

The City Council met in regular session in the Council Chambers on Wednesday, October 5, 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. Schwartz, the reading of the minutes of the Meeting of September 21, 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 September 30, 2011, and October 7, 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. Schwartz, Council File No. 15,774, Pending Official File Ordinance No. 35-2011

An amendment to Ordinance 28-2011 which approved the plan of the Erie Sewer Authority for the issuance of an aggregate amount not to exceed **\$29,950,000** Sewer Revenue Bonds, Series of 2011. The plan included an equity contribution from the Erie Sewer Authority not to exceed \$500,000 which is amended to an amount not to exceed \$1,000,000.

To: Mr. James Klemm, City Clerk Oct. 5, 2011
From: Joseph Schember, City Council Member
RE: Abstention from Voting – Council File Ordinance No. 15,774.
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.

October 5, 2011. City Council on motion of Mr. Schwartz, Seconded by Mrs. Horan-Kunco having read Council File Ordinance 15,774, now known as Pending Official File Ordinance No. 35-2011 does hereby adopt on Final Passage as amended by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski, and Horan-Kunco. 6. Nays. 0. Mr. Schember abstains.

October 5, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Cappabianca, Council File No. 15,775

An ordinance appropriating the sum of **\$64,790.00** from unappropriated and anticipated revenue and providing for the expenditure thereof. 2011 Justice Assistance Grant.

October 5, 2011. City Council on motion of Mr. Cappabianca, Seconded by Mr. Winarski having read Council File Ordinance 15,770, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 7. Nays. 0.

October 5, 2011. Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to amend the rules of Council to include provisions for President of Erie City Council. 1. To be eligible to serve as President of City Council a Council member is to have been elected in a general election and have at least 2 years of experience as a Council member. 2. No-one shall serve as President of City Council for more than 1 time unless no other current Council members are eligible as per item #1. No Council person shall serve as Council President for 2 consecutive years. Also to amend the rules of Council concerning the Vice-President of Council position. 1. If the Vice-President of Council were to assume the seat of Council President for any length of time, 6 months or longer constitutes a full year term.

A proposed amendment by Mr. Aleksandrowicz, Seconded by Mr. Cappabianca, Resolved, etc.

That the City Solicitor is authorized and directed to amend the rules of council to include provisions for President of Erie City Council. No council person shall serve as Council President for two (2) consecutive years.

October 5, 2011. City Council **failed to adopt** as amended by yeas Council Members Aleksandrowicz, Cappabianca and Horan-Kunco. 3. Nays 4. Jones, Schember, Schwartz, Winarski.

October 5, 2011. Signed by the President. Attested by the City Clerk.

A vote was then taken on the original proposed motion at the top of the page. October 5, 2011 by yeas Council Members Aleksandrowicz, and Cappabianca. 2. Nays 5. Jones, Schember, Schwartz, Winarski and Horan-Kunco.

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

That the City Solicitor is authorized and directed to prepare an ordinance **amending the Codified Ordinances** of the City of Erie, being Part One Administrative Code, Title Three, Article 113, Section 113.08 Compensation of Mayor, by increasing the Annual Compensation amount from \$65,000.00/year to \$95,000.00/year, commencing the first Monday of January, 2014.

October 5, 2011. City Council On motion of Mr. Aleksandrowicz, Seconded by Mr. Cappabianca, **TABLED** the foregoing resolution by yeas Mr. Aleksandrowicz, Mr. Cappabianca, Mrs. Horan-Kunco. 3. Nays 4. Jones, Schember, Schwartz and Winarski.

A vote was then taken on the original proposed motion above.

October 5, 2011 adopt by yeas Council Members Jones, Schember, Schwartz and Winarski. 4. Nays 3. Aleksandrowicz, Cappabianca and Horan Kunco.

October 5, 2011. Signed by the President. Attested by the City Clerk.

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$57,265.00	002-0613-0000-4059	Other Svcs	\$87,265.00	002-0613-0000-4033	Operating Sup.
<u>30,000.00</u>	002-0613-0000-4056	Repair & Maint.			
\$87,265.00			\$87,265.00		

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. **3 Rivers Fire Equipment**, 1319 Airbrake Avenue, Turtle Creek, PA 15145, for approximately fourteen (14) Globe Gxtreme Jackets (\$1,149.00 each) and Pants (\$856.00 each) for the Bureau of Fire of the City of Erie at a total cost of \$28,070.00.

October 5, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

October 5, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Schember, 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. **Jim Brozell Construction**, 9298 Peach Street, Waterford, PA 16441 for installation of delineator bases for the division of Traffic Engineering Department of Public Works, at a total cost of \$6,480.00.
2. **Fire Fly Fire Equipment Sales Inc.**, 9525 Franklin Center Road, Cranesville, PA 16410, for an extension retraction cable, for the Bureau of Fire at a total cost of \$4,771.49.
3. **Lakeshore Towing Company**, 34 State Street, Erie, PA 16507, for the emergency underwater repair of a storm sewer, for the Bureau of Sewers at a total cost of \$2,366.50.
4. **Erie General Tire**, 121 West 12th Street, Erie, PA 16501, for four (4) new tires for JCB Loadall for the Bureau of Sewers at a total cost of \$3,083.00.
5. **A & H Equipment Co.**, 1124 McLaughlin Run Road, Bridgeville, PA 15017-2533, for emergency repairs to sewer cleaning truck for the Bureau of Sewers at a total cost of \$5,571.92.

October 5, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

October 5,, 2011. Signed by the President. Attested by the City Clerk.

WAIVE RULES

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

That the proposed Repository Sale of property commonly known as 1945 East 19th Street, Erie, PA and identified by Erie County Assessment Index Number 15-021-023.0-20700 by the Erie County Tax Claim Bureau to Hue C. Marshall in the amount of \$250.00 is hereby approved.

October 5, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

October 5,, 2011. Signed by the President. Attested by the City Clerk.

October 5, 2011. City Council on motion of Mr. Schember, Seconded by Mr. Schwartz, adjourned at 11:05 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