

The City Council met in regular session in the Council Chambers on Wednesday, February 1, 2012 at 9:00 A.M.

Council Members present: Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

On motion of Mr. Brennan, Seconded by Mr. Witherspoon, the reading of the minutes of the Meeting of January 18, 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 27, 2012, and February 3, 2012, were given to City Council and same adopted by yeas Council Members Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 6. Nays. 0. Mr. Brennan abstains.

To: Mr. James Klemm, City Clerk
From: David Brennan, City Council Member
RE: Abstention from Voting

February 1, 2012

Because I am an employee of the Economic Development Corporation (EDC), I will abstain from voting on the payment to the Economic Development Corporation for "CDBG reim req #4 & #4. This payment is being made to the EDC for technical assistance, business plan reviews, and loan consultation. Although my duties at the EDC are unrelated to this payment request, I will abstain from voting on this payment to avoid any appearance of conflict of interest.

By Mrs. Horan-Kunco, Council File No. 15,782, Pending Official File Ordinance No. 1-2012
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.

February 1, 2012. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Schember having read Council File Ordinance 15,782, now known as Pending Official File Ordinance No. 1-2012, does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, and Jones. 6. Nays 0. Mr. Witherspoon abstains.

February 1, 2012, Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File No. 15,783, Pending Official File Ordinance No. 2-2012
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 21st Street, from RLB (Residential Limited Business) to M-1 (Light Manufacturing District) per the request of Frederick Johnson.

February 1, 2012. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Witherspoon having read Council File Ordinance 15,783, now known as Pending Official File Ordinance No. 2-2012, does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays 0.

February 1, 2012, Signed by the President. Attested by the City Clerk.

By Mr. Brennan, Council File No. 15,784, Pending Official File Ordinance No. 3-2012
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.

February 1, 2012. City Council on motion of Mr. Brennan, Seconded by Mr. Winarski having read Council File Ordinance 15,784, now known as Pending Official File Ordinance No. 3-2012, does hereby adopt on Final Passage by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski and Jones. 6. Nays 0. Mr. Witherspoon abstains.

February 1, 2012, Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,785

An Ordinance appropriating the sum of **\$12,000.00** from unappropriated and unanticipated revenue for the expenditure thereof (contribution is from the Sisters of Mercy for the purchase of police equipment, fire prevention supplies or equipment and winter maintenance equipment).

February 2, 2012. City Council on motion of Mr. Jones, Seconded by Mr. Merski having read Council File Ordinance 15,785, does hereby adopt on First Reading by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

February 2, 2012. Signed by the President. Attested by the City Clerk.

By Mrs. Horan-Kunco, Council File No. 15,786

An Ordinance **vacating and closing** Garfield Avenue and Ottawa Avenue.

February 2, 2012. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Witherspoon having read Council File Ordinance 15,785, does hereby adopt on First Reading by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

February 2, 2012. Signed by the President. Attested by the City Clerk.

Pursuant to the provisions of the proper legal advertising, City Council held a **Public Hearing on Wednesday, February 1, 2012 at 9:30 A.M. in City Council Chambers** to hear testimony on a proposed rezoning of property located at the West Bayfront Highway between Lincoln Avenue, Garfield Street and West 12th Street from Low Density Residential District (R-1) to that of Light Manufacturing District (M-1).

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

That the following members of City Council be appointed to the **Erie Area Council of Governments** for the year 2012;

Jessica Horan-Kunco-Delegate
David Brennan-1st Alternate Delegate
Melvin Witherspoon-2nd Alternate Delegate
Bob Merski-Alternate Delegate
Curtis Jones, Jr-Alternate Delegate
Joseph Schember-Alternate Delegate
James Winarski-Alternate Delegate

February 1, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

February 1, 2012. Signed by the President. Attested by the City Clerk.

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

That the proposed **Repository Sale** of property commonly known as 1227 German Street, Erie, PA and identified by Erie County Assessment Index Number 14-020-018.0-228.00 by the Erie County Tax Claim Bureau to the Housing and Neighborhood Development Services in the amount of \$250.00 is hereby approved.

February 1, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

February 1, 2012. Signed by the President. Attested by the City Clerk.

By Mr. Merski, Seconded by Mr. Brennan, 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 16507, for a Senior Walking and Tai-Chi Fitness Program, in the amount of \$13,000.00.

February 1, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

February 1, 2012. Signed by the President. Attested by the City Clerk.

By Mr. Brennan, 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. **A & H Equipment Company**, 1124 McLaughlin Run Road, Bridgeville, PA 15017, for reconditioning of vac-con sewer cleaner truck for the Bureau of Sewers at a total cost of \$6,475.28.
2. **Bucks Fabricating**, 3547 Perry Highway, Hadley, PA 16130, for two (2) roll-off cans, for the Bureau of Sewers at a total cost of \$8,696.00.
3. **National Vacuum Company**, 408 47th Street, Niagara Falls, NY 14304-2102 for cleaning of the grit chamber for the Bureau of Sewers not to exceed a total cost of \$4,200.00.
4. **Total Equipment Company**, 400 Fifth Avenue, Coraopolis, PA 15108, for a Flotation Recirculation Pump, for the Bureau of Sewers at a total cost of \$6,333.00.
5. **PA Chiefs of Police Association**, 3905 North Front Street, Harrisburg, PA 17110, for a one (1) year maintenance agreement for Livescan CPIN (mugshots) software and hardware (\$3,660.00) and fingerprint system maintenance agreement (\$4,419.00), for the Bureau of Police of the City of Erie at total cost of \$8,079.00.
6. **Rohrer Trucking**, 3180 Rte 6N, Waterford, PA 16441, for the demolition of 2223 Parade Street, for the Department of Economic and Community Development at a total cost of \$8,350.00.

February 1, 2012. City Council adopt by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.
February 1, 2012 Signed by the President. Attested by the City Clerk.

February 1, 2012 City Council on motion of Mr. Brennan, Seconded by Mr. Witherspoon, adjourned at 10:46 A.M. by yeas Council Members Brennan, Horan-Kunco, Merski, Schember, Winarski, Witherspoon and Jones. 7. Nays. 0.

President of City Council

Attest:

City Clerk