

The City Council met in regular session in the Council Chambers on  
Wednesday February 20, 2013 at 7:30 P.M.

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

On motion of Mr. Merski, Seconded by Mr. Brennan the reading of the minutes  
of the Meeting of February 6, 2013 were dispensed with and same adopted with copies  
furnished to the members of City Council by yeas Council Members Brennan, Evans,  
Horan-Kunco, Jones, Merski, Witherspoon and Winarski 7. Nays. 0.

Copies of the bills under date of February 15, 2013 and February 22, 2013 were  
given to City Council and same adopted by yeas Council Members Brennan, Evans,  
Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

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By Mr. Winarski, Council File No 15,830, Pending Official File Ordinance No. 9-2013  
An ordinance designating a portion of German Street from East 10<sup>th</sup> Street to  
East 11<sup>th</sup> Street, as "**Rev. Herlies Murphy Way**" in memory of Pastor Herlies  
Murphy.

February 20, 2013. City Council on motion of Mr. Winarski, Seconded by Mr.  
Witherspoon having read Council File No.15,830, now known as Pending Official File  
Ordinance No. 9 -2013 does hereby adopt on Final Passage by yeas Council Members  
Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays 0.  
February 20, 2013, Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No.15,831  
An ordinance appropriating the sum of **\$1,013.74** from unappropriated and  
unanticipated revenue for the expenditure thereof (contribution is from the Huzar  
Club for the purchase of a water rescue Mannequin and Ice rescue pole system  
for the Bureau of Fire).

February 20, 2013. City Council on motion of Mr. Merski , Seconded by Mr.  
Brennan having read Council File No.15,831, does hereby adopt on First Reading by  
yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and  
Winarski. 7. Nays. 0.  
February 20, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No. 15,832

An ordinance appropriating the sum of **\$68,103.50** from unappropriated and  
anticipated revenue to provide for the expenditure thereof for Construction  
Monitoring Services for the Norman Way Bridge Replacement Project.

February 20, 2013. City Council on motion of Mr. Merski, Seconded by Mr.  
Brennan having read Council File No.15,832, does hereby adopt on First Reading by  
yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and  
Winarski. 7. Nays. 0.  
February 20, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Merski, Council File No. 15,833

An ordinance appropriating the sum of **\$947,489.93** from unappropriated and  
anticipated revenue to provide for the expenditure thereof for the Construction of  
the Norman Way Bridge Replacement Project.

February 20, 2013. City Council on motion of Mr. Merski , Seconded by Mr.  
Brennan having read Council File No.15,833, does hereby adopt on First Reading by  
yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and  
Winarski. 7. Nays. 0.  
February 20, 2013. Signed by the President. Attested by the City Clerk.

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

That Mr. Eddie Ocassio, 902 East 21<sup>st</sup> Street, Erie, PA 16503, is hereby appointed to the Erie County Human Relations Advisory Commission for a four (4) year term.

February 20, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski .7. Nays. 0.

February 20, 2013. Signed by the President. Attested by the City Clerk.

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

That Mr. Willie C. McAdory, 448 East 15<sup>th</sup> Street, Erie, PA 16503 is hereby appointed to the Erie County Human Relations Commission Board for a four (4) year term.

February 20, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

February 20, 2013. Signed by the President. Attested by the City Clerk.

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

That on the initiative of City Council, the request to rezone the area of McClelland Avenue and the Bayfront Highway, approximately 40 acres, from C-3 Central Business District, to that of C-2 General Business District, received from Atty. Chester J. Vendetti, representing Vendetti Brothers Association, LLP is hereby received and referred to the City Solicitor, authorizing the preparation for the necessary re-zoning amendment, and refer said ordinance to the City Planning Commission for recommendation and report thereon. (Accompanied by the requisite filing fee of \$500.00).

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

February 20, 2013. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate officials hereby approve the release of the following liens, penalties and interest which allows for the sale of property by the Erie Redevelopment Authority as follows: : **451 East 16<sup>th</sup> Street** having an Index Number of 15020025020300 and liens totaling \$4,116.90; **461 West 18<sup>th</sup> Street** having an Index Number of 19060013012200, however, having the lien filed under Index Number 1603001302200 in the original amount of \$8,516.14; **239 East 12<sup>th</sup> Street** having an Index Number of 15020013021200 in the original amount of \$8,921.77; **249 East 12<sup>th</sup> Street** having an Index Number of 15020013021000, however, having the lien filed under Index Number 18050013021000 in the original amount of \$8,315.14.

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

February 20, 2013. 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 to execute the **Federal Aid Reimbursement Agreement No. 010U72** (MPMS No. 96281) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the construction of the Perry Square Curb Bumpout project, Peach Street and South Park Row, French Street and North Park Row. The total amount of the reimbursement if \$100,000.00.

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

February 20, 2013. 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 to execute the **Federal Aid Reimbursement Agreement No. 010U73** (MPMS No. 96283) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the construction of the Historic Little Italy Streetscape Improvements North Side of West 18<sup>th</sup> Street from Cherry Street to Sassafra Street. The total amount of the reimbursement is \$287,600.00.

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013. 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 to execute the **Federal Aid Reimbursement Agreement No. 010N58** (MPMS No. 58233) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the Construction of the Norman Way Bridge Replacement Project and whereas the selected contractor for the project is Shingledecker's Welding Inc., 118 Shingledecker Drive, Franklin, PA 16323 in the sum of \$997,357.82

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013. 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 to execute the **Federal Aid Reimbursement Agreement No. 010N58** (MPMS No. 58233) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the Construction of the Norman Way Bridge Replacement Project and where the selected consultant (Construction Monitoring Services) for the project is Urban Engineers, Inc., 1319 Sassafra Street, Erie, PA 16501 in the sum of \$71,687.90.

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013. Signed by the President. Attested by the City Clerk

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

That the following amounts are transferred in the Neighborhood Stabilization Program.

Transferred From			Transferred To		
Amount	Account	Title	Amount	Account	Title
\$2,736.52	387-1387-0000-4017	Pension Contr.	<b>\$12,117.74</b>	387-1387-0000-4011	Salaries
8,647.77	387-1387-0000-4018	Group Ins.			
733.45	387-1387-0000-4021	Deferred Comp.			
<b>\$12,117.74</b>					

February 20, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013. Signed by the President. Attested by the City Clerk

By Mr. Witherspoon, Seconded by Mrs. Horan-Kunco, 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. **Tactical & Survival Specialties, Inc.**, PO Box 1890, Harrisonburg, VA 22801 for simmunition marking cartridges, megaphones, ballistic face shields and cotton tipped applicators used by the training unit for quarterly officer training for the Bureau of Police at a total amount of \$2,182.64.
2. **Dummies Unlimited, Inc.**, 2435 Pine Street, Pomona, CA 91767 for a cuff arm arrest and control dummy with free standing mount used by the training

- unit for quarterly officer training for the Bureau of Police at a total amount of \$2,649.20.
3. **Witmer Public Safety Group, Inc.**, 104 Independence Way, Coatesville, PA 19320 for (2) pairs of binoculars, (100) taser 25' replacement cartridges and (15) taser replacement batteries for the Bureau of Police at a total amount of \$3,461.78.
  4. **SBM Electronics, Inc.**, 628 California Avenue, Pittsburgh, PA 15202 for the annual maintenance agreement for the Police Radio & Telephone Recording System for the Bureau of Police at a total amount of \$3,495.00.
  5. **DCED Governor's Center for Local Government Services**, Commonwealth Keystone Building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120-0225, for State Fees due for October, November, and December 2012 (579 permits) for Code Enforcement at a total cost of \$2,316.00.
  6. **Eni USA & R & M Co. Inc.**, Cabot, PO Box 7247-7028, Cabot, PA 16023 for motor oil and hydraulic oil for the Municipal Garage at a total amount of \$3,665.85.

February 20, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013 Signed by the President. Attested by the City Clerk.

### **WAIVE RULES**

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

That the communication received from Mayor Joseph E. Sinnott appointing Mr. Des McDonald, 2004 South Shore Drive, Erie, PA 16505, to the City of Erie Higher Education Authority is hereby received and approved.

February 20, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013 Signed by the President. Attested by the City Clerk.

### **WAIVE RULES**

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

That the communication received from Mayor Joseph E. Sinnott appointing Mr. James Winarski to the City of Erie Higher Education Building Authority to replace outgoing President, Curtis Jones, Jr. is hereby received and approved.

February 20, 2013. City Council adopt by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.  
February 20, 2013 Signed by the President. Attested by the City Clerk.

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February 12, 2013  
James Klemm, City Clerk  
Erie City Hall  
626 State Street  
Erie, PA 16501

RE: City of Erie Higher Education Building Authority

Dear Jim:

Please be advised that I have made the following appointment to the City of Erie Higher Education Building Authority

- Mr. Jim Winarski, 2013 City Council President has been appointed to replace 2012 outgoing President, Curtis Jones, Jr.

If you have any questions, please do not hesitate to contact me.

Sincerely,  
Joseph E. Sinnott  
Mayor

February 18, 2013  
James Klemm, City Clerk

Erie City Hall  
626 State Street  
Erie, PA 16501  
RE: City of Erie Higher Education Building Authority

Dear Jim:

Please be advised that I have made the following appointment to the City of Erie Higher Education Building Authority.

- Mr. Des McDonald has been appointed.

If you have any questions, please do not hesitate to contact me.

Sincerely,  
Joseph E. Sinnott  
Mayor

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A Petition signed by approximately 27 people was presented to City Council by Rosemarie and Roberta McCall, representing the South East Neighborhood Watch regarding the change that has occurred to our neighborhood with the influx of landlords buying up multiple houses in our area which surrounds Mercyhurst University.

February 20, 2013 City Council on motion of Mr. Merski, Seconded by Mr. Brennan, adjourned at 8:30 P.M. by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

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President of City Council

Attest:

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City Clerk