

CITY OF WILKES-BARRE  
PENNSYLVANIA



## CITY COUNCIL AGENDA

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CITY COUNCIL

JANUARY 28, 2021

6:00 p.m. Jim Ryan, City Clerk

1. Resolution authorizing the disposition of records from the City Clerk's Office.
2. Resolution authorizing the disposition of records from the Office of Community Development.
3. Resolution requesting the proper city officials to take any and all necessary actions related to resolving all outstanding compliance issues contained in the most recently released Audit Report.

**-ORDINANCES FOR SECOND AND FINAL READING-**

**FILE OF COUNCIL NO. 1 OF 2021** – AN ORDINANCE AMENDING SECTION 12-27 OF ARTICLE II OF CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "GARBAGE AND REFUSE". (RECYCLING FEE)

**FILE OF COUNCIL NO. 2 OF 2021** – AN ORDINANCE AMENDING CHAPTER 30 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "UTILITIES". (SEWER FEE)

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

JANUARY 28, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
JANUARY 28, 2021

**CONSENT AGENDA (RESOLUTIONS)**

Disposition of records from the City Clerk's Office.

Disposition of records from the Office of Community Development.

Requesting the proper city officials to take any and all necessary actions related to resolving all outstanding compliance issues contained in the most recently released Audit Report.

**MINUTES**

Of the Reorganization Meeting of City Council of January 4, 2021.

Of the Regular Session of City Council of January 14, 2021.

**ORDINANCES**

**FILE OF COUNCIL NO. 1 OF 2021** – AN ORDINANCE AMENDING SECTION 12-27 OF ARTICLE II OF CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "GARBAGE AND REFUSE". (RECYCLING FEE) (SECOND AND FINAL READING)

**FILE OF COUNCIL NO. 2 OF 2021** - AN ORDINANCE AMENDING CHAPTER 30 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "UTILITIES". (SEWER FEE) (SECOND AND FINAL READING)



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

A Resolution of the City Council, of the City of Wilkes-Barre, Luzerne County, Pennsylvania declaring its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 (as amended March 28, 2019).

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said committee on December 16, 2008; and

Whereas, the City of Wilkes-Barre desires to dispose of records according to statutory requirements;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 (as amended March 28, 2019).

Office/Department: City Clerk

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
2013 Contracts	1.26
2014 Contracts – 2 boxes	2.52
Box No. CC-76 – 2015 Chronological Files	<u>1.26</u>
Total	<u>5.04</u>

Submitted by \_\_\_\_\_

ROLL CALL



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

A Resolution of the City Council, of the City of Wilkes-Barre, Luzerne County, Pennsylvania declaring its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 (as amended March 28, 2019).

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said committee on December 16, 2008; and

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Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 (as amended March 28, 2019).

Office/Department:   OCD

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
CD-1 2013 CDBG Subrecipient agreements	1.26
CD-2 2012 ESG 2013 Subrecipient agreements	1.26
CD-7 EM Rehabs 98-05	1.26
1998 Home Rehab	1.26
1995-1997 Home Program (Housing)	1.26
2001 Home Program	1.26
1993-1995 Home Program (Housing)	1.26
1993-1994 Home Program Housing Files	1.26
1995 Home Program Housing Files	1.26
2012 CDGB Subrecipient Agreements	1.26
00-01 Misc. Home Program Files	1.26
1994 Home Program Housing Files	1.26
1997 Home Program Client Files (Housing)	1.26
2006-2008 Emergency Home Rehab CDBG	1.26
1993-2000 Home Rehab	<u>1.26</u>
Total	<u>18.09</u>

Submitted by \_\_\_\_\_

ROLL CALL



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

WHEREAS, the Department of the Auditor General recently released the City of Wilkes-Barre Aggregated Pension Trust Fund Audit Report (the "Audit Report");

WHEREAS, the Audit Report contains several outstanding noncompliance issues which have not been corrected;

WHEREAS, the City Council of the City of Wilkes-Barre would like to have the noncompliance issues resolved;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper city officials are hereby requested to take any and all necessary actions related to resolving all outstanding compliance issues contained in the most recently released Audit Report.

Submitted by \_\_\_\_\_

ROLL CALL

**FILE OF COUNCIL**

**Presented in City Council on January 14, 2021**

No. 1 of 2021

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**AN ORDINANCE AMENDING SECTION 12-27 OF ARTICLE II. OF  
CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES  
ENTITLED "GARBAGE AND REFUSE."**

WHEREAS, it is the desire and intention of the City Council to pass legislation within the City of Wilkes-Barre by amending Section 12-27 of Article II. of Chapter 12 of the Wilkes-Barre Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT SECTION 12-27 OF ARTICLE II. OF CHAPTER 12 ENTITLED "GARBAGE AND REFUSE" IS HEREBY AMENDED AS FOLLOWS:

**CHAPTER 12. GARBAGE AND REFUSE**

**ARTICLE II. LITTER AND DISPOSAL**

**Sec. 12-27. Fee for recyclable newsprint, commingled recyclable aluminum cans and recyclable ferrous containers.**

The annual fee for collection of recyclable newsprint, commingled recyclable aluminum cans and recyclable ferrous containers shall be Fifty Dollars (\$50.00).

**SEVERABILITY.**

The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

**REPEALER.**

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passed finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_

January 28, 2021.

This ordinance shall become effective ten (10) days after final passage by the Council of the City of Wilkes-Barre.

Attest:

\_\_\_\_\_  
Jim Ryan, City Clerk



## FILE OF COUNCIL

Presented in City Council on January 14, 2021

No. 2 of 2021

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### AN ORDINANCE AMENDING CHAPTER 30 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "UTILITIES."

WHEREAS, it is the desire and intention of the City Council to pass legislation within the City of Wilkes-Barre by amending Chapter 30 of the Wilkes-Barre Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT CHAPTER 30 ENTITLED "UTILITIES" IS HEREBY AMENDED AS FOLLOWS:

#### **CHAPTER 30. UTILITIES**

#### **ARTICLE II. SEWERS**

##### **Sec. 30-19. Annual rental and maintenance fee for persons within city.**

(b) *Residential and small, unmetered commercial establishments.* The annual sewer rental and maintenance fee for all residential properties, whether or metered, and small unmetered commercial establishments which are located within the legal boundaries of the city shall be computed on a flat rate basis at the following rates:

<u>Classification</u>	<u>Annual Rent</u>
Average domestic home	\$50.00
First unit in multiple unit dwelling	\$50.00
Each additional unit in Multiple unit dwelling	\$50.00
Small commercial establishments	\$50.00

Flat rate customers will be given the option at the time of annual billing of paying the annual rent in full, less a discount of three (3) percent if payment is received no later than thirty (30) days from the mailing date. From thirty (30)

days through sixty (60) days of mailing bills shall be paid at face value. Bills paid after sixty (60) of mailing shall be subject to six (6) percent penalty plus interest at a rate of one (1) percent per month. Not to exceed a maximum of twelve (12) percent and all other fees and costs relative to collection of the aforementioned shall be paid by the customer.

- (c) *Nonresidential and/or commercial metered properties.* The annual sewer rental and maintenance fee in respect for all nonresidential properties served by a metered water supply shall be computed on the basis of gallonage of water usage, per quarter year, at the following rates:

First 15,000 gallons per quarter, per 1,000 gallons	\$ .75
Next 185,000 Gal. per quarter, per 1,000 gallons	\$ .55
Next 1,800,000 Gal. per quarter, per 1,000 gallons	\$ .40
Next 6,000,000 Gal. per quarter, per 1,000 gallons	\$ .28
All over 8,000,000 Gal. per quarter, per 1,000 gallons	\$ .15
Minimum annual charge	\$50.00

#### SEVERABILITY.

The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

#### REPEALER.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passes finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_

January 28, 2021.

This ordinance shall become effective ten (10) days after final passage by the Council of the City of Wilkes-Barre.

Attest:

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Jim Ryan, City Clerk