

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

MAY 20, 2019

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTION

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
MAY 20, 2019

RESOLUTIONS

Approving, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as Amended, a Plan of Financing of the City of Wilkes-Barre Finance Authority and Declaring that it is Desirable for the Health, Safety and Welfare of the people of the City for the City of Wilkes-Barre Finance Authority to undertake a project for Allied Services Personal Care, Inc.

ORDINANCES

FILE OF COUNCIL 5 OF 2019 – AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “EMPLOYEES’ PENSION FUND”. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 6 OF 2019 – AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2019 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-FIVE AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES.” (FIRST READING).

FILE OF COUNCIL NO. 7 OF 2019 – AN ORDINANCE AMENDING CHAPTER 5 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “ANIMALS AND FOWL.” (STRAY / FERAL CATS) (FIRST READING)



Resolution No. _____

Wilkes-Barre, PA _____

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

APPROVING, IN ACCORDANCE WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, A PLAN OF FINANCING OF THE CITY OF WILKES-BARRE FINANCE AUTHORITY AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY OF WILKES-BARRE FOR THE CITY OF WILKES-BARRE FINANCE AUTHORITY TO UNDERTAKE A PROJECT FOR ALLIED SERVICES PERSONAL CARE, INC.

WHEREAS, the City of Wilkes-Barre Finance Authority (the "Authority") is a municipality authority incorporated pursuant to a resolution of the City of Wilkes-Barre, Luzerne County, Pennsylvania (the "City"), and is existing under and governed by the provisions of the Municipality Authorities Act of the Commonwealth of Pennsylvania, 53 Pa. C.S. §5601, et. seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, amended and supplemented (the "Act"); and

WHEREAS, the Act permits the Authority to assist in the financing and/or refinancing of buildings and facilities constituting "health centers"; and

WHEREAS, Allied Services Personal Care, Inc. (the "Borrower") has represented to the Authority that it operates or will operate a "health center" within the meaning of the Authorities Act and is a nonprofit corporation existing under laws of the Commonwealth of Pennsylvania (the "Commonwealth"); and

WHEREAS, the Borrower has requested the Authority to issue its revenue notes (the "Notes") in one or more series in an aggregate principal amount not to exceed \$20,000,000 to finance, refinance and/or reimburse a project (the "Project") for the benefit of the Borrower consisting of all or any of the following: (a) designing, acquiring, constructing, renovating, improving, furnishing and equipping of new facilities and existing facilities of the Borrower, including but not limited to the acquisition of Little Flower Manor, St. Therese Residence and St. Luke's Villa, all located in Wilkes-Barre, Pennsylvania, and renovations to such facilities; (b) designing, acquiring, constructing and equipping of site, infrastructure and parking improvements and various other capital improvements to the Borrower's facilities and acquiring various capital equipment for use in or in connection with the facilities of the Borrower; (c) funding, if applicable, necessary reserves for the Notes; (d) refunding the Authority's taxable note to be issued as one of the series of Notes authorized as part of the financing described in this Resolution to finance a portion of the costs of the Project described herein; (e) refunding any other outstanding indebtedness of the Borrower, if advantageous to the Borrower; and (f) funding contingencies and paying all or a portion of the costs and expenses of issuance of the Notes; and

Submitted by _____

ROLL CALL

WHEREAS, the Authority has authorized the issuance of the Notes pursuant to a Resolution adopted by the Authority on April 24, 2019, subject to approval of the Project by the City; and

WHEREAS, the approval by this Council, as evidenced by this Resolution, will enable the Authority to finance the Project without imposing any liability on the City or its citizens or taxpayers with respect to the Notes; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that the applicable elected representative of the governmental unit on behalf of which bonds or notes are issued and of each governmental unit having jurisdiction over the area in which any facility with respect to which financing is to be provided from the net proceeds of such bonds or notes is located, approve such Notes after a public hearing in order for a private activity bond to be a qualified bond under the Code; and

WHEREAS, this Council is the "applicable elected representative" of the City within the meaning of the Code; and

WHEREAS, in accordance with Section 147(f) of the Code, a public hearing was held by the Authority at 10:00 a.m. local time on May 14, 2019, in connection with the issuance of the Notes and a report of such hearing has been provided to this Council; and

WHEREAS, the Act provides that none of the powers granted thereby shall be exercised in the construction, financing, improvement, maintenance, extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes, but that such limitation does not apply to certain projects, including the financing and/or refinancing of buildings and facilities constituting "health centers" within the meaning of the Act, if the municipality organizing the authority for such project shall declare by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such facilities to have such facilities provided by or financed through an authority;

NOW THEREFORE, THE COUNCIL OF THE CITY OF WILKES-BARRE, PENNSYLVANIA hereby resolves that:

Section 1. The issuance of the Notes by the Authority in an aggregate principal amount not in excess of \$20,000,000 and the use of the proceeds of the Notes to finance the Project is hereby approved.

Section 2. It is hereby declared desirable for the health, safety and welfare of the people in the City to have the Authority issue the Notes for the purpose of financing the Project. The City acknowledges that the Authority is entitled to rely upon, and will rely upon, the findings and determinations of the City as set forth in this Section 2.

Section 3. The foregoing action of this Council shall not in any way pledge or obligate the credit or taxing power of the City, nor shall the City be liable for the payment of the principal of, premium, if any, or interest on the Notes or any other cost related thereto.

Section 4. In the event that any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence or clause of this Resolution, it being the intent of the City that such remainder shall be and remain in full force and effect.

Section 5. All resolutions or parts of resolutions inconsistent herewith are hereby repealed.

Section 6. This Resolution shall become effective immediately upon approval.

ADOPTED this 20th day of May, 2019, by the Council of the City of Wilkes-Barre, Luzerne County, Pennsylvania, in lawful session duly assembled.

CITY OF WILKES-BARRE,
LUZERNE COUNTY, PENNSYLVANIA

(SEAL)

By: _____
Mayor

City Controller

Attest: _____
City Clerk

FILE OF COUNCIL

NO. 5 of 2019

Presented in City Council on May 9, 2019.

AN ORDINANCE

AMENDING CHAPTER 2, ARTICLE III, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "EMPLOYEES' PENSION FUND"

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT CHAPTER 2, ARTICLE III, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "EMPLOYEES PENSION FUND" IS HEREBY AMENDED AS FOLLOWS:

CHAPTER 2. ADMINISTRATION

Article III. Employee and Officer Benefits

Division 2. Employees' Pension Fund

Sec. 2-153. Contributions by Employees; refunds.

All new employees of the City and all present employees of the City not presently enrolled into the City employees' pension fund but required to become a member of the system as specified in this division, shall pay into the board of pensions monthly an amount equal to five (5) per centum of their monthly salaries or wages. Payment of the monthly amount or contributions herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided. If for any cause any employee contributing to the pension fund shall cease to be an employee of the city before the employee becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such employee shall be refunded to him in full without interest. If any such employee shall have returned to him the amount contributed as aforesaid, and shall afterward reenter the employ of the city such employee shall not be entitled to the pension designated until twenty (20) years after such reemployment, unless he shall return to the pension fund the amount withdrawn, in which event that period of twenty (20) years shall be computed from the time the employee first enters the service of the city. In the event of the death of any such employee, before such employee becomes entitled to the pension aforesaid, such total amount of contributions paid into the pension fund by such employee shall be paid over to the beneficiary or beneficiaries designated by such employee, or if no beneficiary has been so designated, then to the estate of such deceased employee.

All employees of the City who are hired after the ratification of the most recent collective bargaining agreements for LIUNA Local 1310 or Teamsters Local 401 (April 8, 2019 and April 10, 2019, respectively), shall pay into the board of pensions monthly an amount equal to seven (7) percent of their monthly salaries or wages.

Effective August 1, 2022, all employees as defined in Sec. 2-148 herein shall pay into the board of pensions monthly an amount equal to seven (7) percent of their monthly salaries or wages.

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 _____
_____, 2019.

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

Sec. 2-153. - Contributions by employees; refunds.

All new employees of the city and all present employees of the city not presently enrolled into the city employees' pension fund but required to become a member of the system as specified in this division, shall pay into the board of pensions monthly an amount equal to five (5) percentum of their monthly salaries or wages. Payment of the monthly amount or contributions herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided. If for any cause any employee contributing to the pension fund shall cease to be an employee of the city before the employee becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such employee shall be refunded to him in full without interest. If any such employee shall have returned to him the amount contributed as aforesaid, and shall afterward reenter the employ of the city such employee shall not be entitled to the pension designated until twenty (20) years after such reemployment, unless he shall return to the pension fund the amount withdrawn, in which event that period of twenty (20) years shall be computed from the time the employee first enters the service of the city. In the event of the death of any such employee, before such employee becomes entitled to the pension aforesaid, such total amount of contributions paid into the pension fund by such employee shall be paid over to the beneficiary or beneficiaries designated by such employee, or if no beneficiary has been so designated, then to the estate of such deceased employee.

All new employees hired after January 1, 1999 and prior to January 24, 2001, shall pay into the board of pensions monthly an amount equal to five (5) percent of their monthly salaries and wages.

(Ord. No. 43-76, § VIII, 12-27-76; Ord. No. 1-81, § 1, 2-12-81; Ord. No. 14-98, § 1(G), 5-28-99; Ord. No. 60-2004, § 6(G), 9-7-04)

FILE OF COUNCIL

NO. _____ OF 2019

PRESENTED IN CITY COUNCIL _____

AN ORDINANCE

ENTITLED "AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2019 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-FIVE AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES."

WHEREAS, it is now appropriate to adopt the 2019 Action Plan for Program Year Forty-Five and to submit a Final Statement of Objectives to HUD.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Wilkes-Barre and it is hereby ordained and enacted by authority of the same that:

SECTION I. The Budget and Financial Statement of Objectives for the 2019 Action Plan for Year Forty-five are hereby adopted and referenced in the 2019 Action Plan.

SECTION II. Further, the proper City Officials are hereby authorized to submit to HUD, the Financial Statement of Objectives and Use of Funds for year Forty-Five.

SECTION III. 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 be included.

SECTION IV. Further, the proper City Officials are hereby authorized to bid, award, and execute and all contracts and documents to implement this budget pursuant to all regulatory requirements of the Community Development Block Grant, and HOME Programs.

SECTION V. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

Budget Determination Factors

We held three meetings to discuss 2019 action plan:

- October 24, 2019 @ 5PM
- December 20, 2018 @ 4:30 PM
- February 13, 2019 @ 5:30 PM
- May 1, 2019 @ 5:00 PM

Meetings:

10/24/2018 @ 5PM

2 comment received residents

Attendance: 6 residents, 4 staff

12/20/2018 @ 4:30PM

Domestic Violence Comment Received

Victims Recourse Center Comment Received

Attendance: Victims resource, volunteers of america, Wyoming Valley Children's Assoc., three residents, 4 Staff

13-Feb-19 @ 5:30PM

Wyoming Valley Children Assoc. Comment Received

Osterhout South Branch Comment Received

Catholic Social Services Comment Received

LTCA Comment received in reference to the 5-year action plan

Attendance: 0 residents, 4 staff

01-May-19 @ 5:00PM

Attendance: 0 residents, 4 Staff

Comment Received from Keystone Mission requesting funding for infrastructure

Subsidiaries should not budget an anticipated CDBG allotment into their budget. In fact, no subsidiary should receive the allotment more than two (2) years in a row; however, due to the fact that most agencies here serve different needs, we do not have to worry about that as much. If there were more agencies that provided similar services, then we would need to alter between agencies, as we can't provide funding to two agencies who provide same services.

The following criteria was used by the Mayor, my staff and I to determine the allotment for this year's CDBG Budget:

- Consideration was given to agencies or representatives who either came to one of the meetings or sent in a public comment
- The OECD Department puts out a community survey and we advertised the survey much better this year. As a result, we received over 800

participants vs. the 200 from 2018. Based on those comments, the consensus was focused on Roads, Homeless and Crime. That being said, we wanted to concentrate on these concerns by: Keeping the funding for Community Policing around same as last year, put more into our roads and be sure we do not take away from the homeless programs, as they are expanding their programs to focus more on the reduction of homeless camps throughout the city by providing more life skill counseling and permanent placement.

- The amount of alternate funding each agency receives
- Sum and Blight
- Public safety (fire department allotment for ladder truck)
- Infrastructure- (the portion of the Division street bridge engineering that OCD could pay for based census block group map)

APPLICATIONS:

11 Received:

Public Service	Reason for Funding	Other Funding
Domestic Violence	Homeless Shelter and Abused Spouses	\$ 950,882.00
Osterhout Library (South)	Youth Services	\$ 956,750.00
Osterhout Library (Central)	Salaries	^
Osterhout Library (Reading)	Story time & Craft Program	^
Catholic Social Services	Homeless Services	\$ 251,319.00
Wyoming Valley CA	Child Care, Mental Health & Disabled Services	\$ 90,000.00
YMCA Summer Camp	Recreational Programs	\$ 82,940.00
Volunteers of America	Homeless Shelter	\$ 230,008.00
Child Development Council	Child Care Services	\$ -
Crime Victims Services	Crime Victim Services	\$ 23,320.00
INFASSTRUCTURE		
Keystone Mission-W-B Renovations/Addition	Community Meals, After School Youth Programs, food distribution & Kids Clothes Line	Donation Based

ACTIVITIES TO BE UNDERTAKEN: CDBG

It is a primary objective of the City of Wilkes-Barre, Pennsylvania, to develop and implement a community development and housing program that will serve to:

- ❖ Prevent and eliminate slum and blight conditions and prevent deterioration of property, neighborhoods and community facilities;
- ❖ Conserve and expand the City's housing stock in order to provide a decent home and suitable living environment for all persons;
- ❖ Expand and improve community services which are essential to proper community development;
- ❖ Utilize land and other natural resources for a better use of residential, commercial, industrial, recreational and other necessary activity centers;
- ❖ Reduce the isolation of income groups and promote an increase in the diversity and vitality of neighborhoods.
- ❖ Restore and preserve properties of special value for historic, architectural or aesthetic reasons and
- ❖ Alleviate physical and economic distress through the stimulation of private investment and community revitalization.

Toward the achievement of these overall community development objectives, the City of Wilkes-Barre has developed a specific statement of objectives and use of funds to be undertaken during the 45th program year. The 45th Program Year should begin on or after January 1, 2019, provided that the U.S. Department of Housing & Urban Development approves of said 2019 program and shall run until December 31, 2019. Estimated revenues available to carry out community development activities include an entitlement amount for Year 45 of \$1,520,526 and projected program income totaling \$147,106.98. The Statement of Objectives and Use of Funds and Specific Activities of the 45th Program Year are as follows:

I. PUBLIC FACILITIES AND IMPROVEMENT

All project eligibility will be verified by current census data in appropriate service areas.

1. Site Improvement: Design & Reconstruction

- A. Fundability Citation: 570.208(a)(1)
- B. Eligible Citation: 570.201(c)
- C. Estimated Cost: \$662,491.00
- D. Objective: Engineering, milling, paving, ADA ramps, bridges, parks, renovation/addition to Non-Profit Public Facility (Keystone Mission W-B)

Work to be done in eligible Census Tracts and eligible Block Groups at a Cost of **\$655,391.00**

2. Fire Equipment: Purchase of the following fire equipment

A. Fundability Citation: 570.208(a)(1)

B. Eligibility Citation: 570.201(c)

C. Estimated Cost: \$200,235

D. Objective: Purchase of the following fire equipment:

Ladder Truck

Fire Engine Vehicle

Fire Turnout Gear Racks

Fire Equipment

Fire Turnout Gear

Fire Hose

Self-Contained Breathing Apparatus Bottles

Miscellaneous

Calculation Public Facilities and Fire Equipment

CAP

2019 Entitlement: \$1,520,526.00

Prior Year Program Income: \$ 147,106.98

Total \$1,667,632.98

II. PUBLIC SERVICES

Calculation Public Services

CAP

2019 Entitlement: \$1,520,526.00

Prior Year Program Income: \$

Total \$1,520,526.00

Public Service:

% Public Service: 14.14% **\$ 222,050.00**

1. Recreation Services: YMCA Summer Camp Program

A. Fundability Citation: 570.208 (a)(2)

B. Eligibility Citation: 570.201(e)

C. Estimated Cost: \$3,500.00

D. Objective: To Assist the YMCA in providing a summer camp program, indoor soccer and youth basketball program for children of lower income families.

E. Address: YMCA

40 West Northampton Street

Wilkes-Barre, PA 18711

Phone Number: 570-823-2191

2. Child Care Services:

- A. Fundability Citation: 570.208(a)(2)
- B. Eligibility Citation: 570.201(e)
- C. Estimated Cost: \$15,000.00
- D. Objective: To assist the Child Development Council of Northeastern Pennsylvania to provide care, health testing and instruction of children of lower income working parent(s).
- E. Address: Child Development Council
9 East Market Street
Wilkes-Barre, PA 18701
Phone Number: 570-829-2446

3. Library Services / Osterhout Library: South Branch

- A. Fundability Citation: 570.208(a)(1)
- B. Eligibility Citation: 570.201(e)
- C. Estimated Cost: \$11,000.00
- D. Objective: To assist the Osterhout Free Library to maintain and operate the branch library that assists in youth service and child reading services located at 8 Airy Street, Wilkes-Barre
- E. Address: Osterhout Free Library
8 Airy Street
Wilkes-Barre, Pa 18701
Phone Number: 570-823-5544

4. Library Services / Osterhout Free Library: Reading Program

- A. Fundability Citation: 570.208(a)(2)
- B. Eligibility Citation: 570.201(e)
- C. Estimated Cost: \$1,000.00
- D. Objective: To assist the Osterhout Free Library in providing library personnel for story hours at the McGlynn Learning Center at Boulevard Townhomes and at the Head Start Program at the Learning Center, Beekman Street, Wilkes-Barre, PA 18702
- E. Address: Osterhout Free Library
71 South Franklin Street
Wilkes-Barre, PA 18701
Phone Number: 570-823-0156

5. Library Services / Osterhout Library: Central

- A. Fundability Citation: 570.208(a)(1)
- B. Eligibility Citation: 570.201(e)
- C. Estimated Cost 1,000.00
- D. Objective: To assist in funding the operating costs of the Children's Department of the Osterhout Free Library Central.
- E. Address: Osterhout Free Library
71 South Franklin Street
Wilkes-Barre, PA 18701
Phone Number: 570-823-0156

6. Homeless Shelter Services:

A. Fundability Citation: 570.208(a)(2)(A)

B. Eligibility Citation: 570.201(e)

C. Estimated Cost: \$16,000

D. Objective: To assist the Catholic Social Service in overseeing their men's homeless shelter program which is located in various churches/schools throughout the City/County.

E. Address: Catholic Social Services
33 East Northampton Street
Wilkes-Barre, PA 18701

7. Homeless Shelter Services:

A. Fundability Citation: 570.208(a)(2)(A)

B. Eligibility Citation: 570.201(e)

C. Estimated Cost: \$16,000

D. Objective: To assist Ruth's Place/Volunteers of America PA in overseeing their woman's homeless shelter program.

E. Address: Volunteers of America PA
25 North River Street
Wilkes-Barre, PA 18702

8. Crime Victim Counseling Service:

A. Fundability Citation: 570.208(a)(2)(A)

B. Eligibility Citation: 570.201(e)

C. Estimated Cost: \$14,100.00

D. Objective: To assist the Victims Resource Center in providing a comprehensive victims of crime counseling service.

E. Address: Victims Resource Center
71 North Franklin Street
Wilkes-Barre, PA 18701
Phone Number: 570-208-4954 or 570-823-0765

9. Police Protection Services:

A. Fundability Citation: 570.208(a)(1)

B. Eligibility Citation: 570.201(e)

C. Estimated Cost: \$116,350.00

D. Objective: To assist the Wilkes-Barre Police Department in conjunction with the Proactive Community Policing Program. The main purpose of the program will be to work to prevent crime by working with the community to recognize the problems and work to eliminate them. CD funds will be used to pay for the operational costs, including staffing, associated with this program.

E. Address: Wilkes-Barre Police Department
Wilkes-Barre, PA 18711
Phone Number: 570-208-4191

10. Homeless Shelter Services:

- A. Fundability Citation: 570.208(a)(2)(A)
- B. Eligibility Citation: 570.201(e)
- C. Estimated Cost: \$15,100.00
- D. Objective: To assist Domestic Violence in overseeing their bridge shelter program.
- E. Address: Domestic Violence
P.O. Box 2177
Wilkes-Barre, PA 18702

11. Wyoming Valley Children's Association:

- A. Fundability Citation: 570.208(a)(2)
- B. Eligibility Citation: 570.201(e)
- C. Estimated Cost: \$13,000.00
- D. Objective: To provide an outstanding education, as well as, speech, occupational and physical therapy to children with learning delays and physical disabilities. Funding would provide financial assistance to children of low-income homes who reside in the City of Wilkes-Barre
- E. Address: Wyoming Valley Children's Association
1133 Wyoming Avenue
Forty Fort, PA 18704

III. REHABILITATION & PRESERVATION

The programs contact is

Wilkes-Barre City Hall
40 East Market Street
Wilkes-Barre, PA 18711
Phone Number: 570-208-4132

City Property Rehabilitation Loan & Grant Programs are as follows:

1. Emergency Rehabilitation Grant Program:

- A. Fundability Citation: 570.208(a)(3)
- B. Eligibility Citation: 570.202
- C. Estimated Cost: \$112,850.00
- D. Objective: To provide grant assistance to qualifying very low- & low-income owner-occupied homeowners to correct emergency housing code violations, i.e., furnace repairs, electrical, etc. This program is implemented on the City's behalf by the Commission on Economic Opportunity.

IV. DEMOLITION

- A. Fundability Citation: 570.208(b)(2)
- B. Eligibility Citation: 570.202
- C. Estimated Cost: \$40,000
- D. Objective: Demolition of deteriorated structures on a spot basis.
Cost: **\$40,000**

V. GENERAL ADMINISTRATION

Calculation Administration
CAP

2019 Entitlement:	\$1,520,526.00
Total:	\$290,000.00

Administration/Planning:

% Administration: 19.07%

- A. Estimated Cost: \$290,000.00
- B. Objective: Management, monitoring and overall administration of the CDBG Program.

VI. ECONOMIC DEVELOPMENT ACTIVITIES

- A. Fundability Citation: 570.208(a)(4)(v)(b)
- B. Eligibility Citation: 570.203
- C. Estimated Cost: \$1,520,526.00 (P.I.)
- D. Objective: Revolving Loan Account – provide low-interest loans for profit businesses to stimulate economic revitalization for the city of Wilkes-Barre. Creation of one low/mod job for every \$35,000 borrowed. Monies to be leveraged with other private, public monies.

1. Economic Development Activities: The City will be authorized to apply to HUD and receive guaranteed loan funds under HUD Section 108 Program, up to a maximum amount allowed under the program. Those funds shall be used for economic development activities in the City. The project must meet the low to moderate income guidelines of HUD. HUD underwriting guidelines will be used for each project. One public meeting, as per HUD regulations, will be held before funding an individual 108 project to receive input from the public.

NOTE: Currently the City does not have any projects in mind for a Section 108 application. If the need arises, we will follow the appropriate citizen participation requirements and will solicit HUD's input in the undertaking.

HOME Investment Partnership Program —2019

The City of Wilkes-Barre will receive \$358,653.00 in HOME Investment Partnership Program funding for 2019.

In accordance with the HOME Investment Partnership Program regulations 15% of the annual entitlement must be designated to a Community Housing Development Organization (CHDO) and 10% can be used for administrative costs.

Budget

Administration (10%) of entitlement	\$35,865.30
Community Housing Development Corp.	\$53,798.00
Eligible HOME activities	\$268,990.00

*Activities to undertaken

Home Investment Partnership Program monies will be allocated to the rehabilitation of existing housing stock, acquisition and rehabilitation of existing housing stock, the construction of new homes or the development of senior rental units. **SEE NEXT PAGE FOR ACTIVITIES PLANNED**

I. Senior Cottages Courtright The construction of 4 senior cottages @ Courtright Development

Developer: Housing Development Corp of NEPA

Funding available:	CHDO	\$37,133.70	FY 2016
		\$36,885.00	FY 2017
		\$53,798.00	FY 2018

PI	\$45,000.00
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Entitlement	\$89,000.00	FY 2017
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TOTAL AVAILABLE	\$261,816.70
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II. CITY WIDE OWNER OCCUPIED HOUSING REHABILITATION :

Entitlement	Funding available:	\$165,428.13	FY 2016
		\$95,423.50	FY2017
		\$268,989.75	FY 2018

TOTAL	\$529,841.38
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CHDO = Community Housing Development Organization, statutory 15% allocated

PI = Program Income

Entitlement = Annual HOME Investment Partnership Program Allocation from HUD

2019 Budget			
2019 CDBG Budget		\$1,520,526.00	%
PUBLIC FACILITIES	\$662,491.00		
Infrastructure Improvements			0.00%
Streets		\$583,091.00	38.35%
Parks including engineering (TBD)		\$10,000.00	0.66%
Scout Lee/bog/mayflower/spruce remaining			
Ada Improvemets			
Bridges			
Engineering/Division Street Bridge		\$42,300.00	
Keyston Mission-Wilkes-Barre Renavation/Addition		\$20,000.00	
FIRE EQUIPMENT	\$200,235.00		
Ladder Truck		\$ 200,235.00	13.17%
Fire Engine Vehicle- (Budgeted in 2018 w/ Amendment \$538,174.19 using RL and transfers from other years)			0.00%
Fire Turnout Gear Racks			0.00%
Fire Turnout Gear			0.00%
Fire Equipment			0.00%
Fire Hose			0.00%
Self Containing Breathing Masks			0.00%
Miscellaneous			
DEMOLITION			
Demolition (Slum & Blight)		\$40,000.00	2.63%
PUBLIC SERVICES			
YMCA (Childrens Camp)		\$3,500.00	0.23%
Child Development Council (Child Care)		\$15,000.00	0.99%
Osterhout Free Library (South-Children's Programs)		\$11,000.00	0.72%
Osterhout Free Library (Central-Reading)		\$1,000.00	0.07%
Osterhout Free Library (Central-Basic Operations)		\$1,000.00	0.07%
Men's Homeless Shelter- Men (Catholic Social Services)		\$16,000.00	1.05%
Victims Resource Center (Crime Counseling)		\$14,100.00	0.93%
Community Policing		\$116,350.00	7.65%
Ruth Place- Womem's Shelter(Volunteers of America)		\$16,000.00	1.05%
Domestic Violence (Emergency Shelter)		\$15,100.00	0.99%
Wyoming Valley Children's Assoc (Childs Health)		\$13,000.00	0.85%
HOUSING			
Emergency Rehab		\$112,850.00	7.42%
Housing (1-2 Unit) (RL FUND)			
ADMINISTRATION			
Administration Hours (20%)		\$290,000.00	19.07%
			95.90%
Total		\$1,520,526.00	
Actual Budget		\$1,520,526.00	
Surplus + (Deficit -)		\$0.00	
MISC. NOTES			
\$538,174.19-Between RL all years to pay for Fire Engine (\$376,804.22 after sale of garage for ladder truck)	2019 Entitlement	\$1,520,526.00	
(\$200.235 year 1, \$362,347 year 2 needed to budget for ladder truck over			
Low Mod- 70%			
Admin-20%			
S&B-10%			

APPROVED



DENIED _____

FILE OF COUNCIL

Presented in City Council on May 20, 2019

No. _____ of 2019

**AN ORDINANCE AMENDING CHAPTER 5 OF THE WILKES-BARRE
CITY CODE OF ORDINANCES ENTITLED "ANIMALS AND FOWL."**

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "ANIMALS AND FOWL" IS HEREBY AMENDED TO ADD THE FOLLOWING ARTICLE:

CHAPTER 5. ANIMALS AND FOWL

Article V. CATS

Section 5-66. Responsibilities of owner/keeper regarding stray cats.

It shall be unlawful for any owner or keeper of any cat to permit such cat to run free outside the residence of its owner or keeper unless said cat has been:

- A. Neutered or spayed to prevent it from procreating.
- B. Immunized against rabies.
- C. Having owner's identification by means of a collar and tag/license and microchip implanted.
- D. Registered as part of a registered colony with Wilkes-Barre City Animal Control.

Section 5-67. Requirements for feral cat colony/colonies.

Cat colonies create unwanted noise, trespass on private and public lands, are responsible for the deaths of native songbirds and other animals, exist in unsanitary conditions that contribute to the spread of diseases, and increase the production of fleas, lice, ticks and other disease carriers. Wilkes-Barre City finds that a properly managed cat colony is a humane means to reduce populations over a period of time only when management guidelines are set forth and strictly adhered to. The Animal Control Officer shall inspect and regulate any proposed or actual cat colony location and approve or deny its development or maintenance.

- A. It is unlawful for any person or organization to intentionally provide food, water, shelter or other forms of sustenance or care to a feral cat colony/colonies on any public property, to include all Wilkes-Barre City parks.
- B. It is unlawful for any person or organization to intentionally provide food, water, shelter or other forms of sustenance or care to a feral cat colony/colonies on private land unless the person or organization has registered the feral cat colony/colonies annually with the Animal Control Officer and must adhere to the following requirements:
 - 1. Sterilize (spay or neuter) all adult cats that can be captured. Trap Neuter & Release "TNR" is to be done on the registered colony property only. Traps are to be placed on the registered colony property and the cats are to be released on the registered colony property only.
 - 2. Vaccinate all cats that can be captured against rabies, preferably with a three-year vaccine.
 - 3. Make every attempt to remove kittens from the colony before eight weeks of age for domestication and placement.
 - 4. Make every attempt to remove sick or injured cats from the colony for immediate veterinarian care or humane euthanasia.
 - 5. Assure responsibility and arrangements for feeding the cat colony regularly throughout the year, including weekends and holidays.
 - 6. Make every attempt to ear tip all cats with a single cut preferably on the left ear.
 - 7. Maintain proof of sterilization, vaccination, ear tipping and medical records for all cats. Records must be provided to the Animal Control Officer upon request.
 - 8. The feeding of the cats in colony/colonies must stop by sunset daily and can resume at sunrise the following day. All leftover food is to be picked up daily by sunset.
- C. Any person or caregiver determined to be in violation of Subsection A or B (1) through (8) above shall be issued a written warning and be allowed a period of time in the discretion of the Animal Control Officer, but no longer

than 30 days, to come into compliance, or provide satisfactory evidence of working to achieve compliance. Failure to comply shall result in a violation of this ordinance, which may result in the issuance of a citation.

- D. All registered colonies are subject to random inspection by Wilkes-Barre City officials to ensure the health and wellbeing of the animals, and to ensure that the cat/colony caretaker is in compliance with all regulations.
- E. Wilkes-Barre City has the right to seize/remove the colony on public or private property because of public health and safety concerns, creating a public nuisance or when the cat/colony caretaker fails to abide by the requirements set forth in this section.
- F. Cat owner/keepers/colonies are subject to approval from the Wilkes-Barre Health Department pending application, site inspection, a verified neighborhood approval rating of 75% or more within a one block radius of the proposed colony site, and registration.

Section 5-68. Violations and penalties.

Any person, organization, firm or corporation who shall violate any provision of this ordinance, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 and not more than \$1,000, plus costs. A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues. Each day that a violation of this ordinance continues or each section of this ordinance which shall be found to have been violated shall constitute a separate offense.

Section 5-69. Annual Cat License.

A. **All cats**, whether a domestic house cat or a stray/feral colony cat, 2 months or older are to be licensed every year. New licenses will be available the first week of January every year. The deadline to register your cat before late fees and a \$50 fine will be imposed is April 1st. All cats who move to Wilkes-Barre after April 1st should be licensed within 30 days of their arrival in Wilkes-Barre City. Proof of residency and the cat's most recent rabies certificate will be needed at the time of registration.

B. If you are a new pet owner (within 2 months) who has not previously registered your pet: You can register your cat without incurring late fees as long as dated proof of ownership and proof of rabies vaccination is provided at the time of registration

C. The chart below shows the cost to register/license your cat in Wilkes-Barre City:

CATS	JAN 1 – APRIL 1	APRIL 1 – APRIL 30	MAY 1 – DECEMBER 31
Spayed or Neutered	\$6.50	\$11.50	\$21.50
Non-neutered Male	\$8.50	\$13.50	\$23.50
Non-spayed Female	\$8.50	\$13.50	\$23.50

These fees do include late fees for all cats registered after April 1st. They do not include the \$50.00 fine imposed for not registering your cat.

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 _____
_____, 2019.

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

Attest:

Jim Ryan, City Clerk