, 1986 requires Erie City Council to give its approval and consent to the Authority to incur debt obligations in an amount exceeding \$200,000.00; and

WHEREAS, Erie Bank has issued a proposal dated August 20, 2009, a copy of which is attached hereto and incorporated herein by reference, setting forth certain terms and conditions associated with a \$1,362,500 term loan to refund the 1999 Bonds in order to achieve debt service savings over the life of the term loan; and

WHEREAS, on the 27th day of August, 2009, the Board of the Erie Regional Airport Authority resolved to approve and accept the Erie Bank Proposal; and

WHEREAS, Erie City Council concurs with the decision of the Authority that the public interest is furthered by the Authority in reducing debt service,

NOW, THEREFORE, BE IT RESOLVED by Erie city Council that council gives its consent and approval to the Authority to incur debt in the nature of a \$1,362,500 term loan with Erie Bank as set forth in the Erie Bank Proposal in order for the Authority to refund its 1999 Bonds.

THIS RESOLUTION is duly approved and adopted by Erie City Council on this 16th day of September, 2009.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That the proposed Repository Sale of property commonly known as **1602 Parade Street**, Erie, Pa., and identified by Erie County Assessment Index #15-020-020.0-205.00 by the Erie County Tax Claim Bureau to Benjamin Jurino in the amount of \$250.00 is hereby approved.

September 16, 2009. The foregoing resolution was withdrawn at the request of the sponsor.

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

That the Proposed Repository Sale of property commonly known as **701 East 8th Street**, Erie, Pa, and identified by Erie County Assessment Index #15-020-034.0-223.00 by the Erie County Tax Claim Bureau to MAVN Investments, LLC, in the amount of \$250.00 is hereby approved.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That the Proposed Repository Sale of property commonly known as **703 East 8th Street**, Erie, Pa., and identified by Erie County Assessment Index #15-020-034.0-222.00 by the Erie County Tax Claim Bureau to MAVN Investments, LLC, in the amount of \$250.00 is hereby approved.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the city Clerk.

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

That the Proposed Repository Sale of property commonly known as **2408 French Street**, Erie, Pa., and identified by Erie County Assessment Index #18-050-0003.0-114.00 by the Erie County Tax Claim Bureau of MAVN Investments, LLC in the amount of \$250.00 is hereby approved.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That the Proposed Repository Sale of property commonly known as **Norwood Sub., Lot 99**, Erie, Pa and identified by Erie County Assessment Index #18-051-027.0-108.00 by the Erie County Tax Claim Bureau of MAVN Investments, LLC in the amount of \$250.00 is hereby approved.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 2009. Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Controller are hereby authorized and directed to execute an agreement to **AFIX Technologies, Inc.**, 205 North Walnut, Pittsburgh Pa., for the AFIX Tracker Automated Fingerprint Palm Print ID system for the Bureau of Police for a total of \$36,000.00.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.

September 16, 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. **Lowe's**, P. O. 530954, Atlanta, GA, for Cleaning Supplies for Police Vehicles and for Law Equipment and Supplies for Project Safe Neighborhood Grant Tool Lending Library Program for the Bureau of Police at a total cost of \$2,148.51.
2. **Eddie's Collectibles**, P. O. Box 8555, Erie, Pa., for a 2004 Kia Optima salvage vehicle for the Bureau of Police at a total cost of \$2,200.00.
3. **Nuance Communications**, P. O. Box 2561, Carol Stream, IL, for the Annual Maintenance Agreement for the Police Dictation System for the time period of 12/1/09 thru 11/30/10 for the Bureau of Police at a total cost of \$5,280.00.
4. **SEEPEX, Inc.**, 511 Speedway Drive, Enon, Ohio, for Sludge Pump Repair Parts for the Bureau of Sewers for the sum of \$8,101.17.

September 16, 2009. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jenkins-Husband, Jones, Thompson and Schember. 7. Nays. 0.
September 16, 2009. Signed by the President. Attested by the City Clerk.

September 16, 2009. City Council on motion of Mr. Thompson, Seconded by Mrs. Horan-Kunco, adjourned at 10:10 p.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