

The City Council met in regular session in the Council Chambers on Wednesday, July 6, 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. Schember, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the Meeting of June 15, 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 on liquid fuel tax bills).

Copies of the bills under date of July 8, 2011 and July 15, 2011 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Schember, Winarski and Horan-Kunco. 7. Nays. 0.

By Mr. Jones, Council File No. 15,759, Pending Official Ordinance No. 20-2011

An ordinance appropriating the sum of **\$2,500,000** from the General Fund and providing for the expenditure thereof. The \$2,500,000 represents a temporary loan from the General Fund to be used by the 2011 Capital Financing Fund as interim financing for the street paving and curb ramp replacements until such time as permanent financing is in place. At that time a portion of the proceeds from the permanent financing will be used to fully repay the General Fund Loan.

To: Mr. James Klemm, City Clerk

From: Joseph Schember, City Council Member

Date: July 6, 2011

RE: Abstention from Voting-Council File Ordinance No. 15759

Please be advised that, because I am currently an employee of PNC Bank and it is my understanding that PNC Bank (or its affiliates) may receive a distinct pecuniary benefit from its involvement in this matter, I abstain from voting on it. Although my duties at PNC are unrelated to the work PNC would perform on this matter, I will not participate in it in order to avoid any conflict of interest. Please reflect the contents of this memorandum in the minutes of any meeting in which action is taken on this matter.

July 6, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Winarski, having read Council File Ordinance 15,759, now known as Pending Official File Ordinance No.20-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Jones, Schwartz, Winarski, and Horan-Kunco. 5. Nays. 1. Cappabianca. Mr. Schember abstains.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance 15,760, Pending Official Ordinance No. 21-2011

An ordinance appropriating the sum of **\$44.40** from unappropriated and anticipated revenue and providing for the expenditure thereof. **JUSTICE ASSISTANCE GRANT 2008**

July 6, 2011. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance 15,760, now known as Pending Official File Ordinance No. 21-2011, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File No. 15,761, Pending Official Ordinance No. 22-2011

An Ordinance appropriating the sum of **\$95,726.00** from un-appropriated and anticipated revenue and providing for the expenditure thereof. **2011 INSURANCE FRAUD PREVENTION AUTHORITY**

July 6, 2011. City Council on motion of Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance 15,761, now known as Pending Official File Ordinance No. 22-2011, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File No. 15,762

An Ordinance **Amending** Official Ordinance No. 80-2005 known as the Zoning Ordinance of the City of Erie by changing the classification of property located at 1850 West Grandview Blvd., from R-1 (Low Density Residential District) to RLB (Residential Limited Business District) at the request of Lake Erie College of Osteopathic Medicine (LECOM) for construction of a dental school.

July 6, 2011. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Cappabianca, having read Council File Ordinance 15,762, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, Council File No. 15,763

An Ordinance **Amending** Official Ordinance No. 80-2005 known as the Zoning Ordinance of the City of Erie by changing the classification of properties located at 1405-1415 East Lake Road, from RLB (Residential Limited Business) to C-2 (General Commercial District) per the request of Carla Ihli and John Higham for a tattoo parlor.

July 6, 2011. City Council on motion of Mr. Aleksandrowicz, Seconded by Mr. Cappabianca, having read Council File Ordinance 15,763, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,764

An Ordinance appropriating the additional sum of **\$69.00** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD) for the following thirty-seventh year Project.

July 6, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Schember, having read Council File Ordinance 15,764, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,765

An Ordinance appropriating the sum of **\$87,200.00** from unappropriated and anticipated revenue; \$50,000 to be received as a Grant from the PA Department of Community and Economic Development and \$37,200.00 received earnings from the Enterprise Zone Revolving Loan Fund. These funds are to be allocated into the following Enterprise Zone Program accounts.

July 6, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Schwartz, having read Council File Ordinance 15,765, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute an Easement Agreement between the City of Erie and Liberty Iron & Metal LLC, 1515 East Avenue, in compliance with the attached City Engineer's metes and bounds descriptions locating three (3) identification signs in the East Avenue right-of-way in accordance with Exhibits "A", "B", and "C".

July 6, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

July 6, 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 have previously been authorized to execute the Federal Aid Reimburse Agreement No. 010K98 (MPMS No. 87194) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the construction of the Perry Square Streetscape from North Park Row to South Park Row and the total amount of the reimbursement is \$355,680.00, and whereas the low bid for the project is \$911,000 and was submitted by Tony Baiano Construction Company, 4842 Streets Run Road, Pittsburgh, PA 15236, the balance of the contract is hereby awarded and to be funded by the City of Erie in the sum of \$555,320.00, and the proper City Officials be and they are hereby authorized and directed to sign said contact on behalf of the City of Erie. To be charged to budget code 017-0707-0000-4075-\$146,954.16, 345-0707-0000-4077-\$86,994.00, 501-1245-2009-4072-\$138,724.00, 501-1245-2010-4072-\$129,985.00 and 002-0713-0000-4075-\$52,662.84.

July 6, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

July 6, 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. **John M. Lipchik**, 10163 Sampson Road, Erie, PA 16509, for the demolition of two (2) properties (see attached List), for the Department of Economic and Community Development of the City of Erie at a total cost of \$13,000.00 (\$6,200.00 and \$6,800.00).
Emergency Demolition – 907 East 21st Street and 538 East 26th Street.
2. **Parsons Penn Glass**, 2817 Pine Avenue, Erie, PA 16504-1188, for labor and materials to install the police booking counter, for the Bureau of Police of the City of Erie at a total cost of \$17,895.00.
3. **Mayer Brothers Construction Company**, 1902 Cherry Street, Erie, PA 16502: they being the lowest responsible bidder; in the amount of \$352,292.15; and the proper City Officials be and they are hereby authorized and directed to sign said contract on behalf of the City of Erie.
4. **2011 Proposed Milling and Asphalt Resurfacing of Various City Streets and Installation of Concrete Curb – I**. The City Administration will receive bids on July 5, 2011 at 2:00P.M. The successful bidder will be announced later that day.

July 6, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays 0. Mr. Schember abstains.

July 6, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Schwartz, 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. **Keystone Fence Co.**, 10786 Wildman Road, Wattsburg, PA 16442, for temporary fencing for City Special Events, for General Government of the City of Erie at a total cost of \$6,920.00,
2. **Networking Technologies**, 3910 Caughey Road, Suite 207, Erie, PA 16506, for the Firewall Maintenance Renewal, for the Bureau of Computer Services of the City of Erie at a total cost of \$7,046.61.
3. **PCCA**, 4855 Woodland Drive, Enola, PA 17025-1291, for Workshop Registration – IFC 101, International Fire Code Essentials, for the Department of Economic and Community Development of the City of Erie at a total cost of \$4,500.00.
4. **Eagle Radio Technologies**, 1367 East Second Street, Jamestown, NY 14701, for 2 radios, switches and warranties, for the Bureau of Police of the City of Erie at a total cost of \$2,673.18 (\$1,336.59 each).
5. **AFIX Technologies, Inc**, 205 North Walnut Pittsburg, KS 66762, for an annual maintenance agreement (9/29/2010 to 9/28/2011) for the AFIX Tracker Automated Fingerprint/Palm Print ID system, for the Bureau of Police of the City of Erie for a total of \$5,500.00.
6. **R. A. Cruise Sand & Gravel**, 2568 Lake Rockwell, Ravenna, Ohio, 44266, for seven (7) loads of Diamond Dust infield clay, for the Bureau of Parks of the City of Erie at a total cost of \$5,666.76.
7. **Commonwealth of PA**, Division of Reporting and Fee Collection, PO. Box 8550, Harrisburg, PA, 17105, for waste transporter renewal fees, for the Municipal Garage of the City of Erie at a total cost of \$3,100.00.
8. **Siemens Water Technologies**, C/O Bissnuss Inc., Old Courthouse Building, Suite 260, Canfield, OH 44406, for the emergency purchase of a turntable assembly repair kit for #1 tank, for the Bureau of Sewers of the City of Erie at a total cost of \$3,700.00.
9. **National Vacuum**, 408 47th Street, Niagara Falls, NY 14304, for cleaning and grit removal in Tank #2, for the Bureau of Sewers, Department of Public Works of the City of Erie at a total cost of \$3,820.00.

July 6, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

July 6, 2011. Signed by the President. Attested by the City Clerk.

July 6, 2011. City Council on motion of Mr. Schember, Seconded by Mr. Schwartz, adjourned at 10:55 A.M. by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

President of City Council

Attest:

City Clerk

