

The City Council met in regular session in the Council Chambers on Wednesday, December 15, 2010 at 9:00 A.M.

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

On motion of Mr. Winarski, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the Meeting of December 1, 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, Schwartz, Winarski and Schember. 7. Nays. 0.

Copies of the bills under date of December 10, 2010 and December 17, 2010 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

By Mr. Schember, Council File Ordinance #15,736, Pending Official File Ordinance No. 40-2010

An ordinance fixing the **tax rate** of all city purposes for the Fiscal Year 2011 (beginning on January 1, 2011 and ending on December 31, 2011). (Tax rate 11.45 mills - 1.60 mills debt service & 9.85 real estate tax purposes).

December 15, 2010. City Council on motion of Mr. Schember, Seconded by Mr. Jones, having read Council File Ordinance 15,736, and now known as Pending Official File Ordinance #40-2010 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski, and Schember 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Council File Ordinance #15,737, Pending Official File Ordinance No. 41-2010

An ordinance of the City of Erie, County of Erie and Commonwealth of Pennsylvania, adopting the **General Fund** and certain other budgets for the fiscal year beginning January 1, 2011 and ending December 31, 2011. (General Fund \$60,455,724 --Including Other Fund Budgets for a total \$117,296,675)

December 15, 2010. City Council on motion of Mr. Schember, Seconded by Mr. Jones, having read Council File Ordinance 15,737, and now known as Pending Official File Ordinance #41-2010 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski, and Schember 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk.

Council File Ordinance #15,735,

An ordinance **amending** the Codified Ordinances of the City of Erie, Part Seven, General Offenses Code, Sections 738.01 et seq., Curfew for Minor Children to include provisions providing **enforcement of mandatory school attendance**.

December 15, 2010. The above ordinance was withdrawn at the request of the sponsor.

By Mr. Cappabianca, Council File Ordinance #15,738,

An Ordinance appropriating the sum of **\$2,400.00** from unappropriated and anticipated revenue and providing for the expenditure thereof in the 2010 Weed & Seed Quality of Life Grant.

December 15, 2010. City Council on motion of Mr. Cappabianca, Seconded by Mr. Jones, having read Council File Ordinance, 15,738, does hereby adopt on First Reading, Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski, and Schember 7. Nays. 0.

By Mr. Cappabianca, Seconded by Council Members Aleksandrowicz, Horan-Kunco, Jones, Schwartz, Winarski, and Schember

WHEREAS, the City Council wishes to pay special tribute to Braendel Painting and Services, Inc., for extending a helping hand to the Erie County Korean War Memorial Committee for their service above and beyond the call of duty in removing the graffiti from the Korean War Memorial located at 26th and Glenwood Park Avenue, and

WHEREAS, Braendel Painting and Services, Inc., has come forth on numerous occasions in the past to assist various projects within the community and should be commended for their excellent community spirit, so

THEREFORE, BE IT RESOLVED by the Council of the City of Erie that this commendation is hereby presented to Mr. Dennis Braendel, President of Braendel Painting and Services, Inc., and extend to them our heartfelt thanks for helping out the veterans of our community and for a job well done and may you have continued success in all of your future endeavors.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk

By Mrs. Horan-Kunco, Seconded by Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski, and Schember

WHEREAS, the City Council wishes to pay special tribute to the **Mercyhurst Preparatory School Boys Soccer Team**, for coming in second in the **P.I.A.A. State Class A Championship Tournament** on Saturday, November 20, 2010 at Hersheypark Stadium and,

WHEREAS, the Mercyhurst Preparatory School Boys Soccer Team finished one of their best seasons in school history with a record of 21 wins against only two defeats and one tie, and City Council wishes to compliment them on their dedication and effort in reaching the state tournament championship game, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the **2010 Mercyhurst Prep Boys Soccer Team** and extends our sincere congratulations on a most successful season and wishes each member of the team continued success in all of their future endeavors.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk

By Mrs. Horan-Kunco, Seconded by Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz and Winarski

WHEREAS, the City Council wishes to pay special tribute to the **Mercyhurst Preparatory School Girls Soccer Team**, for winning their first ever **P.I.A.A. Class AA State Soccer Championship** over South Park High School at Hersheypark Stadium on November 19, 2010, and

WHEREAS, the Mercyhurst Preparatory School Girls Soccer Team completed a perfect record of 22 wins, no losses and three ties to receive the number one ranking in this classification in the state standings and were recognized as the number seventh team overall in the nations, so,

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the **2010 Mercyhurst Prep Girls Soccer Team** and extends our sincere congratulations on a job well done and wishes each member of the team continued success in all of your future endeavors.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk

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

That the City Solicitor is authorized and directed to prepare an ordinance **reinstating the Partial Lump Sum Distribution Option** of the Police Relief and Pension Association, being Article 147.10 of the Codified Ordinances of the City of Erie. (54-2003 and 18-2004)

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk

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

That the proper City Officials are authorized and directed to settle the paving lien filed against the property located at **1827 Fairmont Parkway**, Index #18-051-0240-11000, in the name of **Alexandra Kiehlmeier**, and is therefore settled for the principle amount due plus cost in the sum of \$840.15, with forgiveness of interest due in the amount of \$1450.66, with the total amount of lien dated December 6, 2010 in the sum of \$2,234.79.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

December 15, 2010. Signed by the President. Attested by the City Clerk

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

That the Mayor and the City Controller are authorized and directed to execute the **Federal Aid Bridge Project Reimbursement Supplemental Agreement** No. 010N58-B between the City of Erie and the Pennsylvania Department of Transportation for the Preliminary Engineering, Final Design, Utilities and Right-of-way of the City of Erie **Norman Way Bridge**.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the President. Attested by the City Clerk

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

That the proper City Officials are authorized and directed to file a grant application with the PA Department of Conservation and Natural Resources, for the **Gridley Park Improvement Project**.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the President. Attested by the City Clerk

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

That the Mayor and other proper City Officials are authorized and directed to execute an **agreement** between the City of Erie and Mullin and Lonergan Associates to **provide consulting services** to assist the City with Community and Housing Development consulting services for the three year period 2011, 2012 and 2013. The total Compensation to be paid to Mullin and Lonergan under the agreement is not to exceed \$60,000.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the President. Attested by the City Clerk

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

That the following amounts be and they are hereby transferred in the Dept. of Public Works, Public Buildings :

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$4,000	002-0723-0000-4047	Utilities	\$1,000	002-0723-0000-4035	Repair/Maint. Supp.
			<u>\$3,000</u>	002-0723-0000-4045	Communications
			\$4,000		

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the 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 in the Office of Police Civilians and Police:

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$22,000	002-0603-0000-4006	Overtime Wages	\$22,000	002-0613-0000-4007	Shift Differential.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the President. Attested by the City Clerk.

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

That the following amounts be and they are hereby transferred in the Fire Department:

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$25,000	002-0639-0000-4047	Heat, Light, Power	\$25,000	002-0639-0000-4006	Overtime Wages,
11,000	002-0639-0000-4024	Tool Allow/Uniform	15,000	002-0639-0000-4021	Deferred Comp
<u>4,000</u>	002-0639-0000-4041	Professional Svcs.	-----		
\$40,000			\$40,000		

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 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 230 sets of assorted safety breathing equipment, for the Bureau of Fire at a total cost of \$497,195.00.
2. **JCI Jones**, PO Box 25035, Bradenton, FL for approximately 180 tons of liquid chlorine, for the Bureau of Sewers of the City of Erie at a unit price of \$487.00/ton.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the 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. **Gerster Trane**, 45 Earhart Drive, Suite 103, 5 & 8 Buffalo, NY for a one (1) year service agreement for the plant chillers, for the Bureau of Sewers at a total cost of \$6,555.00. (Only supplier-OEM).
2. **CAMCO Services, Inc.**, 255 Pennbriar Drive, Erie, PA for long-term detour signage for closure of McBride Viaduct (East Avenue Bridge) in the sum of \$6,755.00. (Only bid received).

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the President. Attested by the City Clerk.

Waive Rules

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

That the proper City Officials are hereby authorized and directed to enter into a Professional Services agreement between the City of Erie and **Stephen R. Chatman** for his continued service as Site Coordinator/Project Manager in connection with the administration of the **Erie Weed and Seed Initiative** in the amount of \$86,412.20. Revenue source will be \$46,412.20 from the City of Erie General Fund, and \$40,000 from PA Weed and Seed. This contract includes a provision for a bi-weekly payment of \$2,437.62 for a total of \$63,378.16 to be paid by the City of Erie commencing January 1, 2011 for a term of one year ending December 31, 2011.

December 15, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.
December 15, 2010. Signed by the President. Attested by the City Clerk.

December 15, 2010. City Council on motion of Mr. Jones, Seconded by Mrs. Horan-Kunco adjourned at 10:20 A.M. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schwartz, Winarski and Schember. 7. Nays. 0.

President of City Council

Attest:

City Clerk