

The City Council met in regular session in the Council Chambers on Wednesday, September 1, 2010 at 9:00 A.M.

Council Members present: Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski, 6. Nays. 0. Mr. Thompson was absent.

On motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, the reading of the minutes of the Meeting of August 18, 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, and Winarski. 6. Nays. 0.

Copies of the bills under date of August 27, 2010 and September 3, 2010 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

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

That Joseph Schember is hereby appointed Acting Council President for the meeting of September 1, 2010.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,728, Pending Official File Ordinance #32-2010

An ordinance appropriating the sum of **\$10,500.00** from unappropriated and anticipated revenue from PLCB Underage/High Risk Drinking Grant Account #274-0613-2010-3331 and providing for expenditure thereof by allocating said funds to various 274-0613-2010-40xx accounts. (Covers costs for patrols near Mercyhurst and Gannon Colleges)

September 1, 2010. City Council on motion of Mr. Cappabianca, Seconded by Mr. Schember, having read Council File Ordinance #15, 728 now known as Pending Official File Ordinance #32-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,729, Pending Official File Ordinance #33-2010

An ordinance appropriating the sum of **\$2,880.00** from unappropriated and anticipated revenue from Police Drug and Vice PA Operating Grant Account #215-0613-0000-3342 and providing for expenditure thereof by allocating said funds to Account #215-0613-0000-4096 Operating Transfer Out. (Local Match requirement for 2010 PLCB Underage/High Risk Drinking Grant)

September 1, 2010. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance #15, 729 now known as Pending Official File Ordinance #33-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,730, Pending Official File Ordinance #34-2010

An ordinance appropriating the sum of **\$356.71** from unappropriated and anticipated revenue from JAG Recovery Act Grant Interest Income Account #241-0613-0000-3611 and providing for the expenditure thereof by allocating said funds to Account #241-0613-0000-4033 Operating Supplies.

September 1, 2010. City Council on motion of Mr. Cappabianca, Seconded by Mrs. Kunco, having read Council File Ordinance #15, 730 now known as Pending Official File Ordinance #34-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,731,

An ordinance appropriating the sum of **\$26,163.00** from unappropriated and anticipated revenue from the Capital Improvement Fund (received from the Erie Housing Authority) Account #015-0613-0000-3642 and providing for the expenditure thereof by allocating said funds to Account #015-0613-0000-4078 Machinery and Equipment. (For a new police cruiser for the Housing Authority Quebec Unit)

September 1, 2010. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz., having read Council File Ordinance #15, 731 does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski . 6. Nays. 0.

Mr. James Winarski
City Council Liaison
626 State Street
Erie, Pa. 16501-1128

RE: Erie Parking Authority Sale of the property located on the Northeast corner of East 9th Street and French Street to the Erie County Convention Center Authority

Dear Mr. Winarski:

I enclose for your file, copies of the engineer's letter and Mayor Sinnott's letter approving of the sale by the Erie Parking Authority of the property located on the Northeast corner of East 9th Street and French Street. Pursuant to my letter to you of June 30, 2010, please advise when this matter has been placed on the agenda for City Council's approval. Obviously, I will be happy to attend and will attend the meeting in which the issue is discussed. If you need anything further from me, please let me know.

Very truly yours,
Marsh Spaeder Baur Spaeder and Schaaf, LLP
By: James E. Marsh, Jr.

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

That City Council hereby consents to the sale of the Erie Parking Authority **property located on the Northeast corner of East 9th and French Street** to the Erie County Convention Center Authority, for the sum of \$450,000 and that the proper officials are hereby authorized and directed to execute the necessary documents effectuating the same.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.
September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the proper City officials are hereby authorized to **amend the agreement** between the City of Erie and Applied Systems pertaining to the Lead Grant. The amendment will increase the contract amount by \$20,000 from \$100,500 to \$120,500.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.
September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the proper City officials are hereby authorized to **amend the agreement** between the City of Erie and Erie Redevelopment Authority pertaining to the Lead Grant. The amendment will increase the contract amount for Director Services by \$34,648 from \$297,410 to 332,058. The total contract amount will increase by \$34,648 from \$2,261,060 to \$2,295,708.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.
September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the Mayor and City Controller are hereby authorized and directed to execute an **Agreement** between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for **Line Striping on State Highways**. It is understood between the parties that the maximum amount payable annually under this agreement by the Commonwealth of Pennsylvania to the City of Erie shall not exceed the sum of \$10,851.09 without a written Supplemental Agreement signed by both parties.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.
September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the Mayor and City Controller are hereby authorized and directed to execute a **Reimbursement Agreement #010R086** between the City of Erie and the Pennsylvania Department of Transportation, reimbursing the City 80% of costs incurred to inspect City owned bridges for inclusion in the 2011-2013 Local Bridge Inventory and Inspection Program. The maximum reimbursement amount is \$40,845.30.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the **Change Order #1** on the contract of **Jim Brozell Construction**, 9298 Peach Street, Waterford, PA 16441 for the 2010 Curb and Sidewalk Replacement, at Various Locations, Bid #1646-10 as recommended and concurred with by the Bureau of Engineering in the amount of \$3,195.00 is hereby approved. The original contract amount was \$14,516.00 and with the Change Order the final contract amount is \$17,711.00.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the following amounts be and they are hereby transferred in the LEAD Program:

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$28,454.31	507-1242-2007-4011	Salaries	\$ 333.07	507-1242-2007-4031	Office Supplies
2,500.00	507-1242-2007-4016	FICA Medicare	3,900.21	507-1242-2007-4039	Cons. Supplies
2,000.00	507-1242-2007-4017	Pension Contribution	18,681.72	507-1242-2007-4052	Advertising
20,000.00	507-1242-2007-4018	Group Insurance	1,000.00	507-1242-2007-4059	Other Serv./Charges
1,000.00	507-1242-2007-4021	Deferred Comp	20,000.00	507-1242-2007-4423	Applied Systems
6,809.83	507-1242-2007-4043	Education and Training	34,648.00	507-1242-2007-4601	ERA Director Services
140.10	507-1242-2007-4045	Communications			
159.18	507-1242-2007-4046	Postage			
1,205.00	507-1242-2007-4056	Repair/Maint. Services			
2,094.58	507-1242-2007-4061	General Liability Insurance			
2,225.00	507-1242-2007-4414	Multicultural Resource Ctr			
1,315.00	507-1242-2007-4416	MLK Center			
7,300.00	507-1242-2007-4417	Sisters of St. Joseph			
3,360.00	507-1242-2007-4435	BTW Center			
\$78,563.00			\$78,563.00		

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the following amounts be and they are hereby transferred to the Police General Fund:

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$5,000.00	002-0613-0000-4059	Other Services & Charges	\$5,000.00	002-0613-0000-4039	Consumable Items.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Schember, Seconded by Mr. Winaraski, 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:

- Waste Management of PA Inc.**, 851 Robison Road, Erie, PA for furnishing and providing a Transfer Station and disposal site of Municipal Solid Waste picked up and delivered by the City of Erie Bureau of Refuse & Recycling at a total cost of \$42.50/Ton (\$12.50/Ton-Transfer Station Fee, & \$30.00/Ton-Disposal Facility Fee). This is a contract extension for one year - January 1, 2011 through December 31, 2011.
- Waste Management of PA Inc.**, 851 Robison Road, Erie, PA for receiving, processing, marketing, and recycling of household paper and commingled recyclables of the City of Erie's Residential Recycling Program. The City of Erie is to pay the fixed price of \$3.00/Ton for each short ton (2,000 pounds) of both paper and commingled recyclables

(single stream). This is a contract extension for one year - January 1, 2011 through December 31, 2011.

3. **Urban Engineers of Erie, Inc.**, 1319 Sassafras Street, Erie, PA., for Professional Engineering Services, Final Design of State Street Traffic Signals, Perry Square Streetscape - State Street at North Park Row and South Park Row for a total cost of \$27,500.00 for the Bureau of Engineering.
4. **Powell's Portable Toilets**, 18536 Cussewago Road, Meadville, PA. for portable toilet services and rentals for the Bureau of Parks, and special events at unit prices per bid #6281 (11/18/08). (One year contract extension)
5. **Gary's Auto Sales/Service**, 1118 Buffalo Road, Erie, PA. for a 2006 Chevy Tahoe, for the Bureau of Police Motorcycle Division at a total cost of \$15,800.00.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Schember, Seconded by Mr. Winarski, 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. **ISS Facility Services**, P.O. Box 118, New Castle, PA. for cleaning of Municipal Building's exterior windows and panels for the Public Works Department in the amount of \$6,245.00.
2. **William T. Spaeder, Co.**, 1602 East 18th Street, P.O. Box 10066, Erie, PA. for emergency repairs to the hot water tank at City Hall for the Public Works Department in the amount of \$2,025.96.
3. **IKON Office Solutions**, 170 Westwood Drive, Clarion, PA. for office multifunction copy/print/fax/scan machines for various City Departments and Bureaus at unit prices. (Off State Contract).
4. **Hagan Business Machines**, 1112 Peach Street, Erie, PA. for office multifunction copy/print/fax/scan machines for various City Departments and Bureaus at unit prices. (Off State Contract).
5. **Office Furniture-USA**, 1225 State Street, Erie, PA for purchase of two (2) workstations and a storage credenza for the City Clerk's Office at a total cost of \$3,539.00.
6. **Kovach Mobile Equipment**, One Industrial Complex, Nesquehoning, PA for emergency purchase of a hydraulic pump, including freight for the Bureau of Fire at a total cost of \$3,540.00.
7. **Winkle Electric**, 4727 Pittsburgh Avenue, Erie, PA for renewal of the service and technical support agreement with Rockwell Automation for the software that operates the Wastewater Treatment plant for the Bureau of Sewers at a total cost of \$7,528.00

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

WAIVE RULES

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

Whereas, the McBride Viaduct, a historic feature on East Avenue has now been closed by the City to traffic for 90 days, and

Whereas, this bridge is an important east side city neighborhood asset which provides convenience of travel for pedestrians, vehicular traffic and commerce, so

Therefore, Be it Resolved, that City Council respectfully requests the City Engineer's Office along with the Administration to provide within 60 days of this date, the final analysis and all available options to restore, repair, or replace the bridge to this Council so that we along with all the citizens of this region may be able to make an educated and fully informed choice going forward.

September 1, 2010. City Council adopt by yeas, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

September 1, 2010. Signed by the Acting President. Attested by the City Clerk.

September 1, 2010. City Council on motion of Mr. Jones, Seconded by Mr. Aleksandrowicz adjourned at 10:05 A.M. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

Acting President of City Council

Attest:

City Clerk