

The City Council met in regular session in the Council Chambers on Wednesday, May 4, 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 May 4, 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 29, 2016 and May 6, 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. Brennan, Council File No. 15,950, Pending Official File Ordinance No. 12-2016
An ordinance approving the plan of the Erie Sewer Authority for the issuance of an aggregate amount not to exceed **\$4,290,000** Sewer Revenue Bonds, Series 2016 and setting forth the amount, interest rates and maturity dates of the bonds; authorizing the authority to proceed with the plan of financing; authorizing the execution and delivery of a lease agreement and the incurrence of lease rental debt thereby; authorizing the specified officers of the City of Erie to prepare and certify the debt statement, and to do all other acts necessary to carry out the provisions of the ordinance; setting forth the payment of the sewer revenue bonds and the source of such payments; repealing all inconsistent ordinances and providing that the ordinance is effective immediately.

May 4, 2016. City Council on motion of Mr. Brennan, Seconded by Mr. Kwitowski having read Council File No. 15,950, and now known as Official File Ordinance No. 12-2016 does hereby adopt on Final Passage by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

May 4, 2016, Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Council File No. 15,951
An Ordinance authorizing and directing the execution and delivery of a guaranty agreement with the Erie Parking Authority (The "Authority") and compliance with the provisions thereof, approving the issuance by the authority of **\$8,260,000** guaranteed parking revenue bonds, Series of 2016; repealing all inconsistent ordinances, directing the proper officers of the City to take necessary actions and further directing that this ordinance shall take effect immediately.

May 4, 2016. City Council on motion of Mr. Winarski, Seconded by Mr. Kwitowski, having read Council File No. 15,951, does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

May 4, 2016, Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 15,952
An Ordinance appropriating the sum of **\$199,819.00** from unappropriated and anticipated revenue from the Assistant Firefighters Grant (FEMA) for the Bureau of Fire of the City of Erie.

May 4, 2016. City Council on motion of Mr. Witherspoon, Seconded by Mr. Kwitowski having read Council File No. 15,952, does hereby adopt on First Reading by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays 0.

May 4, 2016. Signed by the President. Attested by the City Clerk.

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

A resolution authorizing and directing the proper City officials to execute **Memorandum of Understanding** between [Bayfront Cobblestone](#), LLC and the City of Erie, granting interim relief from the "Sidewalks and Crosswalks" of the City of Erie requirements, in accordance with the terms and conditions to the attached Memorandum of Understanding. (As proposed by Thomas Kennedy, Bayfront Cobblestone, LLC).

**** Pulled at the request of City Council pending further information.**

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

That the City Solicitor is authorized and directed to prepare an ordinance closing and **vacating 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 ten (10) feet by ninety (90) foot parcel of land that abuts the above mentioned parcels.

Request received from BPRex Closure Systems LLC c/o C. James Vendetti, Esquire, and 3820 Liberty Street, Erie, PA. 16509 and Richard D Arlington, III, dba Arlington Real Estate Services, 1600 Maple Avenue, Lake City, PA. 16423, upon the unanimous [approval by the Planning Commission](#) (Accompanied by the requisite fee of \$300.00).

May 4, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

May 4, 2016. Signed by the President. Attested by the City Clerk.

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

That the proposed **Repository sale** of property commonly known as [2019 E 19th Street](#), Lots 9 & 10, Erie, PA and identified by Erie County Assessment Index Number 15-021-028.0-229.00, by the Erie County Tax Claim Bureau to Hue Marshall, 1950 East 20th Street, Erie, PA, in the amount of \$250.00 is hereby approved.

May 4, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

May 4, 2016. Signed by the President. Attested by the City Clerk.

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

That the proper city officials are authorized and directed to execute an **Easement Agreement** on Peach Street between the TAP Housing, LLC, and P.O. Box 9791, Erie, PA. 16505 being the owner of and for the property located at [38 North Park Row](#), Erie, PA. Index (17) 4002-110, in compliance with the attached City Engineer's metes and bounds description locating a sign mounted perpendicular to the building, planting areas adjacent to stairs, trash holding areas with privacy fence and awnings.

May 4, 2016 City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

May 4, 2016. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute an **Easement Agreement** between the City of Erie and EJH Entertainment LLC, 8 East 10th Street, Erie, PA. being the owner of [931 State Street](#), Index (15) 2001-119, in compliance with the attached City Engineer's metes and bounds description locating the area for placement of tables and chairs.

May 4, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

May 4, 2016. Signed by the President. Attested by the City Clerk.

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

Resolved by the Council of the City of Erie

WHEREAS, under the Title I of the Housing and Community Development Act of 1974, as Amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the elimination of prevention of slums or urban blight, or activities which will benefit low and moderate income persons or other urgent community development needs; and,

WHEREAS, under the HOME Investment Partnership Program created by the National Affordable Housing Act of 1990 (NAHA) and amended by the Housing and Community Development Act of 1991, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to participating jurisdictions to expand the supply of decent, safe and sanitary and affordable housing; and

WHEREAS, Under the Emergency Solutions Grants Program contained in the McKinney-Vento Homeless Act, as amended by the Homeless Emergency and Rapid Transaction Act of 2009, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to grantees and nonprofit agencies which provide essential services operations, homeless prevention, rapid re-housing and shelter rehabilitation for homeless persons; and

WHEREAS, the U.S. Department of HUD had advised the City of the FY2016 Entitlements, we have been advised as follows: CDBG, \$2,804,599; HOME, \$657,989; ESG \$252,664; and

WHEREAS, in addition to the entitlement funds, the City Expects to receive \$29,077 in program income; and

WHEREAS, the Department of Community and Economic Development of the City of Erie has prepared a Second Annual Plan for the FY2016 funding year which assesses the housing needs of low and moderate income households, homeless families and individuals, and others with special needs; and

WHEREAS, the draft Second Annual Plan for 2016 was on public display since March 28,2016, and the City held two Public Hearings on said Second Annual Plan, and the comments of various agencies, groups and citizens were taken into consideration in the preparation of the final document; and;

NOW, THEREFORE, be it resolved by the Council of the City of Erie, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

- SECTION 1: That the Second Annual Plan for the FY2016 CDBG, HOME, and ESG Program is hereby in all respects approved and the City Clerk is hereby directed to file a copy of said Second Annual Plan with the minutes of this meeting.
- SECTION 2: That it is cognizant of the conditions that imposed in undertaking and carrying out of community development, affordable housing and emergency homeless activities with federal assistance, including those relating to (1) the relocations of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, family status, or national origin and other assurances as set forth under the certifications.
- SECTION 3: That the Mayor, on behalf of the City of Erie, is authorized to file an application for financial assistance with the U.S. Department of HUD which has indicated its willingness to make available a grant to carry out the CDBG Program in the amount of \$252,664 and is further authorized to act as an authorized representative of the City of Erie to sign any and all documents in regard to these programs.
- SECTION 4: That the Mayor, on behalf of the City of Erie, Pennsylvania, is authorized to provide assurances and/or certifications as required by the Housing and Community Development Act 1974, as Amended, the National Affordable Housing Act of 1990, and the McKinney-Vento Homeless Act, and also any supplemental or revised data which the U.S. Department of HUD may request in connection with the review of this application.

A proposed amendment by Mrs. Arrington, Seconded by Mr. Jones

Recommending the following changes to the Department of Economic and Community Development Second Year Annual Action Plan FY2016 by eliminating the proposed code enforcement position and making changes to funding to the following centers:

1. BTW Center Summer from \$6,000.00 to \$12,000.00
2. MLK Center Summer from \$6,225.00 to \$12,000.00
3. Early Connections to \$12,000.00
4. Nurturing Heart to \$ 7,500.00
5. Urban Erie Community to \$ 12,000.00
6. Youth Leadership Institute to \$ 5,000.00
\$60,500.00

And amending the application for financial assistance with the U.S. Department of HUD to include these changes in the CDBG Program.

May 4, 2016. City Council adopt the amendment by yeas Council Members Arrington, Brennan, Jones and Witherspoon. 4. Nays 3. Council Members Kwitowski, Winarski and Merski.

May 4, 2016. City Council adopt by yeas as amended Council Members Arrington, Brennan, Jones, Kwitowski, and Winarski 6. Nays 1. Mr. Merski.

May 4, 2016. Signed by the President. Attested by the City Clerk.

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

That the proper city officials are authorized and directed to execute an **Easement Agreement** between the City of Erie and Penelec/First Energy Company which allows for a permanent easement for the purpose of performing maintenance on the wood pole currently numbered E-6497 (31) complete with anchor guys on the property known as the north side of East First Street, west of the intersection of [East Avenue and East Bay](#) Drive (14) 10-33-321, which easement is more particularly described in the agreement (Exhibit A-1) attached hereto.

May 4, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0.

May 4, 2016. 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 do hereby ratify and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **All An Act Productions**, 1650 West 39th Street, Erie, PA 16509, for the Footlights Theater Summer Recreational Program in the amount of \$25,185.00
2. **Centrysis Centrifuge Systems**, 9586 58th Place, Kenosha, WI53144 for the rehabilitation and repair of the Rotating Assembly and Rotodiff on Centrifuge D1 at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of \$45,162.00.
3. **JFK Center**, 2021 East 20th Street, Erie, PA 16510, for the Summer Recreation Program (Spoon's Court Summer Basketball), in the amount of \$30,571.00.
4. **Mayer Brothers Construction Co**, 1902 Cherry Street, Erie, PA 16502, 2016 Proposed Milling and Asphalt Resurfacing of Various City Streets - 1 Bid No. 1723-16 In the sum of \$517,413.00 they being the lowest of three (3) bids.
5. **Mayer Brothers Construction Co**, 1902 Cherry Street, Erie, PA 16502 for the street and road maintenance at the unit process quoted per COG Bid #2016-5 dated 4-5-16 for the Bureau of Streets of the City of Erie.
9.5 mm [Virgin Wearing Course](#) loaded on City owned trucks ----- 60.00 per ton.
19 mm Virgin Wearing Course loaded on City owned trucks ----- 55.00 per ton.
25 mm Virgin Wearing Course loaded on City owned trucks ----- 52.50 per ton.

6. **Joseph McCormick Construction**, 3340 Pearl Avenue, Erie, PA 16510 for the street and road maintenance at the unit process quoted per COG Bid #2016-5 dated 4-5-16 for the Bureau of Streets of the City of Erie.
9.5 mm [Virgin Wearing Course](#) loaded on City owned trucks-----60.00 per ton.
19 mm Virgin Wearing Course loaded on City owned trucks-----55.00 per ton.
25 mm Virgin Wearing Course loaded on City owned trucks-----54.00 per ton.
7. **Pennbriar Athletic Club**, 100 Pennbriar Drive, Erie PA 16509, for the Summer Recreational Tennis Program, in the amount of \$7,640.00.
8. **Russell Standard Corporation**, P.O. Box 86, Union City, PA 16438 for street and road maintenance materials for the Bureau of Streets at unit prices per COG Bid #2016-5 dated 4-5-16 for the Bureau of Streets of the City of Erie.
9.5 mm [Virgin Wearing Course](#) loaded on City owned trucks-----52.97 per ton.
19 mm Virgin Wearing Course loaded on City owned trucks-----49.95 per ton.
25 mm Virgin Wearing Course loaded on City owned trucks-----48.51 per ton.
9. **Union Metal Corporation**, 1432 Maple Avenue NE, Canton, OH, 44705 for two new poles, for the Department of Public Works, of the City of Erie at a total of \$14,700.00.
10. **Y.M.C.A. of Greater Erie**, 31 West 10th Street, Erie, PA 16501, for the Summer Learn to Swim Rec. Program in the amount of \$53,247.00
11. **Y.M.C.A. of Greater Erie**, 31 West 10th Street, Erie, PA 16501, for the Summer Recreation Program in the amount of \$140,000.00.
12. **Sherwin-Williams Company**, 101 West Prospect Avenue, 720 GH, Cleveland, OH 44115 for paint for street line painting for the Bureau of Streets, Paint and Sign Division for \$33,215.00

May 4, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 7. Nays. 0
May 4, 2016. Signed by the President. Attested by the City Clerk.

By Mr. Merski, 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. **Aglient Technologies, Inc.**, 2850 Centerville Road, Wilmington, DE 19808-1610 for the renewal of the CrossLab Silver Software support agreement for use at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of \$4,920.96.
2. **Erie Center on Health and Aging**, 406 Peach Street, Erie, PA 16507 for a Senior Walking and Tai Chi Fitness Program for the Department of Parks and Recreation of the City of Erie at a total cost of \$10,000.00.
3. **First National Bank**, 4140 East State Street, Hermitage, PA 16148 for the 2016 February and March analysis for the Office of City Treasurer for the City of Erie at a total cost of \$6,996.54
4. **[Great Lakes and Lawrence Cities Initiative.](#)** 20 North Wacker Drive, Suite 2700, Chicago, IL, 60606 for the renewal of membership dues for the Bureau of Sewers for the City of Erie at a total cost of \$7,000.00.
5. **[Haix North America](#)**, 2320 Fortune Drive, Suite 120, Lexington, KY 40509 for the purchase of boots for the Bureau of Police at a total amount of \$4,905.80.
6. **Kingsview Enterprises, Inc.**, 7 West First Street, PO Box 2, Lakewood, NY 14750 for a demolition at 963 West 6th Street for the Bureau of Economic and Community Development at a total cost of \$6,900.00
7. **Monitoring Solutions, Inc.**, 78 Route 173, Suite 7, Hampton, NJ for the renewal of the [CEMDAS software](#) support agreement for use at the Wastewater Treatment for the Bureau of Sewers for the City of Erie at a total cost of \$7,700.00.
8. **[National Vacuum Company](#)**, 408 47th Street, Niagara Falls, NY, 14304 for the cleaning of Boiler #2 Breaching at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost pf \$3,165.00.
9. **[Schneider Electric](#)**, 2525 East Royalton Road, Broadview Heights, OH 44147 for the purchase and installation of six (6) replacement transformer fans at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of \$3,190.00
10. **Synergy Business Forms, Inc.**, 3802 West Lake Road, Erie, PA 16505 for 2017 Tax Bill Paper for the Office of City Treasurer for the City of Erie at a total cost of \$2,351.38.

11. **S Tabone Construction**, 145 Fairmont Avenue, Jamestown, NY 14701 for a demolition at 435 East 11th Street for the Bureau of Economic and Community Development at a total cost of \$8,500.00.
12. **Ace Viking**, 2222 East 30th Street, Erie, PA 16510, for the repair and service of 100HP motor for the Bureau of Public Buildings, Department of Public Works of the City of Erie at a total cost of \$2,100.00
13. **Les Frickshun Products**, 1705 Allegheny Blvd., Reno, PA 16343 for Ethylene Glycol used in the HVAC system at the Wastewater Treatment Plant for the Bureau of Sewers for the City of Erie at a total cost of \$4,917.00
14. **Miller Brothers Company**, 2111 State Street, Erie, PA 16503 for a Billy Goat Hydrostatic Sod Center for the Bureau of Parks, Department of Public Works of the City of Erie at a total cost of \$4,101.00.
15. **Window Cleaning by Jim Price**, PO Box 8841, Erie, PA 16505-0841, for the exterior window cleaning of City Hall, for the Bureau of Public Buildings, Department of Public Works of the City of Erie at a total cost of \$5,150.00.

May 4, 2016. City Council adopt by yeas Council Members Arrington, Brennan, Jones, Kwitowski, Winarski, Witherspoon and Merski. 6. Nays. 0.

May 4, 2016, Signed by the President. Attested by the City Clerk.

May 4, 2016. City Council on motion of Mr. Merski, Seconded by Mr. Brennan Adjourned at 11:32 A.M. by yeas Council Members Merski, Arrington, Brennan, Jones, Kwitowski, Winarski, and Witherspoon. 7. Nays. 0.

President of City Council

Attest: _____
City Clerk