

The City Council met in regular session in the Council Chambers on Wednesday, March 2, 2011 at 9:00 A.M.

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

On motion of Mr. Schwartz, Seconded by Mr. Jones, the reading of the minutes of the meeting of February 16, 2011 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0. (Mr. Schwartz abstains from liquid fuel tax bills).

Copies of the bills under date of February 16, 2011, and March 4, 2011 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

By Mr. Jones, Council File Ordinance 15,748, Pending Official Ordinance #10-2011

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

March 2, 2011. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance, 15,748 and now known as Pending Official File Ordinance #10-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

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

An Ordinance amending the zoning Ordinance of the City of Erie, being Official Ordinance #80-2005, Section 306 – Conditional Use – Waterfront Districts, by including sidewalks and roadways as developments subject to public hearing before City Council.

March 2, 2011. City Council on Motion of Mrs. Horan-Kunco, Seconded by Mr. Cappabianca, having read Council File Ordinance 15,747, **failed to adopt** by yeas Council Members Aleksandrowicz, Cappabianca, and Horan-Kunco. 3. Nays 4. Council Members Jones, Schember, Schwartz and Winarski.

Pursuant to the provisions of the proper legal advertising, City Council held a **Public Hearing on Wednesday March 2, 2011 at 9:30 A.M.** in City Council Chambers to hear public testimony concerning the future adoption of a new Cable Television Franchise for the City of Erie.

By Mrs. Horan-Kunco, Seconded By Mr. Winarski, Resolved, Etc.

Pursuant to the provisions of Zoning Ordinance No. 80-2005, and a Public Hearing was held on Wednesday, February 16, 2011, the request for **Waterfront Conditional Use** for property located at 808 West 2nd Street for the proposed construction of a two unit residential building is hereby approved by City Council

March 2, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.
March 2, 2011. Signed by the President. Attested by the City Clerk

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

Pursuant to the provisions of Zoning Ordinance #80-2005, and a Public Hearing held on Wednesday February 16, 2011, the request for **Waterfront Conditional Use** for property located at 944-946 West 2nd Street for the proposed construction of an eight unit residential building, is hereby approved by City Council, with a condition that the Erie Western Pennsylvania Port Authority grants a 10' right-of-way for the construction of a retaining wall, bank enhancements and associated landscaping as per License Agreement between the Erie Western Pennsylvania Port Authority and Jeff Gault, developer, dated the 28th day of April 2006.

March 2, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.
March 2, 2011. Signed by the President. Attested by the City Clerk

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

That the City Clerk is authorized and directed to advertise notice of a Public Hearing to be held on Wednesday April 6, 2011 at 9:30 A. M. to consider an amendment to the City of Erie Urban Solar Farms ordinance, regarding revisions to the solar panel installation, pathways, design certification and roof coverages, ground panel setbacks, ground coverage location, height, as well as the overall height of roof pants.

March 2, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.
March 2, 2011. Signed by the President. Attested by the City Clerk

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

That the Proposed Repository sale of property commonly known as 1130 East 8th Street, Erie, PA and identified by Erie County Assessment Index Number 14-010-039.0-104.0 by the Erie County Tax Claim Bureau to Robert G. Englert is hereby approved.

March 2, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.
March 2, 2011. 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. **Erie Center on Health & Aging**, 406 Peach Street, Erie, PA, for a Senior Walking and Tai-Chi Fitness Program, for the Bureau of Parks, Department of Public Works at a total cost of \$13,000.00.
2. **Ram Industrial Services**, PO Box 748, Leesport, PA, for thickened sludge pump parts, for the Bureau of Sewers, Department of Public Works at a total cost of \$31,139.60.
3. **U.S. Municipal Supply Inc**, Rt. 26 South, Huntingdon, PA, in the amount of \$61,399.52 for two (2) dump truck bodies and two (2) Valk V610-84 snowplows for two (2) 3 ton dump trucks for the Bureau of Streets.
4. **Five Star International, Inc.**, 6100 Wattsburg Road, Erie, PA, 16509, in the amount of \$156,199.86 for two (2) base chassis with cab for two (2) 3 ton dump trucks for the Bureau of Streets.
- *5. **PNC Equipment Finance LLC**, 995 Dalton Ave, Cincinnati, OH, for the balance remaining on the December 15, 2010 purchase of safety breathing equipment for the Bureau of Fire originally purchased from Kaza Fire Equipment Co. The total agreement amount is \$363,622.66 and distributed as follows: 2011 - \$125,000.00; 2012 - \$119,311.33; 2013 - \$119,311.33.

March 2, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0. * Item #5 Mr. Schember abstained.
March 2, 2011. 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. **SBM Electronics**, Inc, 62B California Avenue, Pittsburgh, PA, for the renewal of the RACAL system annual maintenance agreement (2/28/11 – 2/27/12), for the Bureau of Police at a total cost of \$3,495.00.
2. **U. S. Municipal**, 1519 Evans City Road, Evans City, PA, in the amount of \$8,299.00 for a Trackless 51" Snow Blower attachment for the Bureau of Parks.
3. **OMSS Office Machine Sales & Service**, 2016 Peach Street, Erie, PA, for an HP T2300 Post Script Multifunction Printer, 3 year warranty and installation, for the Bureau of Engineering, Department of Public Works at a total cost of \$9,974.16.
4. **Miller Brothers Company**, 201 East 14th Street, Erie, PA, for a walk behind mower, for the Bureau of Sewers, Department of Public Works at a total cost of \$2,711.0. (Low of 4 quotes).
5. **National Conveyers Company**, 33 Nicholson Road, East Granby, CT, for replacement filter bags for the incinerator ash silo, for the Bureau of Sewers, Department of Public Works at a total cost of \$5,648.00. (Sole Supplier).
6. **Bucks Fabricating**, 3547 Perry Highway, Hadley, PA, for a replacement roll off can, for the Bureau of Sewers, Department of Public Works at a total cost of \$8,966.00. (Only Qualified Supplier).

March 2, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.
March 2, 2011. Signed by the President. Attested by the City Clerk

February 9, 2011

TO: Mark Aleksandrowicz
Erie City Council

FROM: Jon Tushak, P. E.
City Engineer

SUBJECT: Progress Report

PROJECT: Preliminary Engineering McBride Viaduct-East Avenue Bridge over
CSX Railroad
City of Erie, PA

In response to your resolution dated November 3, 2010 respectfully requesting quarterly progress reports on the above referenced project, the following report is provided.

City of Erie solicited Statements of Interest (SOI) and Statements of Qualifications for consulting engineers licensed in Pennsylvania and designated as PennDOT ECMS Business Partners for preliminary engineering on the McBride Viaduct, East Avenue Bridge. The scope of the project includes the public involvement process, selection of a preferred alternative, completion of preliminary engineering and the environmental clearance. Preliminary Engineering and Environmental Clearance will involve those tasks necessary to perform and complete the preliminary engineering and environmental studies to obtain an approved NEPA document to advance the project to final design.

An engineering study will include the purpose and need, benefit cost analysis, alternative analysis but are not limited to the following:

- (1) No build with demolition
- (2) Rehabilitation of the existing bridge
- (3) Replacement of the existing bridge
- (4) Demolition with roadway network improvements

The analysis will also include but not be limited to the following:

- (1) Pedestrian Movements and safety with the study area
- (2) Vehicular movement and emergency response time
- (3) Local Business access
- (4) Americans with Disability Act of 1990

Environmental tasks will include but not be limited to preparation of a Categorical Exclusion Evaluation – Level 2, public involvement activities and any other environmental investigations or studies required to complete the appropriate level of NEPA documentation and environmental clearance.

Engineering tasks will include but not be limited to Field Surveys, Hydrologic and Hydraulic Study, Subsurface Boring, Sampling and Testing Contract, Type, Size and Location Study, Preliminary Right-of-Way Activities, Preliminary Utility Investigation, Preliminary Drainage Design, Preliminary Traffic Control Plan, Preliminary Pavement Design and Typical Sections, Design Field View, Project Management and Coordination and any other tasks required to establish the projects "footprint" used to define the environmental clearance while advancing the project to final design.

Assistance is to be provided by PennDOT with initial agency coordination and involvement with project stakeholders as needed. PennDOT's procedures for Enhanced Modified Consultant Selection were used for this agreement.

The City of Erie Consultant Selection Committee has determined a final ranking of consultants for the above referenced project after reviewing the submitted Statements of Interest following PennDOT's procedures for Enhanced Modified Consultant Selection. The City of Erie received, reviewed and ranked 14 proposals for the project. The consultants were ranked based on their experience with other projects and their ability to convey their understanding of the issues and requirements for this project. On January 19, 2011, PennDOT approved the selection made by the City of Erie of **L. R. Kimball** as the top-ranked consultant to perform the work required on this project. All participating consultants were notified of the selection.

PennDOT Engineering District 1-0 is currently developing a detailed scope of work for the project. Part 1-Preliminary Engineering will be completed in two phases. Phase one will include all work necessary for the feasibility study up to selection of the preferred alternative. Phase two will include the remaining work to complete preliminary engineering and environmental clearance of the preferred alternative. PennDOT expects to complete the scope of work for phase one by the end of February and conduct a scope of work meeting with the consultant and the City Engineer.

L. R. Kimball will submit a Technical and Price Proposal based on the scope of work. At that time, when an estimate of the costs is determined, PennDOT will begin the process with the City of Erie to enter the Reimbursement Agreement. PennDOT expects to receive the Technical and Price Proposal by late March.

PennDOT will review the TPP and conduct negotiations to arrive at the contact amount. PennDOT Central Office will review the recommendations and it is expected that an Engineering Agreement will be executed by early May.

It is estimated that the physical work of the study will begin in May. Please contact me at extension 1377 if you have any questions.

CC: Other City Council Members
Joseph E. Sinnott, Mayor
James Klemm
Douglas E. Mitchell

March 2, 2011. City Council on motion of Mr. Schwartz, Seconded by Mr. Jones, adjourned at 11:05 A.M. by yeas Council Members Aleksandrowicz, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0. (Mr. Cappabianca left at 10:50 A. M.)

President of City Council

Attest:

City Clerk