

The City Council met in regular session in the Council Chambers on Wednesday, April 17, 2019 at 7:30 P.M.

Council Members present: Winarski, Allen, Arrington, Jones, Kwitowski, Schaaf, and Witherspoon. 7. Yeas. 0.

On motion of Mr. Witherspoon, Seconded by Mrs. Schaaf, the reading of the minutes of the Meeting of April 3, 2019 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays. 0. Copies of the bills under date of April 12 and 19, 2019, were given to City Council and same adopted by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

By Mr. Witherspoon, Council File No. 16,086 Pending Official Ordinance 26-2019

An ordinance appropriating the sum of **\$150,000.00** from unappropriated and unanticipated revenue received from a Commonwealth of Pennsylvania Greenways, Trails and Recreation Grant and providing for the expenditure thereof for the Bayview Park Improvement Project.

April 17, 2019. City Council on motion of Mr. Witherspoon, Seconded by Mrs. Schaaf, having read Council File No. 16,086, and now known as Pending Official File Ordinance No. 26-2019 does hereby adopt on Final Passage by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

April 17, 2019 Signed by the President. Attested by the City Clerk.

By Ms. Allen, Council File No. 16,087 Pending Official Ordinance 27-2019

An ordinance amending the Uniform Construction Code of the City of Erie's Codified Ordinances to adopt and incorporate by reference the 2015 versions of various codes and to increase certain fees and licensing requirements.

April 17, 2019. City Council on motion of Ms. Allen, Seconded by Mrs. Arrington, having read Council File No. 16,087, and now known as Pending Official File Ordinance No. 27-2019 does hereby adopt on Final Passage by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

April 17, 2019 Signed by the President. Attested by the City Clerk.

By Mrs. Schaaf, Council File No. 16,088 Pending Official Ordinance 28-2019

An ordinance appropriating the sum of **\$2,500.00** from unappropriated and unanticipated revenue from **National Night Out**.

April 17, 2019. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,088, and now known as Pending Official File Ordinance No. 28-2019 does hereby adopt on Final Passage by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

April 17, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 16,089

An ordinance appropriating the sum of **\$18,147.00** from unappropriated and unanticipated revenue received from Our West Bayfront Neighborhood Group and providing for the expenditure thereof for the Bayview Park Improvement Project.

April 17, 2019. City Council on motion of Mr. Witherspoon, Seconded by Mrs. Schaaf, having read Council File No. 16,089, does hereby adopt on First Reading by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

April 17, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Council File No. 16,090

An ordinance amending **Article 204, Section 204.14 Article 205, Article 305, Sections 305.24, 305.25 and 305.44**, and **Article 6** to allow eating and drinking establishments and limited retail business to be located in the RLB District.

April 17, 2019. City Council on motion of Mr. Kwitowski, Seconded by Mr. Jones, having read Council File No. 16,090, does hereby adopt on First Reading by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

April 17, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Council File No. 16,091

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 the southwest corner of West 5th Street and Cranberry Street (Index Nos: 17-41-02-101, 105 and 114) from R-3 High Density Residential to RLB Residential Limited Business, as amended.

April 17, 2019. City Council on motion of Mr. Kwitowski, Seconded by Mr. Jones, having read Council File No. 16,091, does hereby adopt on First Reading by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

April 17, 2019 Signed by the President. Attested by the City Clerk.

Pursuant to PA 47 P.S.4-461 (b.3) and the provisions to the proper legal advertising a **Public Hearing** was held Wednesday April 17, 2019 at approximately 8:00 pm in City Council Chambers 626 State Street, Municipal Building, Erie, PA 16501 to hear testimony concerning transfer of the **Inter Municipal Liquor License** No. D2947, LID 66867 from **Huskies Beer Distributor**, LLC 6835 Buffalo Rd. Harborcreek, PA 16421 to 3820 Washington Avenue, A4 Erie, PA (commonly known as "Park Plaza" and also the former location of **Greengarden Beer Distributor**).

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

That Erie City Council supports the expansion of the **Emergency Vehicle Preemption System** formerly known as **RELCO**. For almost 50 years the City of Erie Police, Fire and all emergency vehicles have used this system until recently when the system within the City has become almost obsolete. For the concern and safety of our community, Erie City Council supports all efforts to secure funding for the upgrade of the Emergency Vehicle Preemption System.

April 17, 2019. City Council adopt by yeas Council Members, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 6. Nays. 1 Allen.

April 17, 2019. Signed by the President. Attested by the City Clerk.

By Mrs. Schaaf, Seconded by Mr. Winarski, Resolved, etc.

WHEREAS, every ninety two seconds there is an American who is sexually assaulted and;
WHEREAS, eight out of ten rapes happen by someone known to the victim and;
WHEREAS, every nine minutes a child is sexually assaulted in the United States and;
WHEREAS, college student males are approximately five times more likely than non-students of the same age to be a victim of sexual assault and;
WHEREAS, college age women are at a high risk of sexual violence and;
WHEREAS, the month of April is nationally known as **Sexual Assault Awareness Month** and this governing body of City Council Members do hereby decree that across this city of Erie, Pennsylvania we urge its citizens to know that it is never too late to get help. 800-656-HOPE and online at rainn.org. #SAAPM. When you call 800-656-HOPE you will be assisted to a local sexual assault provider in your area who is trained to care for survivors of sexual assault. **Crime Victim's Center** in Erie is located at 125 West 18th Street, Erie, Pennsylvania.
SO THEREFORE BE IT RESOLVED, that Sexual Assault Awareness Month is an annual campaign to raise public awareness about sexual assault and educate cities and individuals on ways to prevent sexual violence which is observed in April. Their color is TEAL. This year's theme is ASK, "I ask for consent".

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

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

Receiving the communication from Attorney Richard A. Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509, requesting the City Council approval for the transfer of **PaLCB Restaurant Auction Liquor License R-4190** which Restaurant Liquor License was previously located in Millcreek Township (address unknown) and was recently purchased at auction, and will be transferred to the **Kang Fuel and Food Mart**, Inc. situate at 605 Parade Street, Erie, Pennsylvania 16503, is hereby received and Whereas, pursuant to PA 47 P.S. 4-461 (b.3) the City Clerk is hereby authorized and directed to advertise for a public hearing in reference to the above matter, on Wednesday May 15, 2019 at approximately 8:00 PM to hear testimony concerning the Inter Municipal Transfer of Liquor License No. R-4190.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. 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 **626 East 24th Street**, Erie, PA and identified by the Erie County Assessment Index Number [18-050-026.0-119.00](#) by the Erie County Tax Claim Bureau to Stephen and Jacqueline Jones, 1203 West 26th Street, Erie, PA in the amount of **\$250.00** is hereby approved.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. 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 **640 East 4th Street** Erie, PA and identified by the Erie County Assessment Index Number 14-010-021.0-137.00 by the Erie County Tax Claim Bureau to Dwayne Durham, 238 Moffat Avenue, Washington, PA in the amount of **\$250.00** is hereby approved.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City Officials are authorized and directed to extend Resolution Number 131-183-C dated January 18, 2017 between the City of Erie and **Mullin & Lonergan Associates** to provide consulting services to assist the City with Community and Housing Development consulting services, Consolidated Plan, Environmental Review, and Affirmative Fair Housing Study for the four-year period 2017, 2018, 2019 and 2020. The total compensation to be paid to Mullin & Lonergan under the Agreement is not to exceed \$88,000.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Winarski, Resolved, etc.

That the proper City officials are authorized and directed to enter into an agreement with **PFM Group Consulting, LLC** to provide management and budget consulting services to the City of Erie in accordance the Agreement marked as Exhibit A attached at a cost not to exceed \$180,000.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Winarski, Resolved, etc.

That the proper City officials are authorized and directed to enter into a Memorandum of Understanding with the Erie County Department and **Planning and Community Development Data Center** for data, information systems and technological informative improvements from January 1, 2019 through December 31, 2019 at a cost of \$6,250 per quarter.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mrs. Schaaf, Resolved, etc.

That the proper City officials are authorized and directed to submit the standard PennDot form requesting authorization to install and operate flashing speed limit devices. **School flashers** will be added or relocated using TA Set-Aside grant funding at Grover Cleveland Elementary School, East Middle School, McKinley Elementary School, Edison Elementary School, Lincoln Elementary School, Harding Elementary School, Strong Vincent Middle School, Pfeiffer-Burleigh Elementary School, Collegiate Academy, Woodrow Wilson Middle School, Emerson-Gridley Elementary School, Mother Teresa Academy and Luther Memorial Academy.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Kwitowski, 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. **City of Erie School District**, 148 West 21st Street, Erie, PA 16502 for the reimbursement to the [Erie School District](#) for their purchases of Security Equipment and Technology for increased security and violence prevention at the districts school buildings for the Bureau of Police at a total amount of **\$222,852.00**.
2. **Day Ford**, 3696 William Penn HWY, Monroeville, PA 15146 for one (1) 2019 Ford F-250 Regular Cab for \$24,118.00 and one (1) Ford F-250 Crew Cab with power lift gate for \$30,566.00 for the Municipal Garage, Department of Public Works, at a total amount of **\$54,684.00**.
3. **Empire Snow Management**, 10860 Donation Road, Erie, PA 16441 for the 2019 [Curb Ramps](#) I Project, Bid 1753-19 in the amount of **\$137,071.00**.
4. **Snider Recreation, Inc.**, 10139 Royalton Road, Suite K, North Royalton, OH 44133 for the purchase and installation of a [Splash Pad](#) in Bayview Park for the Bureau of Economic and Community Development at a total cost of **\$203,147.00**.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Witherspoon, 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. **Civic Engagement Office at Allegheny College**, P.O. Box 22, 520 N. Main Street, Meadville, PA 16335 for the Lake Effect Leaders VISTA member host site contribution for 2019-2020 for the Mayor's Office at a total cost of **\$4,500.00**.
2. **John McQueen, Inc.**, 4331 Dunn Valley Road, McKean, PA 16426 for purchase and installation of [solar blinds](#) in the main operations area of the criminal investigation division office and in the major crimes area for the Bureau of Police at a total cost of **\$3,402.00**.

3. **Dwyer Excavating**, 210 Townhall Road West, Waterford, PA 16441 for two (2) demolitions, one at 414 East Avenue (\$3,800.00) and the second at 1820 Schaal Avenue (\$3,100.00) for the Bureau of Economic and Community Development at a total cost of **\$6,900.00**.
4. **John M. Lipchik**, 10163 Sampson Road, Erie, PA 16509 for the demolition at 330 East 25th Street (\$4,900) and 453 East 7th Street (\$5,400.00) for the Bureau of Economic and Community Development at a total cost of **\$10,300.00**.
5. **K.C. Demolition**, 3180 Route 6, Waterford, PA 16441 for the demolition of 706 West 3rd Street for the Bureau of Economic and Community Development at a total cost of **\$6,550.00**.
6. **Silent Call Communications**, 5095 Williams Road, Waterford, MI, 48329 for twenty-two (22) smoke detectors with transmitters and twenty-two (22) sidekick receivers with strobe light for the hearing impaired for the Bureau of Fire at a total cost of **\$4,788.64**.
7. **Great Lakes & St. Lawrence Cities Initiative**, Suite 2700, Chicago, IL 60606 for the annual renewal of membership dues for the Bureau of Sewers at a total cost of **\$7,700.00**.
8. **Filtech, Inc.**, 221 West 8th Street, West Homestead, PA 15120 for the purchase of HEPA filters for the inlet of the Blower System at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of **\$5,492.36**.
9. **Trane US**, 45 Earhart Drive, Suite 103, Buffalo, NY 14221-789 for the maintenance agreement for the Absorption, Chillers and Air Handling Unit at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of **\$8,775.00**.
10. **David Milano Construction**, 2204 Zimmerly Road, Erie, PA 16506, for the materials only to install sanitary manholes at 1410 Wayne Street and 1354 West 11th Street for the Bureau of Sewers:
 - \$2,278.21 (Material Costs Only)**
 - \$2,022.01 (Material Costs Only)**
 - \$4,300.22 Total Material Cost**
11. **Ace Viking**, 2222 East 30th Street, Erie, PA 16510 for the repair of the ORF recovery pump motor at the Wastewater Treatment Plant for the Bureau of Sewers at a total amount of **\$2,940.00**.
12. **Dival Safety & Supplies**, 1721 Niagara Street, Buffalo, NY 14207 for the warranties for eight (8) gas detectors for the Bureau of Fire at a total cost of \$3,440.00.
13. **Kayline Company**, PO Box 603207, Cleveland, OH 44103 for LED lighting upgrades at City Hall in the amount of **\$3,239.48**.
14. **William T. Spaeder Co.**, 1602 E. 18th Street, PO Box 10066, Erie, PA 16514 to repair the storm sewer at the Marsh Street Garage in the amount of **\$2,600.00**.
15. **Groff Tractor & Equipment**, P.O. Box 62904, Baltimore, MD 21264-2904 for Milling Machine parts for the Bureau of Streets at a cost of **\$6,612.26**.
16. **Erie Area Council of Governments (EACOG)**, 150 East Front Street #300, Erie, PA 16507 to contribute the creation of a local Complete County Committee (CCC) with Erie County and other municipalities participating through the EACOG and hire a coordinator to work with the Census 2020 Complete Count Committee for the Mayor's Office at a total amount of **\$10,000.00**.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

WAIVE RULES

By Ms. Allen, Seconded by Mrs. Arrington, Resolved, etc.

That Cheryl Rush Dix, 3944 Wood Street, Erie, PA 16509 is hereby appointed to the Erie Water Works Board to complete the term vacated by the resignation of board member Shatreece Johnson. Her term will expire on the first Monday in January 2022.

April 17, 2019. City Council adopt waive rules by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

April 17, 2019. Signed by the President. Attested by the City Clerk.

April 17, 2019, City Council on motion of Mr. Witherspoon, Seconded by Mrs. Schaaf adjourned at 8:51 P.M. by yeas Council Members Winarski, Allen, Arrington, Jones, Kwitowski, Schaaf, and Witherspoon. 7. Nays. 0.

President of City Council

Attest: _____
City Clerk