

The City Council met in regular session in the Council Chambers on Wednesday, January 18, 2012 at 7:30 P.M. Council Members present: Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

On motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, the reading of the minutes of the Meeting of January 4, 2012 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

Copies of the bills under date of January 13, 2012, and January 20, 2012, were given to City Council and same adopted by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

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By Mrs. Horan-Kunco, Council File No. 15,782

An Ordinance **amending** Official Ordinance No. 19-2005, Article 173 (Aggregate Pension Board), Section 173.02 (Composition) by adding "one retired FOP member in-good-standing" to the Board for a total of fourteen (14) members.

January 18, 2012. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Witherspoon having read Council File Ordinance 15,782, does hereby adopt on First Reading by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File No. 15,783

An Ordinance **amending** Official Ordinance No. 80-2005 known as the Zoning Ordinance of the City of Erie by changing the classification of the property located at 244-248 East 21<sup>st</sup> Street, from RLB (Residential Limited Business) to M-1 (Light Manufacturing District) per the request of Frederick Johnson.

January 18, 2012. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Witherspoon having read Council File Ordinance 15,783, does hereby adopt on First Reading by yeas Council Members, Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

By Mr. Brennan, Council File No. 15,784

An Ordinance **amending** the Administrative Code of the City of Erie, Article 149 Fire Employees Pension Plan, by reinstating Sections 149,09 (a) through (h) Partial Lump Sum Distribution Option, which was previously repealed by Official Ordinance No. 75-2006 on December 20, 2006.

January 18, 2012. City Council on motion of Mr. Brennan, Seconded by Mr. Witherspoon having read Council File Ordinance 15,784, does hereby adopt on First Reading by yeas Council Members, Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to prepare an ordinance **closing and vacating** certain streets and paper streets known as Garfield and Ottawa Avenue as recommended by the Planning Commission at the request of the Erie-Western PA Port Authority and refer same back to City Council for appropriate action.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the recommendation of the Planning Commission dated January 4, 2012 recommending the **rezoning** of property located at the Bayfront Highway between Lincoln Avenue, Garfield Street and West 12<sup>th</sup> Street from Low Density Residential District (R-1) to that of Light Manufacturing District (M-1) is hereby received and placed on file, and Be It Further Resolved that the City Clerk is hereby authorized and directed to advertise for a public hearing before Erie City Council regarding this proposed rezoning to be held on Wednesday February 1, 2012 at 9:30 AM.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

Receiving the communication from Dennis G. Solensky Executive Director of the Erie Metropolitan Transit Authority on behalf of the EMTA requesting the **rezoning** of various parcels or property owned by the EMTA between East 14<sup>th</sup> Street and the CSX Railroad Right-of-Way from French Street to Parade Street, including right-of-way portions of German Street and East 10<sup>th</sup> and Division Street authorizing and directing the City Solicitor to prepare the appropriate rezoning ordinance, rezoning the above described area from M-1, C-1, C-4, RLB, R-2, C-3 and C-4 to that of M-2 (Heavy Manufacturing District) and after preparation of the rezoning ordinance, forward same to the City Planning Commission for their recommendation and report thereon back to City Council accompanied by the requisite filing fee in the amount of \$500.00.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the City Administration is respectfully requested to study the feasibility of constructing a **handicapped ramp** to provide access to the stage and Council Members seats when necessary and report their findings thereon back to City Council.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the Traffic Engineer is respectfully requested to study the feasibility of establishing a **3-way stop** intersection at East 14<sup>th</sup> and French Streets and report her findings to City Council.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the proper City officials enter into an **Easement Agreement** between ECHO Get Go Partners 2004, the Millcreek Township Sanitary Authority and the Erie-Western PA Port Authority, for the sewer line running under the to be vacated portion of Garfield Avenue that reverts to ECHO Go Partners 2004 be received and a copy placed on file in the Office of the City Clerk to be attached to the ordinance vacating Garfield Avenue.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the proper officials of the City of Erie accept **Ferguson and Holdnack Reporting, Inc.**'s proposal for stenography services for the City of Erie's Zoning Board and Building Code appeals Board hearings for the 2012 calendar year. The terms of the contract will be \$100.00 for daytime hearings and \$125.00 for hearing scheduled to commence at 6:00 P.M. or later, as more fully set forth in Exhibit "A" attached.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

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

That the proper city officials transfer ownership of the Police Department's 1982 Peacekeeper armored vehicle to the **Oil City Police Department** at no cost. This vehicle was acquired in 1994 through Project North Star. As part of the agreement with the ERG Task Force, upon receipt of the Bearcat, we will transfer ownership of the 1982 Peacekeeper to another agency.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Seconded by Mr. Witherspoon, 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. **A & H Equipment**, 1124 McLaughlin Run Road, Bridgeville, PA 15017, in the amount of \$111,000.00 for (2) Excel 25 yard Rear Loaders for the Bureau of Refuse and Recycling
2. **Five Star International, Inc.**, 6100 Wattsburg Road, Erie, PA 16509, in the amount of \$174,464.28 for two (2) base chassis with cab for the Bureau of Refuse and Recycling.
3. **Wm. T. Spaeder Co. Inc.**, 1602 East 18<sup>th</sup> Street, Erie, PA 16510 for the Proposed Replacement Furnaces Central Fire Station –EECBG in the sum of \$15,500.00.(Lowest of 3 bids)
4. **George H. Althof Inc.**, 1526 French Street, Erie, PA 16501, for the Proposed Replacement Steam Coil Unit Heaters Municipal Building-EECBG in the sum of \$28,600.00. (Lowest of 3 bids).

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

January 18, 2012. Signed by the President. Attested by the City Clerk.

By Mr. Schember, 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. **Erie County Bar Association**, 302 West 9<sup>th</sup> Street, Erie, PA 16502-1427, for the 2012 Pennsylvania and Erie County Bar Association Dues for Karle, Zak, Ferguson, Villella and Mead for the Office of Solicitor at a total cost of \$2,022.00.
2. **PA Dept Bureau of Laboratories**, PO Box 1467, Harrisburg, PA 17105-1467, for laboratory accreditation fees for the Bureau of Sewers at a total cost of \$2,150.00.
3. **Ram Industrial Services Inc.**, 5460B Pottsville Pike PO Box 748, Leesport, PA 19533, for two (2) stators for thickened sludge pumps for the Bureau of Sewers at a total cost of \$2,794.00.

4. **Qorpak/Berlin Packaging**, PO Box 9584, Chicago, IL 60694-5584, for sample bottles for the Industrial Pretreatment Department for the Bureau of Sewers at a total cost of \$3,444.23.

January 18, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.  
January 18, 2012 Signed by the President. Attested by the City Clerk.

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January 18, 2012. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, adjourned at 9:00 P.M. by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk