

The City Council met in regular session in the Council Chambers on Wednesday, February 16, 2011 at 7:30 P.M.

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

On motion of Mr. Winarski, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the Meeting of February 2, 2011 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

Copies of the bills under date of February 2, 2011, and February 18, 2011 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

By Mr. Jones, Council File Ordinance 15,744, Pending Official Ordinance #7-2011

An Ordinance appropriating the sum of **\$46,800.00** from unappropriated and anticipated revenue for the expenditure thereof. 2011 Weed & Seed.

February 16, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Cappabianca, having read Council File Ordinance, 15,744 and now known as Pending Official File Ordinance #7-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

By Mr. Jones, Council File Ordinance #15,745, Pending Official Ordinance #8-2011

An Ordinance adding to Article 13 of the Codified Ordinances, Planning and Zoning, enacting a **bluff setback ordinance**, pursuant to the Commonwealth of Pennsylvania's Bluff Recession and Setback Act, 32 P.S. 5201 et seq., and its attendant regulations, requiring the enactment of a bluff setback ordinance based upon the finding of the Pennsylvania Department of Environmental Protection that the City of Erie has a bluff recession hazard area within the meaning of the statute, adopting the provisions of the Bluff Recession and Setback Act and enacting civil remedies and criminal penalties.

February 16, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Cappabianca, having read Council File Ordinance, 15,745 and now known as Pending Official File Ordinance #8-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

By Mrs. Horan-Kunco, Council File Ordinance #15,746, Pending Official File Ordinance #9-2011

An Ordinance amending Part 1 of the Codified Ordinances (Administrative Code), Article 112 (Rules of Council), Sections 112.10 (Order of Business) and 112.11 (President of Council), by adding the title "**Requests for Repository Sales**" and creating the position of **Vice President** of Council.

February 16, 2011. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Aleksandrowicz., having read Council File Ordinance, 15,746 and now known as Pending Official File Ordinance #9-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

By Mrs. Horan-Kunco, Council File Ordinance #15,747

An Ordinance amending the Zoning Ordinance of the City of Erie, Ordinance No. 80-2005, Section 306-**Conditional Uses-Waterfront Districts**, by including sidewalks and roadways as developments subject to public hearing before council.

February 16, 2011. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance, 15,747, does hereby **TABLE** by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski, and Horan-Kunco. 6. Nays 0.

By Mr. Cappabianca, Council File Ordinance #15,748

An Ordinance appropriating the sum of **\$11,000.00** from unappropriated and anticipated revenue and providing for the expenditure thereof. Federal Forfeiture Program.

February 16, 2011. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance, 15,748, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski, and Horan-Kunco. 6. Nays 0.

Pursuant to the provisions of Zoning Ordinance No. 80-2005 and the proper legal advertising, City Council held a Public Hearing at 8:00 P.M. regarding:
a. A request for Waterfront Conditional Use for the construction of a two unit residential building at 808 West 2nd Street presently zoned Waterfront Residential.
b. A request for Waterfront Conditional Use for the construction of an eight unit residential building at 944-946 West 2nd Street presently zoned Waterfront Residential.

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

That the Traffic Engineer is respectfully requested to study the feasibility of installing yield or stop signs at the intersection of West 41st and Sassafras Streets and report her findings thereon back to City Council.

February 16, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

February 16, 2011. Signed by the President. Attested by the City Clerk

By Mrs. Horan-Kunco, Seconded by Mr. Aleksandrowicz., Resolved, Etc.

That the communications and data from the City of Erie Authorities pursuant to Act 339 listing the names, positions and salaries of individuals employed by the various Authorities for the last six months of 2010 which will be placed on file in the Office of Accounts, Finance and Budget:

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

See attached list of employees and salaries.

February 16, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

February 16, 2011. Signed by the President. Attested by the City Clerk

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

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended and the Rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71, Title 25, of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to

determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS, Paul Amendola, land developer, has proposed the development of a parcel of land identified as Dexter Avenue Apartments, name of subdivision, and described in the attached Sewage Facilities Planning Module, and proposes that such subdivision can be served by: (list all that apply), sewer tap ins, sewer extension, new treatment facility, individual on-lot systems, community on-lot systems, spray irrigation, retaining tanks, other, Sewer Tap-ins.

WHEREAS, The City of Erie finds that the subdivision described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Council of the CITY OF ERIE hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the Official Sewage Facilities Plan of the municipality the above referenced Sewage Facilities Module which is attached hereto.

February 16, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

February 16, 2011. Signed by the President. Attested by the City Clerk

By Mr. Schember, Seconded by Mr. Winarski, 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. **Printing Concepts Inc.**, Grandview Business Park, 4982 Pacific Avenue, Erie ,PA, in the amount of \$13,527.38 for the design, printing and distribution of the 2011 Recycling Guide to all city residents.

February 16, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.

February 16, 2011. Signed by the President. Attested by the City Clerk

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. **DCED, Governor's Center for Local Government Services**, Commonwealth Keystone Blvd, 400 North Street, 4th Floor, Harrisburg, PA, for 1483 building permits @ \$4.00 each for the Department of Economic and Community Development at a total cost of \$5,932.00.
2. **Competitive Gear**, 3501 West 12th Street, Erie, PA, for two (2) bicycles and equipment for the Bureau of Police at a total cost of \$3,319.90.
3. **A R Beatty**, 5251 Kuhl Road, Erie, PA, for the brake parts for streets #1266, for the Streets Bureau, Department of Public Works at a total cost of \$2,277.03.
4. **Highway Equipment Company**, Box 640305, Pittsburgh, PA, for parts and labor to repair the Paver, for the Bureau of Streets, Department of Public Works at a total cost of \$2,986.61.
5. **PA DEP, Bureau of Laboratories**, P.O. Box 1467, Harrisburg, PA, for 2011 Lab Accreditation Fee, for the Bureau of Sewers at a total cost of \$2,150.00.
6. **DAS Group**, 3251 C Old Frankstown Road, Pittsburgh, PA, for repair parts for the Vaughn Chopper pump, for the Bureau of Sewers at a total cost of \$8,466.00.
7. **Belt Maintenance Systems**, 240 Seneca Street, Buffalo, NY, for emergency repair of the conveyor belt in the belt press area, for the Bureau of Sewers, Department of Public Works of the City of Erie at a total cost of \$2,432.00.

February 16, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Winarski and Horan-Kunco. 6. Nays. 0.
February 16, 2011. Signed by the President. Attested by the City Clerk

February 16, 2011. City Council on motion of Mr. Winarski, Seconded by Mr. Schwartz, adjourned at 9:35 P.M. by yeas Council Members Aleksandrowicz, Cappabianca, Schember, Winarski and Horan-Kunco. 6. Nays. 0. (Mr. Winarski left at 8:45 P.M. and returned at 9:15 P.M.)

President of City Council

Attest:

City Clerk