

The City Council met in regular session in the Council Chambers on Wednesday, August 4, 2010 at 9:00 A.M.

Council Members present: Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski, and Thompson. 7. Nays. 0.

On motion of Mr. Thompson, Seconded by Mr. Schember, the reading of the minutes of the Meeting of July 21, 2010 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

Copies of the bills under date of July 30, 2010 and August 6, 2010 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

By Mr. Cappabianca, Council File Ordinance #15,726, Pending Official File Ordinance #30-2010,

An ordinance appropriating the sum of **\$148,460.00** from unappropriated and anticipated revenue from Weed and Seed Quality of Life Account #261-0613-2010-3336 and providing for the expenditure thereof by allocating said funds to various 261-0613-2010-40xx accounts.

August 4, 2010. City Council on motion of Cappabianca, Seconded by Mr. Winarski, having read Council File Ordinance #15,726 and now known as Pending Official File Ordinance #30-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File Ordinance #15,727, Pending Official File Ordinance #31-2010,

An ordinance appropriating the sum of **\$85,000.00** from unappropriated and unanticipated revenue to be received from Gannon University with the stipulation that this contribution is to be used in the Department of Public Safety, Bureau of Fire, and providing for the expenditure thereof by allocating said funds to 015-0963-0000-4999 Capital Improvements and Equipment Projects.

August 4, 2010. City Council on motion of Mr. Winarski, Seconded by Mr. Schember, having read Council File Ordinance #15,727 and now known as Pending Official File Ordinance #31-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to prepare an ordinance establishing a program that will make recycling (and **the usage of appropriate recycling receptacles and signage**) of all beverage containers mandatory as part of any special events permits issued by the City of Erie to all individuals, groups, and organizations applying for usage of City of Erie Right-of-Ways, Parks and the portable bandstand during scheduled community events and likewise require that these receptacles be placed adjacent to all regular trash receptacles, and if adopted the effective date of this ordinance shall be January 1, 2011.

August 4, 2010. The above resolution was withdrawn at request of the sponsor.

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

That the proper City Officials are authorized to execute the Agreement between the Housing Authority of the City of Erie (HACE) and the City of Erie for the continuation of **Community-Oriented Police Services** to create a drug and crime free environment, and to provide for the safety and protection of the residents in its public housing developments and all other HACE locations for an additional term of two (2) years, commencing September 1, 2010 through August 31, 2010.

August 4, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk.

Memorandum July 26, 2010

TO: City Council Members
FROM: Chris M. Groner
Enterprise Zone Coordinator
RE: City Council Ratification of Enterprise Zone Loans

On July 23, 2010, our EZ Loan Review Committee acted favorably on the loan proposal(s) listed below. Therefore, we have prepared the attached resolution, which requests ratification of the approval at the City Council Meeting scheduled for Wednesday, August 4, 2010.

KD Industries, Inc., 1525 East Lake Road, Erie, PA., 16511 (Marty Gartner, President):
Leonard A. Kosar, - President and CEO of Erie Management Group, LLC; Mark P. Zukowski CFO of Erie Management Group, LLC; and Marty Gartner, President and COO of KD Industries made the presentation on behalf of the business. Founded in 1920 in Dayton, OH, the company originally manufactured water pumps. In 1926, the founders purchased Uniflow Mtg., and moved the company to its present location in Erie. Since 1955, Kold Draft has been manufacturing commercial ice machines. Kold Draft became part of Erie Management Group, LLC in 2005. KD Industries approached the City of Erie along with the Erie County Redevelopment Authority and the Northwest Commission with a request for financial assistance in developing an assembly line that will facilitate the production of their new ice making machines. To assist them in this process our Loan Review Committee approved a \$250,000 loan for 5 years in conjunction with another \$450,000 that will be provided loans from the Erie County Redevelopment Authority and the Northwest Commission. We will have a pro-rata shared security interest in company assets and Black Family Holdings, LLP will guarantee the loan.

The company presently employees 75 people in family-sustaining jobs and they want to add approximately 100 jobs in Erie at their 1525 East Lake Road location. In addition to the direct jobs that would be created, there would also be roughly 50 jobs preserved with local businesses that are involved with the production of this ice-making machine.

We look forward to City Council's ratification of this request. If you have any questions, please direct them to my attention at 870-1272.

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

That the proper City Officials are authorized to sign the necessary agreements to ratify an Enterprise Zone Loan with **KOLD-DRAFT Industries, Inc.** for \$250,000 for a term of 5 years with a one time processing fee based on ½ of 1.0%, not to exceed \$1,500 of the amount financed. These funds have been made available through the Commonwealth of Pennsylvania Enterprise Revolving Loan Fund and charged against account number 310-0000-0000-1007 at a fixed rate of 4.50%.

August 4, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Schember, 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. **KAZA Fire Equipment Company**, 155 Lovell Avenue, Suite 1, Ebensburg, PA. for two Evolution 5800 Thermal imaging cameras (\$11,749.00 each), for the Bureau of Fire at a total cost of \$23,498.00.

August 4, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk.

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

That the 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. **Markl Supply Company**, 904 Perry Highway, Pittsburgh, PA. for ten (10) gauge shotgun barrels and ten (10) less lethal stock/forestock assemblies for the Bureau of Police at a total cost of \$2,634.00.
2. **Commonwealth of PA., PA State Police, Enterprise Network System**, 1800 Elmerton Avenue, Harrisburg, PA. for the annual recurring data circuit lease for NCIS/CLEAN system for the Bureau of Police at a total cost of \$3,500.00.
3. **The Officer Store, Witmer Associates**, 2961 National Pike, P.O. Box 249, Chalk Hill, PA., for nine X26E tasers for the Bureau of Police at a total cost of \$8,948.60.
4. **CDW-Government Inc., 75 Remittance Drive**, Suite 151, Chicago, IL for 4 computers, 4 monitors, and 1 printer, for the Bureau of Computer Services at a total cost of \$3,461.16.
5. **Renick Brothers Mechanical Contractors**, PO Box 94, 434 Grove City Road, Slippery Rock, PA. for repair of the heating and cooling system at the Municipal Building, 626 State Street in the amount of \$4,116.19.

6. **Thayer Power Communication Construction Company**, 7400 Market Road, Fairview, PA., for placement of steel poles at 4 locations, for the Bureau of Traffic Engineering, at a total cost of \$2,180.00.
7. **A.R. Beatty, 5251 Kuhl Road, Erie, PA.** for parts and labor to repair vehicle #1266 for the Bureau of Streets at a cost of \$3,749.05.
8. **Jemko Petroleum Equipment**, 4895 East Lake Road, Erie, PA. for repairs to the fuel tanks for the Bureau of Streets at a cost of \$4,995.00.
9. **Commonwealth of Pennsylvania, Department of Environmental Protection**, Pennsylvania Clean Air Fund, Northwest Regional Office, 230 Chestnut Street, Meadville, PA for the Title V Air Emission Fee for 2009, for the Bureau of Sewers for a total cost of \$2,452.14.
10. **DMS Sales and Service**, 160 Marsh Road, Waterford, PA. for the emergency repair of a generator for the Bureau of Sewers at a cost of \$5,300.00.
11. **CEM Corporation**, 3100 Smith Farm Road, Mathews. NC, for a replacement microwave sludge dryer, for the Bureau of Sewers at a total cost of \$9,918.00.

August 4, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk.

James Klemm, City Clerk
626 State Street
Erie, PA. 16501

RE: Board Appointment

Dear Jim:

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

- Carl Carlotti has been appointed to replace Donna Carlino, whose term expired 11/01/2008.

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

Sincerely, Joseph E. Sinnott, Mayor

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

That the Communications and data submitted pursuant to Act 339 listing the names, positions and salaries of individuals employed by the various **Authorities** for the first six months of 2010 are hereby received and will be placed on file in the Office of Accounts, Finance and Budget:

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

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August 4, 2010. Signed by the President. Attested by the City Clerk
(See attachment - full list of employees and salaries)

Waive Rules

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

Whereas, the City Council wishes to endorse and urge the Federal Government and the U.S. Department of Transportation to use the Railroad Rehabilitation and Improvement Financing (RRIF) Program to provide loan guarantees to Amtrak, which would provide General Electric Transportation an opportunity to enter the supply chain for the next generation of diesel-electric passenger locomotives and result in fuel savings and emission reductions to their aging fleet, while providing additional employment to local families for years to come, so

Therefore, Be It Resolved by the Council of the City of Erie that this resolution with a cover letter be forwarded to our elected Federal officials in Northwestern PA and urge their support of this Federal Program.

August 4, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

August 4, 2010. Signed by the President. Attested by the City Clerk

August 4, 2010. City Council on motion of Mr. Jones, Seconded by Mr. Aleksandrowicz adjourned at 10:01 A.M. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, Winarski and Thompson. 7. Nays. 0.

President of City Council

Attest:

City Clerk