

The City Council met in regular session in the Council Chambers on Wednesday, March 18, 2020 at 7:30 P.M.

Council Members present: Winarski, Allen, Brennan, Brzezinski, Keys, and Schaaf. 6. Nays. 1. Ms. Allen joined by phone at 7:33 P.M. and Mr. Witherspoon was absent due to Covid-19.

On motion of Mr. Brennan, Seconded by Mrs. Schaaf, the reading of the minutes of the Meeting of March 4, 2020 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, and Winarski. 6. Nays. 0. Copies of the bills under date of March 13<sup>th</sup> and March 20, 2020 were given to City Council and same adopted by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, and Winarski. 6. Nays.0

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By Mrs. Schaaf, Council File No. 16,152 Pending Official Ordinance No. 8-2020

An ordinance appropriating the sum of **\$14,248.03** from unappropriated and anticipated revenue from **PA Emergency Management Agency (PEMA)** for Firefighting, training and rescue equipment.

March 18, 2020. City Council on motion of Mrs. Schaaf, Seconded by Mr. Brennan, having read Council File No. 16,152, and now known as Pending Official File Ordinance No. 8-2020 does hereby adopt on **Final Passage** by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, and Winarski. 6. Nays. 0.

March 18, 2020 Signed by the President. Attested by the City Clerk.

By Mrs. Schaaf, Council File No. 16,153

An ordinance appropriating the sum of **\$50,000.00** from unappropriated and unanticipated revenue for the expenditure thereof (a [contribution](#) for the improvement of the Police Central Operation area).

March 18, 2020. City Council on motion of Mrs. Schaaf, Seconded by Mr. Brennan having read Council File No. 16,153, does hereby adopt on **First Reading** by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, and Winarski. 6. Nays. 0.

March 18, 2020 Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Council File No. 16154

An ordinance appropriating the sum of **\$10,000.00** from unappropriated and unanticipated revenue for the expenditure thereof (contribution is from the Erie Community Foundation Helping Today Grant).

March 18, 2020. City Council on motion of Mr. Winarski, Seconded by Mr. Brzezinski having read Council File No. 16,154, does hereby adopt on **First Reading** by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, and Winarski. 6. Nays. 0.

March 18, 2020 Signed by the President. Attested by the City Clerk

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

That Mr. Michael D. Keys is hereby appointed to the Towing Review Board to represent City Council.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

By Mr. Keys, Seconded by Mr. Brzezinski, Resolved, etc.

That Mr. Farman Wolper, 3220 Pine Avenue, Erie, PA 16504 is hereby appointed to the Towing Review Board to replace Mr. John Alacce

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

That Mr. Paul Gambill of 2303 Holland Street, Erie, PA 16503 is hereby appointed to the Erie Land Bank for a three year term expiring on January 15, 2023.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

That the proper City Officials are authorized and directed to enter into a [Settlement Agreement](#) and Release with the Commonwealth of Pennsylvania, acting through the Department of Transportation, for line striping services performed by the City of Erie 2017 and 2018 in the amount of **\$14,194.14** in accordance with the Settlement Agreement.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

That the Mayor and City Controller are authorized and directed to execute the PennDOT **Reimbursement Agreement 2016GLG002** between the City of Erie and the Commonwealth of Pennsylvania Department of Transportation for the Construction of the [Signal Upgrade](#) at East Lake Road and Bacon Avenue and Whereas the Selected Contractor for the project is: Power Contracting Company in the amount of **\$313,361.50**.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

Whereas, the Erie Municipal Airport Authority, now by change of name, the Erie Regional Airport Authority (the "authority"), entered into an Airport Management and Agency Agreement between the Authority and the City of Erie dated November 26, 1986, which requires Erie City Council to give its approval and consent to the Authority to incur debt obligations in an amount exceeding \$200,000; and

Whereas, the Airport desires to construct improvements to its rental car facility (the "Project") and finance the Project; and

Whereas, ERIEBANK, a division of CNB Bank ("the Bank") has issued a proposal dated February 10, 2020, a copy of which is attached hereto and incorporated herein by reference, setting forth certain terms and conditions associated with \$1,800,000 Taxable Drawdown Term Note to finance the Project; and

Where, on the 28<sup>th</sup> day of November, 2018 and on the 25<sup>th</sup> day of March 2020, the Board of the Erie Regional Airport Authority did and will resolve to approve and accept the Proposal; and

Whereas, Erie City Council concurs with the decision of the Authority that the public interest is furthered by the Authority in proceeding forward with the Project and Bank Proposal.

Now Therefore Be It Resolved by Erie City Council that Council gives its consent and approval to the Authority to incur debt in the nature of \$1,800,000 Taxable Drawdown Term Note, Series of 2020 with the Bank as set forth in the Proposal in order for the Authority to finance the Project.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

1. **Cody Reichard**
2. Christopher Rentschler
3. John Melnik II

The above listed (3) names are as they appear on the current Civil Service Eligibility list for Police Officers. Be it resolved that Cody Reichard, Erie, PA 16506 No. 1 on list, having been nominated by Chief Daniel Spizarny is hereby confirming the appointment as a probationary patrolman at the current salary of \$48,737.69 and that he is on probation for one (1) year from the date of his appointment on March 30, 2020.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

1. **Christopher Rentschler**
2. John Melnik II
3. Joseph Cambra

The above listed (3) names are as they appear on the current Civil Service Eligibility list for Police Officers. Be it resolved that Christopher Rentschler, Erie, PA 16504 No. 1 on list, having been nominated by Chief Daniel Spizarny is hereby confirming the appointment as a probationary patrolman at the current salary of \$48,737.69 and that he is on probation for one (1) year from the date of his appointment on March 30, 2020.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

1. **John Melnik II**
2. Joseph Cambra
3. William Fischer

The above listed (3) names are as they appear on the current Civil Service Eligibility list for Police Officers. Be it resolved that John Melnik II, New Wilmington, PA 16412 No. 1 on list, having been nominated by Chief Daniel Spizarny is hereby confirming the appointment as a probationary patrolman at the current salary of \$48,737.69 and that he is on probation for one (1) year from the date of his appointment on March 30, 2020.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk.

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

1. **Joseph Cambra**
2. William Fischer
3. Nicholas Spurgeon

The above listed (3) names are as they appear on the current Civil Service Eligibility list for Police Officers. Be it resolved that Joseph Cambra, Erie, PA 16505 No. 1 on list, having been nominated by Chief Daniel Spizarny is hereby confirming the appointment as a probationary patrolman at the current salary of \$48,737.69 and that he is on probation for one (1) year from the date of his appointment on March 30, 2020.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk

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

1. **William Fischer**
2. Nicholas Spurgeon
3. Kyle Kunz

The above listed (3) names are as they appear on the current Civil Service Eligibility list for Police Officers. Be it resolved that William Fischer, Jamestown, PA 16134 No. 1 on list, having been nominated by Chief Daniel Spizarny is hereby confirming the appointment as a probationary patrolman at the current salary of \$48,737.69 and that he is on probation for one (1) year from the date of his appointment on March 30, 2020.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk

By Mr. Brennan, Seconded by Mrs. Schaaf, 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. **Axon Enterprise, Inc.**, 17800 North 85<sup>th</sup> Street, Scottsdale, AZ 85255 for ten (10) new tasers, holsters, cartridges and battery packs for the Bureau of [Police](#) at a total cost of **\$22,930.00**.
2. **David Milano Construction**, 2202 Zimmerly Road, Erie, PA 16506, for emergency sewer work at unit process per bid # 1741-18 for a one [\(1\) year extension](#) for the Bureau of Sewers.
3. **Trane**, 45 Earhart Drive, Suite 103, Buffalo, NY 14221 to provide and install equipment to better regulate temperatures year-round throughout the [City Hall HVAC](#) system for the Bureau of Public Buildings at a total amount of **\$254,000.00**.
4. **Witmer Public Safety Group**, 104 Independence Way, Coatesville, PA 19320 for training and department issue [ammunition](#) for the Bureau of Police at a total amount of **\$24,086.14**.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk

By Mr. Brennan, Seconded by Mrs. Schaaf, 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. **Allen Heavy Equipment Repair**, 9176 Finley Lake Road, North East, PA 16428 for [Milling Machine](#) repairs for the Bureau of Streets, at a total cost of **\$3,718.18**.
2. **Kayline Company**, PO Box 603207, Cleveland, OH 44103 for high efficiency [LED lights](#) for lighting upgrades, phase 2 at City Hall for floors 1 & 2 for the Bureau of Public Buildings at a total amount of **\$9,640.44**.
3. **Environmental Systems Research Institute, Inc.**, 380 New York Street, Redlands, CA 92373-8100 for GIS (Global Information System) [software licensing](#) to be used to expand the use of GIS for geographic data analysis and mapping for the Department of Public Works specifically with the goal of digitizing the maps of the City storm and combination sewers for the Office of Computer Services at a cost of **\$6,651.00**.
4. **Lowe's Home Improvement Center**, PO Box 530954, Atlanta, GA 30353 for one (1) gladiator [steel garage storage](#) system, and one (1) rolling tool cabinet for the Bureau of Police at a total amount of **\$3,488.99**.
5. **Markl Supply Company, Inc.**, 904 Perry Highway, Pittsburgh, PA 15229 for five (5) glock 9 mm [handguns](#), sights, mounting kits and holsters for the Bureau of Police at a total amount of **\$5,362.25**.

6. **Markl Supply Company, Inc.**, 904 Perry Highway, Pittsburgh, PA 15229 for miscellaneous [gun repair and maintenance](#) parts/supplies, for the Bureau of Police at a total amount of **\$5,290.19**.
7. **David Milano Construction, LLC.**, 2202 Zimmerly Road, Erie, PA 16506 for materials only to install sanitary manholes at 402 Myrtle Street & 720 Seminole Drive for the Bureau of Sewers: **\$2,599.51 & \$2,457.18 Total \$5,056.69 (Materials Only)**
8. **Occupational Health Center**, 1910 Sassafras Street, Suite 200, Erie, PA 16502 for Non-DOT Drug Screenings and Breath Alcohol Screenings for the Office of Human Resources and the Bureau of Refuse and Recycling at a total cost of **\$2,005.00**.
9. **Otis Elevator Company**, 1001 State Street Suite 311, Erie, PA 16501 to furnish preventative maintenance and repair services to three (3) geared elevators at City Hall for one (1) year at a total amount of **\$15,336.00**.
10. **Shadowtech, LLC**, 9337 W. 53<sup>rd</sup> Terrace, Merriam, KS 66203, for five (5) tripods, pig saddles and marc qd plates for the Bureau of Police [SWAT](#) Team at a total amount of **\$2,055.74**.
11. **Super Seer Corporation**, PO Box 700, Evergreen, CO 80437-0700 for five (5) [helmets and accessories](#), and four (4) riot face shields for the motorcycle unit for the Bureau of Police at a total amount of **\$2,458.80**.

March 18, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf and Winarski. 6. Nays. 0.

March 18, 2020. Signed by the President. Attested by the City Clerk

March 16, 2020

Members of City Council:

This letter is to advise City Council the necessary reports and documents regarding the City of Erie Pension Plans as required under the City of Erie Codified Ordinances, Part 1-Administrative Code, Section 113.11 (Act 205 Reports), have been filed by the deadline of March 31, 2020 by the office of the City Controller who functions as the coordinator of the Pension Plans.

- The Certification for Reimbursement for Postretirement Adjustment (Act 1988-147) – Form AG-490 was submitted on March 6, 2020 by certified mail to the Department of the Auditor General.
- The E-Filing of the Certification for Non-Uniformed Employee Retirement Fund, the Firemen's Pension Fund and the Police Pension Fund – Form AG-385 was submitted on March 12, 2020 to the Department of the Auditor General.
- The E-Filing of the 2019 Act 205 Actuarial Valuation Report (filed every other year) for all pension funds (Police, Fire, and Officers & Employees) was submitted on March 10, 2020 to the Department of the Auditor General, Municipal Pension Reporting Program (MPRP).

I request this report be made a matter of Council record at the March 18, 2020 meeting. Copies of all reports are on file in the City Controller's Office. Please feel free to contact the Controller's Office if any member of Council should have any questions or need any additional information.

Respectfully submitted,

Teresa Stankiewicz, City Controller

March 17, 2020

To: Rose Boyer

Sub: Erie City Council Issues

Dear Ms. Boyer,

As I mentioned to you, when I read in last Wednesday's Erie Times-News that Erie taxpayers may become responsible for some of all costs for the cleanup of the Erie Coke site, I was surprised.

I lived in central Marin County, CA (as a toddler in 1955 through 1972) and then Malibu, CA (Pepperdine University from 1972-1975), and in Sacramento and Loomis, CA (in Law School, law practice, and then in the country from 1975 to 1995).

As an attorney in California, for several years I was Sacramento area counsel for Cooper Industries, a New Jersey corporation, with it's supervising attorneys based in Houston, Texas. At the time (1983 to 1990) I represented the company in defense of personal injury litigation. Cooper Industries was then a Fortune 500 Company. The attorney supervising me would sometimes discuss other work he supervised, namely acquisition by Cooper of other manufacturing companies. When these manufacturers were being acquired, the Superfund run by the EPA would be inspecting the sites, testing for toxic substances, laying out required remediation measures and ensuring compliance by Cooper and the company being acquired.

By looking up the Environmental Protection Act, a lot of helpful information is available. Two sites in our area are already listed: Mill Creek Dump and Presque Isle. The Superfund is designed to assist in identifying hazards and planning remediation.

Recipients must be responsible to manage the funds and to contribute a 20% award match. Fortunately, this matching requirement often can be met through in-kind contributions such volunteer hours toward grant-related activities.

The Superfund Website is easy to navigate.

Incidentally, this memo does not constitute legal advice. I am not licensed to practice law in Pennsylvania, and walked away from law practice in California in 1997, after 20ish years.

I am sure Counsel for the Erie City Counsel and the Erie City Council can take it from here.

Melany B. Kramer

March 18, 2020  
To: Rose Boyer  
Sub: City Council Meeting

Mrs. Boyer,  
I am writing in response to the press release regarding the closing of the city council meeting to the public.

Members of council.

While attending the monthly "lunch with the mayor" I was informed that city council has asked the city solicitor, Mr. Betza, to draft an ordinance regarding short term rentals being allowed to be widespread throughout our fine city following a recent study session. Unfortunately, I was unable to attend the student session due to it not being announced prior and the lack of a live-stream.

Our concerns are consistent with the unanimous ruling for the state Supreme Court "slice of life" case, in that, zoning laws are aimed to protect public health, safety morality and welfare. The states Supreme Court further noted that the zoning ordinances should protect the residential character of a neighborhood and that a regular renter of 2 nights does not qualify as a "single family dwelling" and therefore not permitted. The state Supreme Court adopted the common definition of "single housekeeping unit", "requiring the person or persons residing in the home to function as a family and to be sufficiently stable and permanent and not purely transient". Simply, these renters are here today and gone tomorrow and do not strengthen our community. The stability, which we are attempting to preserve, creates a sense of community, fosters relationships and provides an overall place where people are invested and engaged in the neighborhood and care about each other. Our children play together, neighbors look out for one another and can enjoy the quiet seclusion of their homes.

Upon reviewing the Pennsylvania Municipal Planning Code, by state law, a municipality with zoning must provide a place for every use. A growing question within our neighborhood is where would the single family uses be in an R-1 zone if it is amended to include transient occupancy.

After reviewing our mayor's "Activating our Vision: A Path to Success" 2020 vision for our city, I would say we are in lockstep with his desire to create welcoming and vibrant neighborhoods that provide amenities for all residents, high quality of life and community pride.

Thanks you all for your time and for listening to the voice of an actual Erie resident and not people who reside outside of our fine city, yet wish to dictate how it operates.

Sincerely,  
Gary J. Mokris  
Glenwood Association President  
503 West Arlington Road

March 18, 2020  
To: Rose Boyer  
Sub: Delaying city and county tax 2% regard dealing from end of this month and next month

With everyone out of work and deadline for above taxes are due, can the rebate for 2% be extended for both city and county? Big chunk of money at a bad time to be penalized. People don't normal spend 400-500 dollars in groceries to stock up. Maybe 3-4 installments instead of whole amount.

Mary Ann Kupniewski

March 18, 2020, City Council on motion of Mr. Brennan, Seconded by Mrs. Schaaf adjourned at 7:40 P.M. by yeas Council Members Winarski, Allen, Brennan, Brzezinski, Keys, and Schaaf. 6. Nays. 0.

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President of City Council

Attest: \_\_\_\_\_