

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

DECEMBER 21, 2021

6:00 p.m. Cathy Payne, City Clerk

-ORDINANCES FOR SECOND AND FINAL READING-

FILE OF COUNCIL NO. 14 OF 2021 – AN ORDINANCE AMENDING SECTION 29.240.3 OF ARTICLE VIII OF CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “DESIGNATED ZONE”.

FILE OF COUNCIL NO. 15 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”.

FILE OF COUNCIL NO. 16 OF 2021 – AN ORDINANCE AMENDING CHAPTER 30 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “UTILITIES.”

6:10 p.m. Mayor George C. Brown (See Attached)

FILE OF COUNCIL

Presented to City Council on December 9, 2021

No. 14 of 2021

AN ORDINANCE AMENDING SECTION 29.240.3 OF ARTICLE VIII OF CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "DESIGNATED ZONE."

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT SECTION 29.240.3 OF ARTICLE VIII OF CHAPTER 29 ENTITLED "DESIGNATED ZONE" IS HEREBY AMENDED AS FOLLOWS:

CHAPTER 29. TRAFFIC AND MOTOR VEHICLES

ARTICLE VIII. DOWNTOWN RESIDENTS METER PARKING PERMIT PROGRAM

Section 29-240.3 Designated zone.

Residential parking permits within the downtown metered zone will hereby be permitted for domiciled residents in the designated zone bounded and described as follows:

West South Street from Barnum Place to West River Street.

West River Street to West Ross Street.

West Ross Street to South Main Street.

South Franklin Street from West South Street to West Ross Street.

South River Street from West South Street to West Ross Street.

North Franklin Street from West Market Street to West Union Street.

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All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.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 _____
_____, 2021.

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

Attest:

Cathy Payne, City Clerk

FILE OF COUNCIL

Presented in City Council on December 7, 2021

No. 15 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."

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 _____
_____, 2021.

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

Attest:

Cathy Payne, City Clerk

FILE OF COUNCIL

Presented in City Council on December 7, 2021

No. 16 of 2021

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:

<i>Classification</i>	<i>Annual Rent</i>
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.

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 _____

_____.

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

Attest:

Cathy Payne, City Clerk



Resolution No. _____

Wilkes-Barre, PA _____

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

AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2022 IN THE PRINCIPAL AMOUNT OF THREE MILLION DOLLARS (\$3,000,000); PROVIDING FOR THE DATED DATE, INTEREST RATE, MATURITY DATE, PAYMENT AND PLACE OF PAYMENT IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL FOR THE PURCHASE OF THE NOTE; NAMING A SINKING FUND DEPOSITARY/PAYING AGENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO EXECUTE AND DELIVER THE NOTE AND CERTAIN OTHER DOCUMENTS AND CERTIFICATES IN CONNECTION THEREWITH; IF APPLICABLE, DESIGNATING THE NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AUTHORIZING AND DIRECTING THE PREPARATION, CERTIFICATION AND FILING OF THE NECESSARY DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH A FORM OF THE NOTE.

WHEREAS, City of Wilkes-Barre, Luzerne County, Pennsylvania (the "City"), anticipates receiving taxes and other revenues during the fiscal year ending December 31, 2022, which taxes and other revenues are currently uncollected; and

WHEREAS, the City has estimated, on a monthly basis, its expected taxes, revenues and expenditures for the fiscal year ending December 31, 2022, and has determined that during a portion of such fiscal year it will experience a "cumulative cash flow deficit" as such phrase is defined in the regulations promulgated under Sections 103 and 148 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the City has determined to borrow monies for the purpose of funding, in part, such cumulative cash flow deficit by issuing a note to be repaid from the anticipated taxes and revenues, all in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, Act 53 Pa.C.S., Chapters 80-82, as reenacted and amended (the "Debt Act"); and

WHEREAS, the City has received an acceptable proposal for the purchase of its Tax and Revenue Anticipation Note as hereinafter described; and

WHEREAS, as required by Section 8126 of the Debt Act, officials of the City have heretofore made an estimate of the taxes and revenues to be received during such fiscal year ending December 31, 2022, and, by their execution of a certificate with respect thereto dated this date, have certified to such estimate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Wilkes-Barre, Luzerne County, Pennsylvania (the "Council"), in lawful session duly assembled, as follows:

Section 1. For the reasons and purposes recited above, the City hereby exercises its power and authority to borrow money and authorizes the issuance and sale of its Tax and Revenue Anticipation Note, Series of 2022, in the principal amount of Three Million Dollars (\$3,000,000) (the "Note") in anticipation of the receipt of current taxes and revenues during the fiscal year ending December 31, 2022, such Note to be issued, sold and delivered as hereinafter provided.

Section 2. The Mayor and City Controller of the City, attested by the City Clerk, are hereby authorized and directed, in the name and on behalf of the City, to prepare and file with the Department of Community and Economic Development of the Commonwealth of Pennsylvania a certified copy of this Resolution, a certificate setting forth the taxes and revenues to be collected in the fiscal year ending December 31, 2022, and a true copy of the accepted Proposal (hereinafter defined) for the purchase of the Note, all as set forth in and required by Section 8128 of the Debt Act. The Mayor and City Controller of the City, attested by the City Clerk, are also hereby authorized and directed, in the name and on behalf of the City, if applicable, to prepare and verify a certificate, in accordance with Sections 103 and 148 of the Code and the regulations applicable thereto, setting forth the anticipated use of the proceeds, to prepare and deliver to the Purchaser of the Note the certificate required by Section 8127 of the Debt Act relating to the total amount of the City's tax and revenue anticipation notes outstanding on the date of delivery of the Note, and to take any and all other action, and to execute and deliver any and all other documents and instruments, as may be necessary, proper or desirable to effect the issuance and sale of the Note as contemplated herein. The certification made on the date of adoption of this Resolution by the aforementioned officials of the City, relating to the amount of taxes and other revenues remaining to be collected by the City in the fiscal year ending December 31, 2022, is hereby ratified and approved.

Section 3. The Note shall be designated "City of Wilkes-Barre, Luzerne County, Pennsylvania, Tax and Revenue Anticipation Note, Series of 2022", shall be in registered form, without coupons, shall be prepayable prior to maturity, shall be in the denomination of Three Million Dollars (\$3,000,000), shall be dated the date of issuance, shall bear interest at the rate of interest set forth in the Proposal from the date of delivery until maturity, shall mature on December 31, 2022, and shall be payable as to principal and interest at the place and in the manner and be otherwise in substantially the form set forth in the form of Note attached as Exhibit "A" hereto and the Proposal attached as Exhibit "B" hereto or such other Proposal as may be selected in accordance with Section 8 of this Resolution.

Section 4. The Note, when issued, will be a general obligation of the City. If applicable, in accordance with the provisions of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), the City hereby finds, determines and designates the Note as a "qualified tax-exempt obligation" as defined in Section 265(b)(3)(B) of the Code, for the purposes of such Section 265(b) of the Code. If applicable, the City determines that it and all entities with which it is aggregated under Section 265(b)(3)(E) of the Code have not issued, and do not reasonably expect to issue, tax-exempt obligations which, in the aggregate, exceed or will exceed Ten Million Dollars (\$10,000,000) during the calendar year 2022. If applicable, the City also determines that it will not engage in any action or inaction which will or may cause the Note to fail or cease to constitute a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code.

Section 5. The Note shall be executed by the Mayor and City Controller of the City, shall have the corporate seal of the City affixed thereto, and shall be duly attested by the City Clerk. The Mayor and City Controller of the City are further authorized and directed to deliver the Note to the Purchaser hereinafter named upon the terms and conditions hereinafter provided and to execute and deliver such other documents and instruments, attested to by the City Clerk, and to take such other action as may be necessary or appropriate to effect the issuance and sale of the Note in accordance with this Resolution and the Debt Act. The execution and delivery of the Note in accordance with Section 9 hereof and this Section 5 shall constitute conclusive proof of the approval of the final terms and provisions of the Note by the City.

Section 6. The Note, together with any other tax and revenue anticipation notes issued, or to be issued, by the City during the City's fiscal year ending on December 31, 2022, shall, upon issuance thereof, be equally and ratably secured by a pledge of, security interest in, and a lien and charge on, the taxes and other revenues to be received by the City during the period when the Note is outstanding; and the Mayor and City Controller of the City, attested by the City Clerk, are hereby authorized and directed to prepare and file, or to have filed, such financing statements as may be necessary to fully perfect such pledge, security interest, lien and charge pursuant to the Pennsylvania Uniform Commercial Code and Section 8125 of the Debt Act.

Section 7. If applicable, the City hereby covenants that it will not make any use of the proceeds of the Note or do or suffer any other action which, if such use or action had been reasonably expected on the date of issuance of the Note, would cause the Note to be an "arbitrage bond" or a "private activity bond" as such terms are defined in Section 148 or Section 141 of the Code and the regulations applicable thereto and further covenants that it will comply with Section 148 and Section 141 of the Code, and with any regulations applicable thereto, throughout the term of the Note, including without limitation, any requirements relating to a rebate of certain excess earnings pursuant to Section 148(f) of the Code of any regulations applicable thereto now existing or promulgated hereafter. In connection therewith, the Mayor and City Controller of the City, attested by the City Clerk, are hereby authorized and directed to execute and to deliver, in the name and on behalf of the City, any and all documents or other instruments which Stevens & Lee, P.C., Bond Counsel, may reasonably request to provide its opinion that the Note is not an "arbitrage bond" or a "private activity bond" within the meaning of Section 148 and Section 141 of the Code and the regulations applicable thereto, if applicable.

Section 8. The proposal of the lender identified therein, presented to the Council is attached hereto as Exhibit "B", or such other proposal and lender, and with such other terms and provisions, as may be selected by the Mayor of the City (such proposal selected in accordance with this Section 8 being hereinafter referred to as the "Proposal" and such lender selected in accordance with this Section 8 being hereinafter referred to as the "Purchaser"), is hereby accepted and the Note is hereby awarded to the Purchaser at a private sale for the purchase price of \$3,000,000. The terms of the Proposal are incorporated herein by reference with the same effect as if set forth in full at this place. The Mayor and City Controller, attested by the City Clerk, are hereby authorized and directed to, accept the Proposal, in the name of and on behalf of the City, by executing the City's acceptance on an original copy of the Proposal, to deliver a copy of the same to the Purchaser and to file the original with the records of the City. The Mayor and City Controller are hereby authorized to deliver the Note to the Purchaser upon receipt of the full principal amount of the purchase price for such Note and upon compliance with all conditions precedent to such delivery as required by the Debt Act, this Resolution and the Proposal; and such Mayor and City Controller, attested by the City Clerk, is hereby authorized and directed to prepare, verify and deliver to the Purchaser concurrently with the delivery of the Note, the certificate required by Section 8127 of the Debt Act, a copy of which certificate shall be retained with the records of the City until all tax and revenue anticipation notes issued by the City during the fiscal year ending on December 31, 2022, shall have been paid in full.

Section 9. The form of the Note shall be substantially as set forth and attached hereto as Exhibit "A," which form is hereby incorporated by reference and adopted as it fully recited at length herein and said form is hereby approved by this Council. The form of the Note as submitted to the City is hereby approved in substantially such form, with such changes, insertions and variations as are necessary or appropriate to reflect the final terms, including, but not limited to, taxable or tax-exempt interest rates, principal amounts, the name or designation and redemption or prepayment provisions, of the Note and whether the Note is issued as a taxable or tax-exempt interest rate note, all as determined by the Mayor of the City upon delivery of the definitive Note in accordance with the provisions of this Resolution and such other changes as the Mayor of the City may approve, such approval to be evidenced by such officer's execution and delivery of the Note.

Section 10. The proper officers of the City are hereby authorized, empowered and directed to contract with a bank or bank or trust company authorized to do business in the Commonwealth of Pennsylvania (the "Paying Agent") for its services as paying agent and sinking fund depository in accordance with the terms of the Proposal, this Resolution and the Debt Act. The proper officers of the City are hereby authorized to establish a sinking fund for the Note with the Paying Agent for the benefit of the holder of the Note. The City Controller or other proper officer of the City is hereby authorized and directed to make deposits to the sinking fund to be held for the payment of principal and interest on the Note no later than the date of final maturity thereof.

Thereafter, the Paying Agent shall, without further authorization or direction from the City or any of its officials, withdraw moneys from the sinking fund and apply such moneys to the payment of principal and interest then due on the Note. Deposit by the City into the sinking fund of the full amount of such money shall satisfy in full the obligation of the City to pay principal and interest with respect to the Note.

Section 11. Stevens & Lee, P.C., is hereby appointed Bond Counsel to the City in connection with the issuance and sale of the Note.

Section 12. The City Controller or other proper official of the City is hereby authorized and directed to pay at, or subsequent to, the closing for the issuance of the Note, all costs and expenses incurred by or on behalf of the City or required to be paid by the City in connection with the issuance and delivery of the Note to the Purchaser.

Section 13. The Mayor, City Controller and City Clerk of the City and all other proper officers of the City are hereby authorized, jointly and severally, to do any and all other things necessary to effectuate the issuance, execution, delivery and sale of the Note, including the execution and delivery of any and all additional documents, representations, declarations, depositary agreements, debt service agreements, loan agreements, reimbursement agreements, security agreements, promissory notes, escrow agreements, assignments, financing statements, certificates, authorizations, contracts, engagement letters, agreements, insurance binders and other papers as may be necessary to effectuate any of the foregoing, and such execution and delivery shall be conclusive evidence of the authorization and approval thereof by the City.

Section 14. If any provision, section, sentence, clause or part of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the City that the remainder of this Resolution shall remain in full force and effect. The City reserves the right to amend this Resolution or any portion hereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration hereof.

Section 15. This Resolution shall become effective immediately upon approval.

Section 16. All resolutions or parts of resolutions, insofar as the same shall be inconsistent herewith, shall be and the same expressly hereby are repealed.

[The remainder of this page intentionally left blank.]

DULY ADOPTED , THIS 21st DAY OF DECEMBER, 2021, BY THE COUNCIL OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY, PENNSYLVANIA, IN LAWFUL REGULAR SESSION DULY ASSEMBLED.

CITY OF WILKES-BARRE
Luzerne County, Pennsylvania

Attest:

Cathy Payne, City Clerk

Mayor George C. Brown

(SEAL)

Darren Snyder, City Controller

Submitted by: _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS

BARRETT

BELUSKO

MARCONI

McBRIDE, (Vice Chairperson)

BROOKS (Chairperson)

Seconded by: _____, *City Clerk*

EXHIBIT "A"

NOTE

EXHIBIT "B"

PROPOSAL FOR PURCHASE OF NOTE

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EXHIBIT "B"

PROPOSAL FOR PURCHASE OF NOTE



Resolution No. _____

Wilkes-Barre, PA _____

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

WHEREAS, the City of Wilkes-Barre will advertise for bids for the Demolition of 42-44 Monroe Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to sign any and all necessary documents related to awarding the contract to the lowest responsible bidder for the Demolition of 42-44 Monroe Street.

BE IT FURTHER RESOLVED that the payment related thereto be made from OECD Budget.

Submitted by _____

ROLL CALL

VFAC

RESOLUTIONS

NAVC



Resolution No. _____

Wilkes-Barre, PA _____

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

WHEREAS, the City of Wilkes-Barre advertised for bids for a Park project called **Public Square Ice Rink**, (the "Project").

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to sign any and all necessary documents related to entering an agreement with Sport Resource Group (a Costar's Vendor) in the amount of \$55, 990.00 for the ice rink stand-alone system related to the Public Square Ice Rink.

PAYMENT to be made from American Rescue Plan proceeds.

Submitted by _____

ROLL CALL



Resolution No. _____

Wilkes-Barre, PA _____

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

WHEREAS, the City of Wilkes-Barre, Pennsylvania (the "City") (i) will be owed outstanding taxes that are secured by real estate tax claims on parcels located in Luzerne County for the fiscal year ending December 31, 2021 and previous years (collectively, the "2021 Tax Claims"); (ii) anticipates that it will be owed additional outstanding taxes that will be secured by real estate tax claims on parcels located in Luzerne County for the fiscal year ending December 31, 2022 (the "anticipated 2022 Tax Claims"); and (iii) anticipates that it will be owed additional outstanding taxes that will be secured by real estate tax claims on parcels located in Luzerne County for the fiscal year ending December 31, 2023 (the "anticipated 2023 Tax Claims") and (iv) anticipates that it will be owed additional outstanding taxes that will be secured by real estate tax claims on parcels located in Luzerne County each fiscal year thereafter; and

WHEREAS, the City of Wilkes-Barre Finance Authority (the "Authority") has a program in place to purchase the 2021 Tax Claims in an estimated amount not to exceed that fiscal year's real estate tax settlement amount on or after January 1, 2022, and, on or after January 1, 2023, to purchase the 2022 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2024, to purchase the 2023 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount;

WHEREAS, a Purchase and Sales Agreement (the "Agreement"), which will include therein a mandatory repurchase obligation by the City, together with any other documents or instruments necessary to complete the transaction, will be entered into by the City and the Authority for the purchase of the 2021 Tax Claims and may be further amended by the City and the Authority for the subsequent purchase of future tax claims, including, but not limited to, the anticipated 2022 Tax Claims and the anticipated 2023 Tax Claims.

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the City agrees to sell its 2021 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount to the Authority pursuant to the Agreement, and, on or after January 1, 2023, to purchase the anticipated 2022 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2024, to purchase the anticipated 2023 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, which includes therein a mandatory repurchase obligation by the City under certain circumstances, and other supporting documents and amendments that shall be in a form approved by the Mayor and City Solicitor; and be it

Submitted by _____

ROLL CALL

FURTHER RESOLVED, that the City be and is hereby authorized to sell the 2021 Tax Claims and the anticipated 2022 Tax Claims and the anticipated 2023 Tax Claims to the Authority on such terms and conditions as approved by the Mayor and City Solicitor; and be it

FURTHER RESOLVED, that the City shall retain the firm of Municipal Revenue Services, Inc., to facilitate the structure, closing and implementation of the sale of the 2021 Tax Claims and the anticipated 2022 Tax Claims and the anticipated 2023 Tax Claims as contemplated by the Agreement as same may be amended; and be it

FINALLY RESOLVED, that the proper City officials be and they are hereby authorized and directed to take any and all actions necessary and required to complete the transactions, including, but not limited to, the execution of all documents subject to the approval as to form of said document by legal counsel for the City.

ATTEST:

WILKES-BARRE CITY COUNCIL

Cathy Payne, City Clerk

By:

Tony Brooks, Council Chair

(SEAL)

CITY OF WILKES-BARRE

CERTIFICATE OF CITY CLERK

THE UNDERSIGNED, the City Clerk of the City of Wilkes-Barre, does hereby certify that:

1. I am the duly qualified City Clerk of the City of Wilkes-Barre (the "City").

2. Attached hereto as Exhibit "A" is a true and correct copy of the resolution adopted by the Wilkes-Barre City Council at a meeting held on _____, 2021, pursuant to notice, at which a quorum was present and acting throughout and that said resolution has not been modified, amended or rescinded and is in full force and effect at the date hereof in the form annexed hereto.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Wilkes-Barre this ____ day of _____, 2021.

THE CITY OF WILKES-BARRE

By: _____
Cathy Payne, City Clerk



Resolution No. _____

Wilkes-Barre, PA _____

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

THAT the proper city officials are hereby authorized to take any and all necessary actions related to the purchase of the following two (2) special needs vehicles from Polaris Sales, Inc. for a total purchase price of \$36,052.98:

1. One (1) Polaris Ranger Crew Side by Side;
2. One (1) Polaris 570 Premium Quad.

BE IT FURTHER RESOLVED, that the new vehicles be purchased using American Rescue Plan proceeds.

Submitted by _____

ROLL CALL



Resolution No. _____ Wilkes-Barre, PA _____

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

THAT the proper city officials are hereby authorized to take any and all necessary actions related to entering an agreement with Action Target, Inc. to fully refurbish the Police Department's Firing Range for a contract price of \$197,232.00.

BE IT FURTHER RESOLVED, that the project be paid from American Rescue Plan proceeds.

Submitted by _____

ROLL CALL



Resolution No. _____

Wilkes-Barre, PA _____

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

THAT the proper city officials are hereby authorized to take any and all necessary actions related to the purchase and upfit of the following four (4) vehicles from Ford Rottet Motors, Inc. and Kovatch for a total purchase price of \$224,584.15:

1. Two (2) 2022 Ford Police Interceptor Caged SUV's;
2. One (1) 2022 Ford Police Interceptor Non-Cages SUV;
3. One (1) 2022 F-150 Police Responder.

BE IT FURTHER RESOLVED, that the project be paid from American Rescue Plan proceeds.

Submitted by _____

ROLL CALL



Resolution No. _____

Wilkes-Barre, PA _____

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

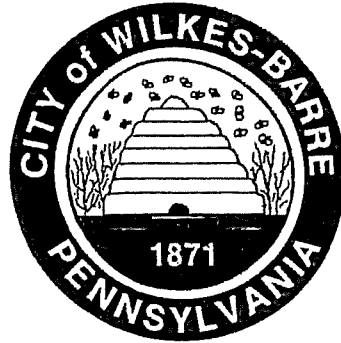
THAT the proper city officials are hereby authorized to take any and all necessary actions related to upgrading the Police Department's weapons and related accessories for a price not to exceed \$55,000.00.

BE IT FURTHER RESOLVED, that the weapons upgrade be paid from American Rescue Plan proceeds.

Submitted by _____

ROLL CALL

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

DECEMBER 21, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

ORDINANCES

MINUTES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNAMENT

CITY COUNCIL
DECEMBER 21, 2021
RESOLUTIONS

Authorizing the issuance of a Tax and Revenue Anticipation Note, Series of 2022 in the principal amount of three million dollars (\$3,000,000).

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the lowest responsible bidder for the demolition of 42-44 Monroe Street. The payment related thereto will be made from the OECD Budget.

Authorizing the proper city officials to sign any and all necessary documents related to entering an agreement with Sport Resource Group (a Costar's Vendor) in the amount of \$55,990.00 for the ice rink stand-alone system related to the Public Square Ice Rink. Payment to be made from American Rescue Plan proceeds.

Sell the city's 2021 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount to the Authority pursuant to the Agreement, and, on or after January 1, 2023, to purchase the anticipated 2022 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2024, to purchase the anticipated 2023 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, which includes therein a mandatory repurchase obligation by the City under certain circumstances, and other supporting documents and amendments that shall be in a form approved by the Mayor and City Solicitor.

Purchase two special needs vehicles (1 – Polaris Ranger Crew Side by Side and 1 – Polaris 570 Premium Quad from Polaris Sales, Inc. for a total purchase price of \$36,052.98. Payment to be made from American Rescue Plan proceeds.

Enter into an agreement with Action Target, Inc. to fully refurbish the Police Department's Firing Range for a contract price of \$197,232.00. Payment to be made from American Rescue Plan proceeds.

Purchase and upfit two (2) 2022 Ford Police Interceptor Caged SUV's, one (1) 2022 Ford Police Interceptor Non-Cages SUV, one (1) 2022 F-150 Police Responder vehicles from Ford Rottet Motors, Inc. and Koyatch for a total purchase price of \$224,584.15. Payment to be made from American Rescue Plan proceeds.

Upgrade the Police Department's weapons and related accessories for a price not to exceed \$55,000.00. Payment to be made from American Rescue Plan proceeds.

CITY COUNCIL
DECEMBER 21, 2021

ORDINANCES

FILE OF COUNCIL NO. 14 OF 2021 – AN ORDINANCE AMENDING SECTION 29.240.3 OF ARTICLE VIII OF CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “DESIGNATED ZONE”. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 15 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”. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 16 OF 2021 – AN ORDINANCE AMENDING CHAPTER 30 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “UTILITIES”. (SECOND AND FINAL READING)

MINUTES

Of the Wilkes-Barre Finance Authority of November 15, 2021.

Of the Regular Session of City Council of December 7, 2021.