

The City Council met in regular session in the Council Chambers on Wednesday, July 20, 2011 at 7:30 P.M.

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

On motion of Mr. Schember, Seconded by Mr. Winarski, the reading of the minutes of the Meeting of July 6, 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 22, 2011 and July 29, 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 Mrs. Horan-Kunco, Council File No. 15,762, Pending Official Ordinance No. 23-2011

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 20, 2011. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Cappabianca, having read Council File Ordinance 15,762, now known as Pending Official File Ordinance No.23-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 7. Nays. 0.

July 20, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, Council File No. 15,763, Pending Official Ordinance No. 24-2011

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 20, 2011. City Council on motion of Mr. Aleksandrowicz, Seconded by Mr. Cappabianca, having read Council File Ordinance 15,763, now known as Pending Official File Ordinance No.24-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 7. Nays. 0.

July 20, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 15,764, Pending Official Ordinance No. 25-2011

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 thirty-seventh year CDBG Project.

July 20, 2011. City Council on motion of Mr. Winarski, Seconded by Mr. Schember, having read Council File Ordinance 15,764, now known as Pending Official File Ordinance No.25-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 7. Nays. 0.

July 20, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 15,765, Pending Official Ordinance No. 26-2011

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 Enterprise Zone Program accounts.

July 20, 2011. City Council on motion of Mr. Winarski, Seconded by Mr. Schwartz, having read Council File Ordinance 15,765, now known as Pending Official File Ordinance No.25-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 7. Nays. 0.

July 20, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, Council File No. 15,766

An ordinance authorizing an increase in the **non-electoral debt** of the City of Erie by authorizing and approving the issuance and sale of **\$8,200, 000.00** tax exempt General Obligation Bonds, Series A of 2011, **\$19,000,000.00** tax exempt General Obligation Bonds, Series B of 2011, for the purposes recited herein; directing the City Clerk to prepare, certify and file the required debt statement and to take all other necessary action; convenanting that the City shall include the amount of annual debt service in its budget for each fiscal year.

To: Mr. James Klemm, City Clerk July 20, 2011
 From: Joseph Schember, City Council Member
 RE: Abstention from Voting – Council File Ordinance No. 15766.
 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.

A proposed amendment by Mrs. Horan-Kunco, Seconded by Mr. Jones Resolved etc.

That the tax exempt general obligation bonds series A of 2011 be amended from \$8,200,000.00 be amended to \$8,500,000.00.

July 20, 2011. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Jones, having read Council File Ordinance 15,766, does hereby adopt the above amendment by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0. Mr. Schember abstains.

July 20, 2011. Signed by the President. Attested by the City Clerk.

July 20, 2011. City Council on motion of Mr. Aleksandrowicz, Seconded by Mr. Winarski, having read Council File Ordinance 15,766, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0. As amended. Mr. Schember abstains.

July 20, 2011. Signed by the President. Attested by the City Clerk.

That the proposed Repository Sale of property commonly known as 737 East 21st Street, Erie, PA and identified by Erie County Assessment Index Number 18-050-029.0108.00 by the Erie County Tax Claim Bureau to Robert E. McDonald in the amount of \$250.00 is hereby approved.

July 20, 2011. Withdrawn at the request of City Council.

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

That the proper City officials are authorized and directed to prepare an Easement Agreement between the City of Erie and 1201 Kitchen, tenant of 1201 State Street, No. (15) 2003-201, in compliance with the attached City Engineer's metes and bounds descriptions locating one (1) entrance into the State Street right-of-way for outside dining and a removable overhead awning to maintain a minimum overhead clearance of eight feet (8').

July 20, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

July 20, 2011. Signed by the President. Attested by the City Clerk.

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

That Change Order #1 on the contract of Vavala Concrete Construction, LLC, 2059 West 20th Street, Erie, PA 16502 for the 2011 Curb Ramps I, Bid 1656-11, as recommended and concurred with by the Bureau of Engineering, is hereby authorized; the original contract amount was \$71,696.80, the final contract amount is \$98,349.35, the Change Order total is \$26,562.55.

July 20, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

July 20, 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. **Mayer Brothers Construction Company**, 1902 Cherry Street, Erie, PA 16502, for the 2011 Proposed Milling and Asphalt Resurfacing of Various City Streets and Installation of Concrete Curb Ramps-II, in the sum of \$655,597.90.
2. **ISS Facility Services**, 101 S. Mercer St., Suite 206, New Castle, PA 16105 for a two year contract extension for janitorial services for the City of Erie Municipal Building for the Amount of \$88,539.24 for 2012 and \$89,871.84 for 2013.
3. **Stanley Security Solutions**, 2350 Eldo Road, STE B, Monroeville, PA 15146, to upgrade the WWTP computer assisted security system, for the Bureau of Sewers at the price of \$24,760.13.
4. **Robinson Pipe Cleaning**, 2656 Idlewood Road, Pittsburgh, PA 15205, for emergency cleaning of various sewer lines in the Frontier Park Area, for the Bureau of Sewers, in the amount of \$29,610.00.

July 20, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays 0. Mr. Schember abstains.

July 20, 2011. Signed by the President. Attested by the City Clerk.

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. **District Attorney of Erie County**, 140 West 6th Street, Erie, PA 16501, for overtime reimbursement for Weed and Seed Quality of Life Saturation Patrols, for the Bureau of Police at a total cost of \$2,017.17.
2. **Black Hills Ammunition**, PO Box 3090, Rapid City, SD 55709-3090, for 2000 rounds of 175 grain Black Hills Match Grade Rifle Ammo for the Bureau of Police at a total cost of \$2,278.00.
3. **Commonwealth of Pennsylvania PA State Police, Enterprise Network System**, 1800 Elmerton Avenue, Harrisburg, PA 17110, for the annual recurring data circuit lease for NCIC/Clean system, for the Bureau of Police at a total cost of \$3,500.00.
4. **Lowes**, PO Box 530954, Atlanta, GA 30353-0954, for supplies for the Gridley Park Playground Project, for the Bureau of Parks at a total cost of \$6,401.09.
5. **Vermeer**, 131 Wisconsin Avenue, Cranberry Twp, PA 16066, for repairing hydraulic lines and tires, for the Bureau of Refuse, Department of Public Works at a total cost of \$2,545.28.

- 6. **Eni USA R & M Co Inc-Cabot**, PA, PO Box 7247-7028, Philadelphia, PA 19170-7028, for motor oil and hydraulic oil for the Municipal Garage, Department of Public Works at a total cost of \$3,230.36.
- 7. **Joseph McCormick Construction Company**, 3340 Pearl Avenue, Erie, PA 16510, for milling of Cherry Street from 19th to 26th Street, for the Bureau of Streets for \$9,612.50.
- 8. **Teledyne ISCO c/o Advanced Instruments**, 9 Four Coins Drive, Cannonsburg, PA 15317, for an automatic refrigerated/heated sampler, for the Bureau of Sewers at a total cost of \$4,186.28. (OEM:Sole Supplier-emergency purchase).
- 9. **Hach Company**, 2207 Collections Center Drive, Chicago, IL 60693, for an automatic refrigerated sampler, for the Bureau of Sewers at a total cost of \$4,940.00. (OEM: Sole Supplier-emergency purchase).
- 10. **Thayer Power & Communications, Line Construction Company**, Inc, 973 New Castle Road, Butler, PA 16001, for the installation of fiber optic cable, for the Bureau of Sewers at a total cost of \$5,309.00.
- 11. **Wm. T. Spaeder Company**, 1602 East 18th Street, PO Box 10066, Erie, PA 16514, for an emergency repair of #1 final, for the Bureau of Sewers at a total cost of \$7,525.00. (Emergency purchase)

July 20, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.
 July 20, 2011. Signed by the President. Attested by the City Clerk.

Waive Rules

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

That the proper City Officials are hereby authorized to abate all interest and penalties accrued relative to sewer and garbage fees against the property located at 1526-28 Chestnut Street, Erie, PA.

July 20, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.
 July 20, 2011. Signed by the President. Attested by the City Clerk.

Waive Rules

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

That the communication received from the office of the Mayor appointing Mr. John Evans and Ms. Patricia Mickel to the Erie Housing Authority is hereby received and ordered placed on file in the City Clerk's office.

July 20, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.
 July 20, 2011. Signed by the President. Attested by the City Clerk.

July 20, 2011. City Council on motion of Mr. Schember, Seconded by Mr. Schwartz, adjourned at 9:43 P.M. by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

 President of City Council

Attest:

 City Clerk