

The City Council met in regular session in the Council Chambers on Wednesday, October 16, 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. Witherspoon, Seconded by Mrs. Horan-Kunco the reading of the minutes of the Meeting of October 2, 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 October 18, 2013, October 25, 2013 and November 1, 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.

By Mr. Evans, Council File No 15,848.

An ordinance to [approve the sale](#) of property located on Port Access Road from the Erie Western Pennsylvania Port Authority to the Greater Erie Industrial Development Corporation for the purchase price of \$1,300,000.00 being some 4.2 acres and repealing all prior ordinances or any part thereof which conflicts with the provisions of this ordinance.

October 16, 2013. City Council on motion of Mr. Evans, Seconded by Mr. Jones having read Council File No.15,848 does hereby adopt on First Reading by yeas Council Members, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 6. Nays. 0. Mr. Brennan abstains.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

That the City Clerk is hereby authorized and directed to advertise for a **public hearing on Wednesday, November 20,2013 at approximately 8:30 P.M. in City Council Chambers**, 626 State Street, Municipal Building, Erie, PA relative to the rezoning of property commonly known as 3503 Peach Street, being the back portion of said property from R-1A (Traditional Single Family Residential) to that of RLB (Residential Limited Business) at the request of Attorney James Toohey, representing Erie Federal Credit Union (EFCU), (accompanied by the requisite filing fee of \$500.00), as amended.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski .7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

That the proper City Officials are hereby authorized and directed to transfer ownership of twenty eight (28) Fire Coats and twenty four (24) Fire Pants to **Central Career & Technical School Protective Services Program**. Central Career & Technical School is accepting this donation as an "as is" donation. This worn out equipment shall be used only for non-firefighting purposes.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

That the proposed [Repository Sale](#) of property commonly known as 655 E 21st Street and identified by Erie County Assessment Index Number 18-050-0250-13400 by the Erie County Tax Claim Bureau to Harold D. Atkinson who resides at 701 E 21st Street, Erie PA in the amount of \$250.00 is hereby approved.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

1. **Mark Schroeck** 1756 W 29th St Erie, PA 16508
2. Gabriel Carducci 662 W 10 ST Erie, PA 16502
3. Kevin Mullaney 708 Burkhart Ave Erie PA 16511

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers. Be it resolved that **Mark Schroeck** 1756 W 29th St Erie, PA 16508 No. 1 on the list having been nominated by Chief Randy Bowers, is hereby appointed as Probationary Patrolman at the current salary of \$38,466.45 and that he is on probation for one year from the date of his appointment on Monday, October 28, 2013.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

1. **Gabriel Carducci** 662 W 10 ST Erie, PA 16502
2. Kevin Mullaney 708 Burkhart Ave Erie PA 16511
3. Anastacia Stewart 201 Dunn Blvd Erie PA 16507

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers. Be it resolved that **Gabriel Carducci** 662 W 10 ST Erie, PA 16502 No. 1 on the list having been nominated by Chief Randy Bowers, is hereby appointed as Probationary Patrolman at the current salary of \$38,466.45 and that he is on probation for one year from the date of his appointment on Monday, October 28, 2013.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

1. **Kevin Mullaney** 708 Burkhart Ave Erie PA 16511
2. Anastacia Stewart 201 Dunn Blvd Erie PA 16507
3. Brian Barber 2815 Harvard Rd Erie PA 16508

The above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers. Be it resolved that **Kevin Mullaney** 708 Burkhart Ave Erie, PA 16511 No. 1 on the list having been nominated by Chief Randy Bowers, is hereby appointed as Probationary Patrolman at the current salary of \$38,466.45 and that he is on probation for one year from the date of his appointment on Monday, October 28, 2013.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

That Upon the initiative of City Council and at the request of Attorney Richard A. Vendetti, a resolution authorizing and directing the City Solicitor to prepare an ordinance, **rezoning 2021 and 2027 East 38th Street** from R-1 (Low Density Residential District) to that of C-1 (Local Commercial District), and after preparation of said ordinance forward to the City Planning Commission for recommendation and report thereon to Erie City Council, (accompanied by the requisite filing fee of \$500.00).

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

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

That the proper City Officials are hereby authorized and directed to enter into a Joinder of a **Proposed Compromise and Settlement** with the County of Erie, Pennsylvania and the School District of the City of Erie, Pennsylvania for the installment payments of delinquent taxes by Modern Tool Realty, through the taxing year of 2012, on the following parcels: (a) 10 East Fourth Street, Erie County Index No. 14-010-003.0-100.65, and (b) French Street, Parcel B, Erie County Index No. 14-010-006.0-143.00. The Compromise provides for the payment of back taxes of \$630,000.00 with an initial payment of \$500,000 paid by December 13, 2013 and \$130,000.00 payable in 35 equal installments of \$3,611.11 and a final payment of \$3,611.15 due on or before December 1, 2016. This consent also provides for a compromise of the interest, penalties and costs through July 1, 2013, as per the Agreement offered by the Erie County Tax Claim Bureau and the County of Erie.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Brennan, 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. **GraybaR**, 12444 Collections Center, Chicago, IL 60693-2444 for [light fixtures](#) for the Bureau of Traffic Engineering at a total cost of \$3,475.00.
2. **Path Master**, Inc., 1960 Midway Dr. Twinsburg, OH 44087 for [signal improvement](#) for the Bureau of Traffic Engineering at a total cost of \$5,066.00.
3. **Path Master**, Inc. 1960 Midway Dr., Twinsburg, OH 44087 for [signal improvement](#) for the Bureau of Traffic Engineering at a total cost of \$9,436.00.
4. **ENI USA & R&M Co. Inc.-Cabot**, PO Box 7247-7028, Philadelphia PA 19170-7028 for oil for the Department of Refuse at a cost of \$4,593.51.
5. **Millcreek Township Sewer Authority**, 3608 West 26th St. Erie, PA 16506 for the reimbursement of the cost of [repairs](#) made to manholes and catch basins on Pittsburgh Avenue for the Bureau of Sewers at a total cost of \$5,440.57.
6. **William T. Spaeder Co.** 1602 East 18th Street, Erie, PA 16514 for the rehabilitation of the [incinerator baffles/silencers](#) at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of \$6,999.99.
7. **Michael Zobrak**, 1217 Pleasant Street, Aliquippa, PA 15001 for the 2013 Firefighter Arbitration fees for the Office of Solicitor at a total cost of \$3,815.02.
8. **N.M.S. Labs**, 3701 Welsh Road, Willow Grove, PA 19090 for lab fees for the Bureau of Police at a total amount of \$7,716.00.
9. **Powell's Portable Toilets**, 18536 Cussewago Road, Meadville, PA 16335 for a one (1) year extension for portable toilet services and rentals for the Bureau of Parks, and special events at unit prices per bid #6373 (2/28/12). See attached.

October 16, 2013. City Council adopts by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

October 16, 2013 Signed by the President. Attested by the City Clerk.

Waive Rules

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

That the City Council meeting scheduled on Wednesday November 20. 2013 at 9:00 A.M. is hereby rescheduled to November 20, 2013 at 7:30 P.M.

October 16, 2013 City Council on motion of Mr. Witherspoon, Seconded by Mrs. Huran-Kunco adjourned at 8:50 P.M. by yeas Council Members Brennan, Evans, Horan-Kunco, Jones, Merski, Witherspoon and Winarski. 7. Nays. 0.

President of City Council

Attest:

City Clerk

