

The City Council met in regular session in the Council Chambers on Wednesday, December 4, 2019, at 9:00 A.M.

Council Members present: Winarski, Allen, Arrington, Jones, Kwitowski and Schaaf.

Yeas. 6. Witherspoon Absent

On motion of Mr. Winarski, Seconded by Mr. Witherspoon, the reading of the minutes of the Meeting of November 20, 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 and Winarski. 6. Nays. 0. Copies of the bills under date of November 29 and December 6, 2019 were given to City Council and same adopted by Yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

By Mrs. Schaaf, Council File No. 16,136 Pending Official Ordinance No. 73-2019

An ordinance of the City Council of this City of Erie (**"The City"**) determining to incur lease rental debt; evidenced by the guaranteed revenue note in the maximum principal amount of \$32,000,000 to be authorized and issued by **Erie City Water Authority** in connection with the construction, alteration and improvements to the public water distribution facilities in and about this City, including but not limited to, the Cherry Street Pump Station and **Pro-Fi** improvement projects and paying related costs, fees and expenses; specifying the realistic useful life of the project; authorizing and directing appropriate officers of the City to take certain actions and to execute certain documents, including a guaranty agreement, between the City, as guarantor and the Erie City Water Authority, and the Pennsylvania Infrastructure Investment Authority; approving the form, maximum guaranteed amounts and sources of payment of the guaranty agreement, creating a sinking fund in connection with such guaranty obligations and appointing a **Sinking Fund Depository**; and providing for the repeal of all inconsistent ordinances or parts of ordinances.

December 4, 2019. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,136, and now known as Pending Official File Ordinance No. 73-2019 does hereby adopt on **Final Passage** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski. 6. Nays 0.

December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 16,137 Pending Official Ordinance No. 74-2019

An ordinance appropriating the sum of **\$500,000.00** from unappropriated and anticipated revenue is received as an [ARC](#) (Appalachian Regional Commission) POWER 2019 grant through the U.S. Department of Housing and Urban Development (HUD). This grant will be utilized to purchase the system necessary to deploy free public Wi-Fi in the City's eight opportunity zones.

December 4, 2019. City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski, having read Council File No. 16,137, and now known as Pending Official File Ordinance No. 74-2019 does hereby adopt on **Final Passage** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski. 6 Nays 0.

December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 16,134

An ordinance fixing the **tax rate** for all city purposes for the Fiscal Year (beginning on January 1, 2020 and ending on December 31, 2020).

December 4, 2019. City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington, having read Council File No. 16,134, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 16,135

An ordinance of the City of Erie, County of Erie and Commonwealth of Pennsylvania, adopting the **General Fund** and certain other budgets for the fiscal year (beginning January 1, 2020 and ending December 31, 2020).

December 4, 2019. City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington, having read Council File No. 16,135, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mrs. Schaaf, Council File No. 16,138

An ordinance Erie City Council of the City of Erie, Erie County, Pennsylvania, **prohibiting** the use of **tobacco** in recreational areas, parks and playgrounds and providing penalties for violations thereof.

December 4, 2019. City Council on motion of Mrs. Schaaf, Seconded by Mrs. Arrington, having read Council File No. 16,138, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Kwitowski, Council File No. 16,139

Amending the Codified Ordinance for the City of Erie, Part One Administrative Code, **Title Seven** Employment Provisions; Pension, **Article 145 Officers and Employees'** Retirement System, Subsection 145.02 (c) Definitions, Actuarial Equivalent is changed.

December 4, 2019. City Council on motion of Mr. Kwitowski, Seconded by Mr. Jones, having read Council File No. 16,139, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 16,140

Amending the Codified Ordinance for the City of Erie, Part One Administrative Code, **Title Seven** Employment Provisions; Pension, **Article 149 Firefighter's Pension** Plan Subsection 149.01 (c) Definitions, Actuarial Equivalent is changed.

December 4, 2019. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,140, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 16,141

Amending the Codified Ordinance for the City of Erie, Part One Administrative Code, **Title Seven** Employment Provisions; Pension, **Article 147 Police Relief and Pension** Association Subsection 147.01 (c) Definitions, Actuarial Equivalent is changed.

December 4, 2019. City Council on motion of Mr. Jones, Seconded by Mr. Kwitowski, having read Council File No. 16,141, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 16,142

Amending the Codified Ordinance for the City of Erie, Part Three Business Regulation and Taxation Code, **Title Five – Act 511 Taxes**, Article 371 Earned Income Tax Subsections 371.02(a) and (d) effective January 1, 2020 by fixing the Earned Income Tax for general revenue purposes (Act 511) at 1% and the distressed municipal pension recovery tax (Act 205) at .65% for a total earned income tax rate of 1.65%.

December 4, 2019. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,142, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0. December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mrs. Schaaf, Council File No. 16,143

Amending the Codified Ordinance for the City of Erie, Part Nine Streets, Utilities and Public Services Code, **Title Five Sewer and Water**, Article 933 Sewer Rental, Subsection 933.02 (a) by increasing the service charge fee per user. Raising each dwelling unit from \$17.45 to \$25.00 per bill. The Sewer Meter rate schedule will not change.

December 4, 2019. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,143, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0.
December 4, 2019 Signed by the President. Attested by the City Clerk.

By Mrs. Schaaf, Council File No. 16,144

Amending the Codified Ordinance for the City of Erie, Part Nine Streets, Utilities and Public Services Code, **Title Seven – Other Public Services**, Article 951 Residential Refuse, Subsection 951.09 (a) by increasing the collection fee per dwelling unit from \$220.00 to \$261.00 per year.

December 4, 2019. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,144, does hereby adopt on **First Reading** by yeas Council Members Allen, Arrington, Jones, Kwitowski, Schaaf, and Winarski. 6. Nays 0.
December 4, 2019 Signed by the President. Attested by the City Clerk.

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

That **Mr. John Reitinger** of 716 West 5th Street, Erie, PA 16507 is re-appointed to the City of Erie **Zoning Hearing Board** for a five-year term. His Term will expire December 31, 2022.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.
December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That **Mr. Daniel J. Bensur** of 529 Lindsay Court, Erie, PA 16509 is re-appointed to the **Erie City Water Authority** for a five (5) year term. Mr. Bensur represents a County resident appointment and his term will expire on the first Monday in January 2024.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.
December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That **Mr. Roger Whelan** of 1215 East 28th Street, Erie, PA 16504 is re-appointed to the **City of Erie Sewer Authority**. Mr. Whelan's second term will expire December 31, 2024.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.
December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That **Mr. Daniel Giannelli** of 56 North Lake Street, North East, PA 16428 is re-appointed to the City of **Erie Airport Authority**. Mr. Giannelli's second term will expire December 31, 2024.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.
December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That **Mr. Paul Gambill** 2303 Holland Street, Erie, PA 16503 is re-appointed to the **Erie City Water Authority** for a five (5) year term. Mr. Gambill's term will expire the first Monday of January 2024.

Pulled by the sponsor, as he was absent.

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

That City Council approved the annual budget of the Erie Area Council of Governments ([EACOG](#)) for the Calendar Year ending December 31, 2020.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That City Council and the proper City officials [abate](#) additional inspection fees for two properties at **2809 Holland Street**, parcel index number 18-050-0820-22800 and **824 - 826 Walnut Street**, parcel index number 16-030-0300-20100 at the request of owner **Michael Hammel** of 2930 West 22nd Street, Erie, PA 16506. The amount is not to exceed \$260.00

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 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 [1228 Buffalo Road](#), Erie, PA and identified by Erie County Assessment Index Number 15-021-006.0-123.00 by the Erie County Tax Claim Bureau to Craig Ellis 312 East Avenue, Erie, PA in the amount of **\$250.00** is hereby approved.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 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 4007 [Conrad Road](#), Erie, PA and identified by Erie County Assessment Index Number 18-052-036.0-611.00 by the Erie County Tax Claim Bureau to Kathleen and Quinton Ishman, 4020 Conrad Road, Erie, PA in the amount of **\$250.00** is hereby approved.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to enter a **Memorandum of Understanding (MOU)**, 2019-2022, with the Erie County Department of Planning and Community Development. The purpose of the MOU is to [assist](#) the City of Erie in achieving the requirements of its National Pollutant Discharge Elimination System (NPDES) permit as a Municipal Separate [Storm Sewer System](#) (MS4) municipality.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 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 Addendum to the **Payment in Lieu of Taxes ("PILOT")** Agreement executed on December 14, 2016 with **Saint Vincent Health Center** d/b/a Saint Vincent Hospital as to properties listed on the attached Exhibit A. The purpose of this Addendum is to amend Exhibit A previous attached to the December 14, 2016 PILOT Agreement. This Addendum shall be effective beginning on the date of the next assessment, interim assessment and/or re-assessment or on January 1, 2020, whichever is earlier.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That [Change Order](#) No. 2 on the contract of **Lindy Paving, Inc.**, P.O. Box 386, Union City, PA 16438 for the proposed **Portland Cement Concrete Sidewalk** between W. 9th and W. 10th and Peach and Sassafras Bid No. 1758-19 as recommended and concurred with by the Bureau of Engineering be approved as follows: Net Change: \$2,702.00.

Original Contract	\$ 44,800.00
Revised Contract	\$ 47,502.00
Change Order	\$ 2,702.00

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 2019. Signed by the President. Attested by the City Clerk.

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

That City Council that the Mayor, the City Controller and other appropriate officials hereby request a **PA Small Water and Sewer Program grant** not to exceed **\$250,000.00** from the **Commonwealth Financing Authority** to be used for **Storm Sewer Capacity Improvements** to include a storm sewer relief line in the Raspberry/Cranberry, W 16th/W. 17th Street area.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 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 **Bureau of Fire**

Transferred from: Transferred to:

Amount	Account	Title	Amount	Account	Title
\$ 5,000.00	002-0639-0000-4024	Tool Allow & Uniforms	\$ 5,000.00	002-0639-0000-4035	Repair/Maint. Supplies
\$ 7,000.00	002-0639-0000-4047	Heat, Light, Power	\$ 7,000.00	002-0639-0000-4035	Repair/Maint. Supplies

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mr. Winarski, 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. **Custom Conveyor Corporation**, 20550 Commerce Blvd., Rogers, MN 55374 for parts to repair the two (2) 5th floor [screw conveyors](#) in the Incinerator Building at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of **\$27,814.61**.
2. **Gerlach's Property Maintenance, LLC.**, 3161 West 32nd Street, Erie PA 16506 [extending the contract](#) for one (1) year from (April 1, 2020 to October 31, 2020) at **\$7,761.00** per month.
3. **North Coast Sanitation (Port-A-Johns)**, PO Box 289, Harborcreek, PA 16421, for Park & Special Event portable toilets with be extended for one (1) year at the same rate as the current contract.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.

December 4, 2019. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, Seconded by Mr. Winarski, 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. **Clark-McKibben Safety Products**, 2001 Hampton Road, Erie, PA 16502 for a Confined Space Rescue System [7' tripod with winch](#) for the Sewer Collection Department/Wastewater Treatment Plant for the Bureau of Sewers at a total cost of **\$2,169.50**.
2. **Electrical Repair Technology**, 922 ½ Bacon Street, Erie, PA 16511 for the rebuild of an Ash [Slurry Pump](#) at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of **\$3,495.00**.

3. **APG Neuros**, 1270 Michele-Bohec, Blainville, Quebec J7C-5S4 for a site visit from a Field Service Engineer to diagnose the vibration fault on a blower at the Wastewater Treatment Plant for the Bureau of Sewers at a total cost of **\$3,340.00**.
4. **Doyle security Systems, Inc.**, PO Box 133, Buffalo, NY 14240-1333 a three (3) year renewal of the Access Control Software Service & Support Agreement at the Wastewater Treatment Plant, Bureau of Sewers at a total amount of **\$3,924.00**.
5. **Whitman, Requardt & Associates, LLP**, 801 South Caroline Street, Baltimore, MD 21231 for Green Light Go Year 4 East 10th Street and Holland Street signal replacement design services for the Department of Public Works at a total cost of **\$2,757.50**.
6. **Erie County General Fund**, 140 West 6th Street, Erie, PA 16501 for the reimbursement of overtime expenses for the Gun Violence Prevention Grant violent offender patrols from 8/7/19-9/30/19 for the Bureau of Police at a total amount of **\$5,653.34**.

December 4, 2019. City Council adopt by yeas Council Members, Allen, Arrington, Jones, Kwitowski, Schaaf and Winarski 6. Nays. 0.
 December 4, 2019. Signed by the President. Attested by the City Clerk.

December 4, 2019, City Council on motion of Mr. Winarski, Seconded by Mrs. Arrington adjourned at 10:30 A.M. by yeas Council Members Winarski, Allen, Arrington, Jones, Kwitowski and Schaaf. 6. Nays. 0.

 President of City Council

Attest: _____
 City Clerk

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

PLEASE PRINT

DATE 12/4/19

NAME	ADDRESS	PHONE #	TOPIC
John L. Kelly			
Casey Brennan	413 Maclelland 16000	814-814-7142	ERIC
Mia/Michael	1000 Cascade st		Public City Services New power bus
Gary Mohr	5032 Arington	814-864-0925	Short-term Rentals
Rosine Demaree	747-E, 22nd	814-504-4278	Energy Club
Victor Galbraith	428 B St	455-5815	Citywide WiFi
TED GAY	4524 Cherry	866-2594	Short-Term Rentals

PLEASE DO NOT REMOVE