

The City Council met in regular session in the Council Chambers on Wednesday, October 16, 2019, at 7:30 P.M.

Council Members present: Winarski, Allen, Arrington, Jones, Kwitowski, Schaaf and Witherspoon (by phone). Yeas. 7.

On motion of Mr. Winarski, Seconded by Mrs. Arrington, the reading of the minutes of the Meeting of October 2, 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 September 11th and October 18th, 2019 were given to City Council and same adopted by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Winarski and Witherspoon 7. Nays. 0.

By Mr. Witherspoon, Council File No. 16,124 Pending Official Ordinance 63-2019

An ordinance closing and vacating of approximately 4740 sq. ft. of Wagner Avenue adjacent to **1602 Wagner Avenue**.

October 16, 2019. City Council on motion of Mr. Witherspoon, Seconded by Mr. Kwitowski, having read Council File No. 16,124, and now known as Pending Official File Ordinance No. 63-2019 does hereby adopt on **Final Passage** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

October 16, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Council File No. 16,125 Pending Official Ordinance 64-2019

An ordinance **amending Part V (Traffic Code)**, Title Five (Stopping, Standing and Parking), Article 521 (Parking Generally), Article 523 (Parking Meters) and deleting Article 523.09 (Penalty).

October 16, 2019. City Council on motion of Mr. Witherspoon, Seconded by Mrs. Schaaf, having read Council File No. 16,125, and now known as Pending Official File Ordinance No. 64-2019 does hereby adopt on **Final Passage as amended** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

October 16, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 16,126 Pending Official Ordinance 65-2019

An ordinance closing and vacating the 90' portion of East 9th Street immediately adjacent and west on UPMC Park for the purpose of creating a left field entrance to UPMC Park and an addition to Erie Insurance Arena integrating the two venues and creating office and retail space.

October 16, 2019. City Council on motion of Mr. Winarski, Seconded by Mr. Witherspoon, having read Council File No. 16,126, and now known as Pending Official File Ordinance No. 65-2019 does hereby adopt on **Final Passage** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski. 7. Nays 0.

October 16, 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 to **submit a Business Plan and Full Application** to the Commonwealth of Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program (RACP) grant in the amount of \$2,500,000 to be utilized for the Flagship City Development, owned by Erie Downtown Development Corporation (EDDC).

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 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 execute an updated Resolution authorizing Individuals to Act on behalf of the City of **Erie 457** Deferred Compensation Plan with **AIG Retirement Services**.

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 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 execute an updated Resolution Authorizing Individuals to Act on behalf of the City of **Erie 401(a)** Discretionary Matching Plan with **AIG Retirement Services**.

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

MCPc, Inc.	<u>Amount</u>
	\$25,000.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Erie Regional Manufacturer Partnership	<u>Amount</u>
	\$25,000.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following loan is formally ratified:

Myrtle Street Realty Company (New Directions Healthcare)	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
	\$540,000.00	15 Years	\$2,700.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following loan is formally ratified:

Scott's Parking Lot, LLC (Scott's Bayfront Development, Inc.)	<u>Amount</u>	<u>Term</u>	<u>Fee</u>
	\$168,750.00	15 Years	\$843.75

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

French Street Farms	<u>Amount</u>
	\$4,142.42

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Efficient Nomad, LLC	<u>Amount</u>
	\$3,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Masonic Temple Association of Erie	<u>Amount</u>
	\$3,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Tipsy Bean, LLC	<u>Amount</u>
	\$2,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Barb's Family Learning Daycare	<u>Amount</u>
	\$2,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Altered State Distillery	<u>Amount</u>
	\$2,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Andora's Bubble, LLC	<u>Amount</u>
	\$2,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant is formally ratified:

Bayfront Glass, LLC	<u>Amount</u>
	\$2,500.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the **Enterprise Zone Loan Review Committee** approval of the following grant be formally ratified:

Lake Erie Woodworks	<u>Amount</u>
	\$1,200.00

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the proposed property commonly known as 513 East 7th Street, Erie, PA and identified by Erie County Assessment Index Number 14-010-016.0-118.00 by the Erie County Tax Claim Bureau to **Erie Redevelopment Authority**, 626 State Street, Room 107 Erie, PA in the amount of **\$250.00** is hereby approved.

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, and Schaaf 5. Nays. 2. Witherspoon and Winarski

October 16, 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 to execute a contract between the City of Erie and the US Department of Justice, Bureau of Justice Assistance for the Innovations in Community-Based Crime Reduction Program FY19 grant award (**2019-BJ-BX-0008**).

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, and Schaaf 5. Nays. 2. Witherspoon and Winarski

October 16, 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 to execute a memorandum of understanding between the City of Erie and Mercyhurst University in regards to the Innovations in Community-Based [Crime Reduction Program](#) FY19 grant award (**2019-BJ-BX-0008**).

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, and Schaaf 5. Nays. 2. Witherspoon and Winarski

October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute an [Easement](#) Agreement between the City of Erie and the Erie **Western Pennsylvania Port Authority** for the City of Erie Wastewater Treatment Plant's Water Service Project to allow for the placement of an electric line to the Meter.

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, and Schaaf 5. Nays. 2. Witherspoon and Winarski
October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute a Supplemental Agreement between the City of Erie and **CSX Transportation**, Inc. for the City of Erie Wastewater Treatment Plant's Water Service Project. This agreement will extend the effective date of the original 2014 executed agreement to allow for the placement of a [waterline within CSX](#) right-of-way.

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, and Schaaf 5. Nays. 2. Witherspoon and Winarski
October 16, 2019. Signed by the President. Attested by the City Clerk.

By Mrs. Arrington, Seconded by Mrs. Schaaf, Resolved, etc.

That the Mayor and City Controller are authorized to execute the **Multimodal Transportation Fund Grant Agreement** for Highway and Bridge Projects No. 010X29 (MPMS No. 111014) between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the construction of the West 8th Street Corridor Improvements from Pittsburgh Avenue to Greengarden Blvd.

The total amount of the grant to the Municipality is \$2,550,000.00
The amount of City matching funds is \$778,398.00
The total project cost is \$3,328,398.00
(70% State, 30% Municipal, 0% Federal)

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, and Schaaf 5. Nays. 2. Witherspoon and Winarski
October 16, 2019. Signed by the President. Attested by the City Clerk.

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

That the following amounts are transferred in the **[Police Drug and Vice Account](#)**

Transferred from:			Transferred to:		
Amount	Account	Title	Amount	Account	Title
\$ 17,790.67	215-0613-0000-4006	Overtime	\$ 18,647.18	215-0613-0000-4039	Consumable Items
462.42	215-0613-0000-4016	FICA/Medicare			
392.09	215-0613-0000-4021	Deferred Comp			
\$ 18,647.18					

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.
October 16, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mrs. Arrington, 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. **Joseph McCormick Construction Company**, 3340 Pearl Avenue, Erie, PA 16510 for the 2018 Proposed Milling and [Asphalt Resurfacing](#) of Various City Streets-2 Bid No. 1744-18 increased scope of work in the amount of **\$10,879.00.Sunking, Inc.,**

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.
October 16, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mrs. Arrington, 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. **Penn Power Group**, PO Box 829798, Philadelphia, PA 19182-9798 for engine parts for repairs on [Engine 11](#) for the Bureau of Fire at a total cost of **\$7,208.16**.
2. **Penn Power Group**, PO Box 829798, Philadelphia, PA 19182-9798 for the emergency purchase of a Turbo Charger for [Tower 1](#) for the Bureau of Fire at a total cost of **\$2,561.04**.
3. **Mobilcom**, 16343 Conneaut Lake Road, PO Box 1234, Meadville, PA 16335 for 100 Li-ion 34000mah portable radio batteries to be used as backups and spares for the Bureau of [Police](#) at a total cost of **\$12,400.00**.
4. **American Red Cross Training Services**, 25688 Network Place, Chicago, IL 60673 for 90 police officers to be certifies in Adult First Aid/CPR/AED, which is a requirement of their 3rd quarter training and certifications for the Bureau of [Police](#) at a total cost of **\$2,700.00**.
5. **DCED**, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225 for State fees due for [April, May, June, July, August and September](#) 2019 (1310 permits) for the Bureau of Code Enforcement at a total cost of **\$5,859.00**.
6. **Centrisys Centrifuge Systems**, 9586 58th Place, Kenosha, WI 53144 for the [emergency repair](#) of Centrifuge D-2 at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of **\$10,416.71**.
7. **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 16506, for materials only to repair a sanitary connection at 308 East 9th Street, install a sanitary manhole at 3902 Myrtle Street, dig out winter cuts & repair a sanitary connection at 2640 Warfel Avenue, finish sanitary manhole at 39th & Myrtle, repair a sanitary connection at 619 West 7th Street and dig out winter cuts at various locations for the Bureau of Sewers:

\$ 2,381.93 (Material Costs Only)
 \$ 2,860.96 (Material Costs Only)
 \$ 2,899.58 (Material Costs Only)
 \$ 2,469.08 (Material Costs Only)
 \$ 2,558.33 (Material Costs Only)
 \$ 4,714.50 (Material Costs Only)
 \$ 2,979.38 (Material Costs Only)
\$20,863.76 Total

8. **Golden Equipment**, PO Box 873, Mars, PA 16046 for a [sweeper blower](#) for the Bureau of Streets at a cost of **\$2,951.30**.

WAIVE RULES

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

That the Mayor and other appropriate City Officials are hereby authorized to execute a cooperation agreement between Erie Downtown Development Corporation (EDDC) and the City of Erie RACP administration and compliance with the Commonwealth Office of the Budget for the Flagship City Development project.

Further resolved, that the City of Erie hereby designates the Director of the City of Erie Department of Economic and Community Development (DECD) as the Official to execute all documents and agreements between the City of Erie and EDDC.

October 16, 2019. City Council adopt waive rules by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.

October 16, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf, Witherspoon and Winarski 7. Nays. 0.
October 16, 2019. Signed by the President. Attested by the City Clerk.

October 16, 2019, City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington adjourned at 9:08 P.M. by yeas Council Members Winarski, Allen, Arrington, Jones, Kwitowski, and Schaaf. 6. Nays. 0. Mr. Witherspoon hung up at 8:40 PM.

President of City Council

Attest: _____
City Clerk

**CITIZEN'S TO BE HEARD
SIGN IN SHEET**

PLEASE PRINT

DATE 10/16/19

NAME	ADDRESS	PHONE #	TOPIC
ANAST. TADOT	531 W 6TH FLZ	456 8607	W 8TH PROJECT
Roxine Benson	747 - E. 22 nd ST	504-4278	Energy Club
Margarita Jangel	1948 W 33rd St	454-7814	Energy Club
Freida Tepper			

PLEASE DO NOT REMOVE