

The City Council met in regular session in the Council Chambers on Wednesday, August 19, 2020 at 7:30 P.M.

Council Members present: Winarski, Brzezinski and Keys in person and Allen, Brennan, Schaaf and Witherspoon on Zoom. 7. Nays. 0.

On motion of Mr. Witherspoon, Seconded by Mr. Winarski, the reading of the minutes of the Meeting of August 5, 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, Witherspoon and Winarski. 7. Nays. 0. Copies of the bills under date of August 14 and 21, 2020 were given to City Council and same adopted by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

By Mr. Witherspoon, Council File No. 16,175 Pending Official File Ordinance No. 31-2020

An ordinance amending Ordinance No. 26-1958 the Traffic Code of the City of Erie by the installation of a stop sign at one intersection. 1. West 25th and Myrtle Street.

August 19, 2020. City Council on motion of Mr. Witherspoon, Seconded by Mrs. Schaaf, having read Council File No. 16,175, and now known as Pending Council File Ordinance No. 31-2020 does hereby adopt on **Final Passage** by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020 Signed by the President. Attested by the City Clerk

By Mrs. Schaaf, Council File No. 16,176 Pending Official File Ordinance No. 32-2020

An ordinance in accordance with the 2020 City of Erie budget the sum of \$5,000.00 is appropriated from unappropriated and unanticipated revenue. These funds have been contributed by the Erie Area Council of Governments to the City of Erie General Fund for use in the 2020 Census Marketing Campaign.

August 19, 2020. City Council on motion of Mrs. Schaaf, Seconded by Ms. Allen, having read Council File No. 16,176, and now known as Pending Official File Ordinance No. 32-2020 does hereby adopt on **Final Passage** by yeas Council Members Allen, Brennan, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020 Signed by the President. Attested by the City Clerk

By Mr. Winarski, Council File No. 16,177 Pending Official File Ordinance No. 33-2020

An ordinance amending Article 117 of the City of Erie's Administrative Code to establish a Department of Planning and Neighborhood Resources and identifying the functions of the Department.

August 19, 2020. City Council on motion of Mr. Winarski, Seconded by Mr. Brzezinski, having read Council File No. 16,177, and now known as Pending Official File Ordinance No. 33-2020 does hereby adopt on **Final Passage** by yeas Council Members Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020 Signed by the President. Attested by the City Clerk

Pursuant to the provisions of PA 47 P.S. 4-461 (b.3) and of the proper legal advertising, the City Council held a Public hearing at approximately 8:00 P.M. via a Zoom meeting to hear testimony concerning the Inter Municipal Transfer of **Liquor License** No. R-4948 requested by Atty. John J. Mehler, 100 State Street, Suite 700, Erie, PA 16507. for the transfer of PLCB liquor license of the M' Café, LLC located at 5410 West Lake Road, Millcreek Township, County of Erie, Pennsylvania to, **Atomic Bomb Group LLC**, for the premises located at 2306 State Street, Erie, Pennsylvania.

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

That the City Council has authorized and directed the proper City officials to designate a portion of East 19th Street between Wayne and Reed Streets as “**Bettie Vincent Way**” in posthumous honor of Bettie Jean Jones-Vincent and her outstanding public service and dedication to the Erie Community and GECAC where she worked for over 50 years. She retired as Vice President of Human Resources, a department that she initiated and developed.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

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

Extending the term of exemptions, deductions, abatements and credits for real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in Erie County designed as a Keystone Opportunity Expansion Zone (“**KOEZ**”) or Keystone Opportunity Improvement Zone (“**KOIZ**”) in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of the City of Erie, Erie County, Commonwealth of Pennsylvania, upon certain terms and conditions.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

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

That the Proper City Officials will abate the City’s portion of [delinquent taxes](#) and penalties accrued on 315 E. 9th Street, Lot B, parcel identification number 15-020-0160-11400, currently listed at tax exempt, for the tax year 2018, not to exceed \$8,000.00 on behalf of the **New Life Spirit Revival Center**.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. 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 enter into an agreement with the **Erie Water Authority** to accept prepayment of its lease with the City of Erie and to extend said lease for an additional term of ten (10) years.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Keys, Schaaf and Witherspoon. 5. Nays. 1. Winarski. Brzezinski (Abstains)

August 19, 2020. 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 to allow (PennDOT) to file this application on behalf of the City of Erie and authorize (PennDOT) to issue a notice to Proceed letters to the railroad design and/or construction. **PennDOT is preparing for Bayfront Parkway Improvements at State Street and Holland Street.**

And whereas the project requires coordination with the railroad (CSXT Inc.) at the below grade crossing where SR 4034 (Bayfront Parkway) intersects State Street above a single track of CSXT Inc. (938 230 V) and the at grade crossing where Holland Street crosses the single track of CSXT, Inc. (524 153 C) in the City of Erie, Erie County, And whereas PennDOT is filing an application with the PA Public Utility Commission (PUC) for the approval to abolish and remove these crossing.

Motion to table by Mr. Keys, Seconded by Mr. Brzezinski adopts by council members Allen, Brennan, Brzezinski, Keys and Schaaf. 5. Nays. 2. Witherspoon and Winarski.

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

That the Mayor and other appropriate City officials are authorized to enter into agreements with the individual homeowners being awarded **City Rehab Project** funds in which the City will provide up to \$24,999.00 for [rehabilitation costs](#) to each qualifying homeowner. The total finding allocated to this program in the amended FY17 plan is **\$186,642.50**.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

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

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

Performing Arts Collective Alliance ([PACA](#))

Amount	Term	Fee
\$117,000.00	15 Years	\$585.00

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

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

That the Enterprise Zone Loan Review Committee approval of the following loan is formally ratified: [AED Group East Erie, LLC](#)

Amount	Term	Fee
\$ 224,000.00	10 Years	\$1,120.00

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Witherspoon

That the Proper City Officials are authorized and directed to appoint the following individual as **Probationary Patrolman** at the current salary of \$48,737.69 in the **City of Erie Bureau of Police** as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on August 20, 2020.

- 1. Charles McGuire**
2. Kyle Gibson
3. Nicholas Spurgeon

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Witherspoon

That the Proper City Officials are authorized and directed to appoint the following individual as **Probationary Patrolman** at the current salary of \$48,737.69 in the **City of Erie Bureau of Police** as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on August 20, 2020.

- 1. Kyle Gibson**
2. Nicholas Spurgeon
3. Kyle Kunz

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Witherspoon

That the Proper City Officials are authorized and directed to appoint the following individual as **Probationary Patrolman** at the current salary of \$48,737.69 in the **City of Erie Bureau of Police** as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on August 20, 2020.

1. **Nicholas Spurgeon**
2. Kyle Kunz
3. Lucas DeHart

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Witherspoon

That the Proper City Officials are authorized and directed to appoint the following individual as **Probationary Patrolman** at the current salary of \$48,737.69 in the **City of Erie Bureau of Police** as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on August 20, 2020.

1. **Kyle Kunz**
2. Lucas DeHart
3. Joshua Olszewski

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Witherspoon

That the Proper City Officials are authorized and directed to appoint the following individual as **Probationary Patrolman** at the current salary of \$48,737.69 in the **City of Erie Bureau of Police** as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on August 20, 2020.

1. **Lucas DeHart**
2. Joshua Olszewski
3. Yousiff Aimusawi

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Ms. Allen, Seconded by Mr. Witherspoon

That the Proper City Officials are authorized and directed to appoint the following individual as **Probationary Patrolman** at the current salary of \$48,737.69 in the **City of Erie Bureau of Police** as they appear on the current Civil Service Eligibility List for the probation period of one (1) year from the date of his appointment on August 20, 2020.

1. **Joshua Olszewski**
2. Yousiff Aimusawi
3. Nicholas Sekerski

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Mr. Winarski, Seconded by Mr. Brzezinski

That pursuant to the Public Hearing held Wednesday August 19, 2020 and the provisions of Act 141, which requires the consent of the Pennsylvania Liquor Control Board, the request by Atty. John J. Mehler, 100 State Street 700, Erie, PA 16507 for City Council approval of the Inter Municipal Liquor License transfer of PLCB liquor, license No. R-4948 of the M' Café, LLC located at 5410 West Lake Road, Millcreek Township, County of Erie, Pennsylvania to Atomic Bomb Group LLC, for the premises located at 2306 State Street, Erie, Pennsylvania is hereby approved.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.
By Mrs. Schaaf, Seconded by Mr. Witherspoon, 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. **C. Carlin Plumbing, Inc.**, 2420 East 38th Street, Erie, PA 16510 for [McClelland Park](#) Improvement Project – Phase 2 in the amount of **\$3,623.76**.
2. **Jim Brozell Construction**, 9298 Peach Street, Waterford, PA 16441 for McClelland Park Improvement Project – Phase 2 in the amount of **\$11,520.00**.
3. **Empire Snow Management**, 10860 Donation Rd., Erie, PA 16441 for the 2020 [Ramps II](#) Project Bid 1771-210, on behalf of the City of Erie in the amount of **\$238,007.00**.
4. **Trane**, 45 Earhart Drive, Suite 103, Buffalo, NY 14221 to supply and install 532 Aerator Actuators to extend the existing Trane Direct Digital Control (DDC) System in [City Hall](#) to control room dual duct aerators for the Bureau of Public Buildings in the amount of **\$93,700.00**.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

By Mr. Witherspoon, 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. **Sirius Computer Solutions**, 10100 Reunion Place, Suite 500, San Antonio, TX 78216 a one (1) year renewal of the IBM iSeries hardware and software [maintenance contract](#) for equipment used for the City pension, liens and legacy Police data for the Office of Computer Services at a cost of **\$2,940.95**.
2. **Insight Public Sector**, 6820 South Harl Avenue, Tempe, AZ 85283-4318 to [renew support](#) on Symantec Endpoint Protection, which provides protection against viruses and malware at the desktop level on all PC's at City Hall for the Office of Computer Services at a cost of **\$3,962.00**.
3. **Occupational Health Centers of the Southwest PA**, PO Box 8750, Elkridge, MD 21075-8750 for Pre-Employment Physicals for five (5) new Police hires for the Office of Human Resources at a total cost of **\$2,125.00**.
4. **Dwyer Excavating**, 210 Townhall Road West, Waterford, PA 16441, for an [emergency demolition](#) of house and garage at 1207 East 29th Street, Erie, PA 16504 in the amount of **\$6,100.00**.
5. **National Vacuum**, 6389 Inducon Drive West, Sanborn, NY 14132 for removal of detritus from [#2 Grit Chamber](#) at the Wastewater Treatment Plant at a total amount of **\$4,225.00**.
6. **David Milano Construction, LLC**, 2202 Zimmerly Road Erie, PA 16506 for materials only to repair sanitary & storm connections at Bay Harbor Marina/Bayfront Parkway & West 8th/Washington Place for the Bureau of Sewers: **\$4,217.55/\$3,33760 (Material Cost Only)**
7. **Signal Service, Inc.**, 1020 Andrew Drive, West Chester, PA 19380 for [signal maintenance supplies](#) for the Department of Public Works at a total cost of **\$7,843.00**.
8. **Allen Heavy Equipment Repair**, 9176 Finley Lake Road, North East, PA 16428, for [boom repairs](#) for the Bureau of Streets at a cost of **\$4,906.25**.
9. **Suit-Kote Corp.**, 1911 Lorings Crossing Road, Cortland, NY 13045 for [tact oil](#) for the Bureau of Streets in the amount of **\$2,655.45**.
10. **Ace Viking Electrical & Mechanical Service Co. Inc.**, 2222 East 30th Street, Erie, PA 16510 to rebuild HVAC motor at City Hall in the amount of **\$9,485.00**.
11. **Eastern States Metal Roofing**, 7820 Route 474, Panama, NY 14767, for one (1) [picnic shelter](#) to be installed at Glenwood Park at a total cost of **\$3,200.30**.
12. **Walker Tree and Ground Service, Inc.**, 12166 Kerr Road, North East, PA 16428 for the tree removal of thirteen (13) [tree stumps](#) at McKinley Park at a total cost of **\$4,635.00**.

13. **Snider Recreation Inc.**, 10139 Royalton Road, Suite K, North Royalton, OH 44133 for the [Water Fountain at Perry Square](#) for Healthy Hydration for the Bureau of Parks, Department of Public Works at a total amount of **\$3,778.00**.

14. **Best Buy**, 6650 Peach Street, Erie, PA 16509 for five (5) of each of the following items: Lenovo Laptops, Wireless Headphones, Wireless Mice, Laptop Briefcases and Mouse Pads for the Command Staff for the Bureau of Police at a total amount of **\$4,874.75**.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. Signed by the President. Attested by the City Clerk.

WAIVE RULES

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

Members of Erie City Council, representatives of various citizen groups including but not limited to the NAACP, the Presque Isle Audubon Society, the Clean Water Alliance and the Sierra Club, as well Erie citizens, including residents of **our** west and east Bayfront **neighborhoods**, have **raised many important questions** and concerns about PennDOT's "preferred alternative plan" for the Bayfront Parkway. **During Erie City Council's** study session on August 13, convened by Zoom **and in Council Chambers**, we heard more details about the plan from PennDOT representatives. Those details, including the lack of funding for pedestrian bridges **and the concern for pedestrian safety surrounding the chosen "roundabout" design roadway intersection solutions**, have raised further concerns **about the future of this project and what its long-term effect will be on the future of Erie's waterfront, our east and west bayfront neighborhoods, our downtown, and our entire city**. Therefore, be it resolved that Erie City Council will conduct a public hearing in September (**date TBD**) to hear testimony on various issues, including those involving the environmental impact, aesthetics, public access, safety, development, financing and planning (specifically, whether the PennDOT proposal conforms to the recommendations in the **Erie's** 2016 comprehensive plan, "Erie Refocused," approved by Erie City Council on July 6, 2016).

August 19, 2020. City Council adopt waive rules by yeas Council Members, Allen, Brennan, Brzezinski, Keys, Schaaf, Witherspoon and Winarski. 7. Nays. 0.

August 19, 2020. City Council adopt by yeas Council Members, Allen, Brennan, Brzezinski, Keys and Schaaf, 5. Nays. 2. Witherspoon and Winarski

August 19, 2020. Signed by the President. Attested by the City Clerk.

August 19, 2020, City Council on motion of Mr. Witherspoon, Seconded by Mrs. Schaaf adjourned at 9:45 P.M. by yeas Council Members Winarski, Allen, Brennan, Brzezinski, Keys, Schaaf and Witherspoon. 7. Nays. 0.

President of City Council

Attest: _____
City Clerk

Citizens to be Heard via Zoom

NAMES + ADDRESSES MAY NOT BE CORRECT VIA Zoom

Citizens to be Heard Aug 19, 2020.

Name	Address	Topic
1. Randy Barnes	119 Walter Pt	Violence TO FEDERAL BUILDINGS
2. MARGALITA DENGEL	1948 W 33.	Rumors NITE CLUB
3. ADAM TROTT	531 W 6 2nd F	Bayfront HN PROJECT
4. BERNIE SMITH	—	WATER DEAL
5. FREDA TEPPER	1738 W 23	Water Fountain NO ACRES, JUDICIAL BAYFRONT PROJECT
6. Veronica REXFORD	4124 W Rigg Rd	LANGUAGE OF CITIZENS to be HEARD / BAYFRONT PROJECT
7. LISA AUSTIN	<u>1262 W 9th</u>	Bayfront Project
8.		



Mr. Ed Brzezinski
Erie City Council
626 State Street
Erie, Pa. 16501

Society of Holy Trinity
604 East 23rd Street
Erie, Pennsylvania 16503



August 17, 2020

Citizens to be heard

Dear Ed:

I am writing to you on behalf of 900+ Members of the Society of Holy Trinity to express our very strong support of the ordinance eliminating bottle clubs in residential areas within Erie City limits. The Society of Holy Trinity along with ██████████ Neighborhood Watch, Serafin's Food Market & Holy Trinity Church, are the anchors of the Trinity Square area and along with our neighbors in the 22nd Wayne we have been working diligently to keep Trinity Square safe, despite the illegal activity that has been occurring on regular basis at the Energy Club at 22nd Wayne & Rumour's Lounge 602 E 24th.

It appears the issue with Energy Club is close to being resolved because of the hard work of neighbors in 22nd & Wayne area, but the issues at Rumour's are far from over and only getting worse. There continues to be large gatherings of 200+ people, with illegal drugs, illegal alcohol all on the street corner. Rumour's is only permitted to be operating as a restaurant with no alcohol, with normal capacity 84 people and with the Covid-19 pandemic that capacity is reduced to 21. They are only operating as a gathering place, with pat downs before entering, not as a restaurant and these gatherings are not only illegal but create a huge health risk to the Trinity Square neighborhood as our Covid-19 #s continue to increase weekly. We have had to endure shots fired several times this past month.

We desperately need the City's help not only with a new ordinance but to enforce the existing laws on the books which permits Rumour's to operate only as a restaurant with no alcohol, something which they have not done for months. If the current laws are enforced, they could be shut down now. This past week Rumour's was open with a security person at the door, music blaring not operating as a restaurant and concluded with shots being fired, the third time in the past month. No neighborhood should have to endure what the Trinity Square neighborhood has had to endure this past year. It is not getting better, it is only getting worse.

This ordinance is so important as it helps eliminate this issue and prevents the same issue happening again in another Erie residential area. It is also critical that this ordinance contains language that these bottle clubs be a minimum of 1000 feet from any residential building. We appreciate your consideration in helping us keep our neighborhoods safe.

David P. Thiemann Treasurer
The Society of Holy Trinity