

The City Council met in regular session in the Council Chambers on Wednesday, April 6, 2016 at 9:00 A.M.

Council Members present: Merski, Arrington, Brennan, Jones, Kwitowski, Winarski, and Witherspoon. 7. Nays 0.

On motion of Mr. Merski, Seconded by Mr. Brennan, the reading of the minutes of the Meeting of April 6, 2016 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members, Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

Copies of the bills under date of April 8, 2016 and April 15, 2016, were given to City Council and same adopted by yeas Council Members Arrington, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

By Mr. Jones, Council File No. 15,948, Pending Official File Ordinance No. 10-2016

An ordinance in accordance with the 2016 City of Erie budget the sum of the **\$951,000.00** is appropriated from unappropriated and anticipated revenue for the reallocation thereof in the Debt Service Fund.

April 6, 2016. City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski having read Council File No. 15,945, and now known as Official File Ordinance No. 10-2016 does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

April 6, 2016, Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,949.

An ordinance appropriating the sum of **\$461,000.00** to be received as a [Byrne Criminal Justice Innovation Grant](#) from the U.S. Department of Justice for the BCJI Little Italy Program

April 6, 2016. City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski having read Council File No. 15,945, does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

April 6, 2016, Signed by the President. Attested by the City Clerk.

Pursuant to the proper legal advertising the City Council held a **public hearing on Wednesday, April 6, 2016 at approximately 9:30 AM** to hear testimony regarding the transfer of PLCB liquor license from 2 Harts Inc., d/b/a Springside Lounge & Restaurant, 13777 Ridge Rd., Springfield Township County of Erie, Pennsylvania to Lake First Lounge LLC d/b/a/ Wood's Backwater BARge and Grill, 2 State Street, Erie, PA by request of Elderkin Law Firm, Atty Craig Zonna, 150 East 8th St, Erie, PA.

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

Pursuant to Public Hearing held before City Council on Wednesday, April 6, 2016 and the provisions of Act 141 which requires the consent of the Pennsylvania Liquor Control Board, the request of Atty. Craig Zonna, Elderkin Law Firm 150 East 8th St, Erie, PA 16501-1269 to transfer Liquor License No. R-18681 from 2 Harts Inc., d/b/a Springside Lounge & Restaurant, 13777 Ridge Rd., Springfield Township County of Erie, Pennsylvania to Lake First Lounge LLC d/b/a/ Woody's Backwater BARge and Grill, 2 State Street, Erie, Pennsylvania is hereby approved.

April 6, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016. Signed by the President. Attested by the City Clerk.

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

That **Mr. Lou Bizzarro** of 5657 Old Zuck Road Erie, PA. 16506 is hereby appointed to the **Erie Water Authority** replacing Mr. Richard Dreyfuss whose second term expired. Mr. Bizzarro's term expires December 31, 2020.

April 6, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016. Signed by the President. Attested by the City Clerk.

By Mr. Brennan seconded by Mr. Witherspoon, Resolved, etc.

A resolution receiving that the petition from BPRex Closure Systems LLC c/o C. James Vendetti, Esquire, 3820 Liberty Street, Erie, PA. 16509 and Richard D Arlington, III, dba Arlington Real Estate Services, 1600 Maple Avenue, Lake City, PA. 16423, requesting [vacation of Alley Abutting Tax Parcels](#)

1. 316 W. 16th St, Erie, PA. Bearing Tax Index No (16) 3016-204

2. 317 W. 16th St, Erie, PA. Bearing Tax Index No (16) 3016-208

3. 1613 Hickory St. Erie, PA. Bearing Tax Index No (16) 3016-212

The Alley is described as follows as a ten (10) feet by ninety (90) foot parcel of land that abuts the above-mentioned parcels. This request is received and referred to the City Planning Commission for recommendation and report thereon.

April 6, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016. Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Seconded by Mr. Arrington, Resolved, etc.

That communication received from Raymond Massing, Executive Director Erie [Parking Authority submitting the annual financial statements](#) and reports for the year ending December 31, 2015 of the **Erie Parking Authority** is hereby received and placed on file in the Office of Accounts, Finance and Budget.

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016. Signed by the President. Attested by the City Clerk.

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

Resolved by the Mayor and other appropriate City officials are hereby authorized to **amend the agreement** between the City of Erie and Erie Redevelopment Authority pertaining to the Acquisition Program. The amendment will increase the contract amount by \$6,200, from \$25,000 to \$31,200.

April 6, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016. Signed by the President. Attested by the City Clerk.

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

A resolution authorizing the [Enterprise Zone Loan Review Committee](#) of the following loan is formally ratified:

	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
BB Realty, LLC	\$216,416.00	15 Yrs. Fixed	\$1,082.08

These funds have been made available through the Commonwealth of Pennsylvania Enterprise Zone Program and the Erie Enterprise Zone Revolving Loan Fund and loan repayments. The loan will be charged against account number 310-0000-0000-1007. The interest rate is fixed at 3.5% per annum. A one-time loan processing fee based on ½ of 1.0% of the amount financed will be assessed to the client. The City Solicitor's Office will assist with the preparation of the loan documents for this transaction.

City Council further directs that the proper City Officials are authorized to sign the necessary documents and agreements effectuating same.

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016 Signed by the President. Attested by the City Clerk.

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

Resolved by the Proper City Officials enter into an [Easement Agreement with Erie Insurance](#), 100 Erie Insurance Place, Erie, PA. for the installation of an underground conduit system, containing electrical wiring and street light poles. The conduit and lights will be installed in the public right-of-way along East 4th, East 5th, Est 6th, Est 7th and East 8th Streets from French Street to Holland Street, and East 5th and East 6th Streets from Parade Street to German Street, pursuant to Exhibit "A" and "B".

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016 Signed by the President. Attested by the City Clerk.

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

That the Proper City Officials authorized and directed to file **an application** for a grant from the Pennsylvania Department of Conservation and National Resources ([DCNR](#)) for the Phase 2 McClelland Park Improvement Project.

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016 Signed by the President. Attested by the City Clerk.

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

That the proper City officials are hereby authorized to **extend the Use Agreement** between Millcreek and Erie County Advocated for the Developmentally Disabled, Inc. ("MECA"), a Pennsylvania Non-Profit Corporation for the use of the C. Frances Hagerty Park, previously entered into November 22, 2013 to extend the term by twenty-five (25) years until 2041. Such extension shall be contingent upon and effective only, upon MECA procuring state funding to further the project. MECA shall provide to the City acknowledgement of state approval of grant the application. The original Use Agreement is attached to this Resolution as Exhibit "A"

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016 Signed by the President. Attested by the City Clerk.

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

That the City Solicitor is authorized and directed to **close and vacate East First Street** which is a 10,907 square foot property located off the North West section of East Avenue. This will allow for the construction of a lighted parking area for visitors and employees of the Dr. Gertrude A. Barber Center, INC, upon the recommendation of the City Planning Commission.

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016 Signed by the President. Attested by the City Clerk.

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

That the Council of the City of Erie, the Mayor and City Controller are hereby authorized to execute the Federal Aid Bridge Project Reimbursement Agreement No. **R16010009** (MPMS No. 58232) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the Right-of-way of the City of Erie [McBride Viaduct](#) (East Avenue Bridge)

The total amount of Municipal Incurred Costs to date for Right-of-way is \$25,000.00 Cost Sharing: Federal 80% (\$20,000.00), State 15% (3,750.00) Municipality 5% (\$1,250.00)

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

April 6, 2016 Signed by the President. Attested by the City Clerk.

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

That the following amount is transferred in the **Community Block Grant**:

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$6,200.00	501-1252-2015-4449	ERA-Emergency Repairs	\$6,200.00	501-1252-2015-4583	ERA-Acquisition

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.
April 6, 2016 Signed by the President. Attested by the City Clerk.

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 do hereby ratify and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **3 Rivers Fire Equipment**, 319 Airbrake Avenue, Turtle Creek, PA. 15145 for Twenty(20) Globe Thermal Jackets and Pants for the Bureau of Fire of the City of Erie at a total cost of \$45,842.87.
2. **Crenshaw Brothers Construction**, 1854 East 26th Street, Erie, PA. 16510 be and the same hereby is awarded 2016 Curb Ramps I Project, Bid 1722-16, in the amount of \$158,693.70; and the proper City officials be and they are hereby authorized and directed to sign said contract on behalf of the City of Erie (lowest of five (5) bidders).

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.
April 6, 2016 Signed by the President. Attested by the City Clerk.

3. **Miller Bros. Fence Co.**, 2111 State Street, Erie, PA. 16503 in the amount of \$4,050.00 for the purchase and installation of a [fence at J.C. Martin Golf Course](#).

April 6, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Witherspoon and Merski. 6. Nays. 0. Mr. Winarski abstains.
April 6, 2016 Signed by the President. Attested by the City Clerk.

By Mr. Brennan, Seconded by Mr. Merski, 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. **123 Security Products**, 731 Union Parkway, Ronkonkoma, NY. 11779 for replacing six (6) surveillance cameras in City Hall for the office of Computer Services at a cost of \$4,267.99.
2. **Empire Stack Testing**, 1090 Cain Road, Angola, NY 14006 for 2016 Annual [CEMS Audit](#) Program for sewage sludge incinerators for Bureau of Sewers at a cost of \$12,00.00.
3. **Government Connection**, Milford Road, Merrimack, NH 03054, for a support service contract for [VEEAM](#) Backup and Republican Software for Wastewater Treatment Plant at a cost of \$5,197.34.
4. **K.C. Transportation, Inc.**, 3180 Route 6, Waterford , PA 16441 for the demolition at [1423 West 39th](#) Street for the Bureau of Code Enforcement at a total cost of \$4,500.00
5. **K.C. Transportation, Inc.**, 3180 Route 6, Waterford , PA 16441 for the demolition at 550 East 14th Street for the Department of Economic and Community Development at a total cost of \$4,900.00.
6. **Kingsview Enterprises, Inc.**, 7 West 1st Street, PO Box 2, Lakewood, NY 14750 for the demolition of 1023 West 10th Street for the Department of Economic and Community Development at a total cost of \$10,400.00.
7. **W.B. Mason**, 1225 State Street, Erie, PA 16501 for the purchase and installation of solar blinds for the offices of Finance and Payroll at a cost of \$3,492.00.
8. **McCarls Services, Inc.**, 2004 Lowell Avenue, Erie, PA 16506 for the emergency repair of the heating and cooling system at Erie's South Central Station, Bureau of Fire at a total cost of \$2,190.63.

9. [ONEX](#), 2225 Colonial Avenue, P.O. Box 8436, Erie, PA 16505 for repair of rabble arms to Incinerator #2 at the Wastewater Treatment Plant at a total cost of \$3,152.00.
10. **Penn Detroit Diesel-Allison**, 8330 State Road, Philadelphia, PA. 19136 for a turbo charge for fire truck engine for the [Bureau of Fire](#) at a total cost of \$2,674.48.'
11. [RJ Lee Group, Inc.](#), 350 Hochberg Road, Monroeville, PA 15146 for gunshot residue analysis on clothing for the Bureau of Police at a total amount of \$2,608.39.
12. **Wm. T. Spaeder**, 1602 East 18th Street, PO Box 10066, Erie, PA 16514 for an [emergency repair](#) of an 8 inch sludge line at Wastewater Treatment Plant at a total amount of \$5,029.96.
13. **VWR**, 100 Matsonford Road, Radnor, PA 19087 for a replacement Analytical Balance for the [lab at Wastewater](#) Treatment Plant at a total of \$3,457.06.
14. **Printing Concepts, Inc.** 4982 Pacific Avenue, Erie, PA 16506 for the amount of \$9,418.00 for printing and distribution of the 2016 Summer Parks & Recreation Guide.
15. **Corporate Glass, Inc.**, 2415 Pittsburgh Avenue, Erie, PA. 16502 in the amount of \$6,534.00 for furnishing and installing replacement windows at JC Martin Golf Course for the Department of Public Works.

April 6, 2016. City Council on motion of Mr. Merski, Seconded by Mr. Brennan adjourned at 10:50 A.M. by yeas Council Members Merski, Arrington, Brennan, Jones, Kwitowski, Winarski, and Witherspoon. 7. Nays. 0.

President of City Council

Attest: _____
City Clerk