

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 Kovatch 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.



CITY COUNCIL

December 21, 2021

The City Council of the City of Wilkes-Barre met in Regular Session on December 21, 2021, at 6:15 p.m. (immediately following the Work Session), in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania for the purpose of general business.

The meeting was organized with Chairperson Tony Brooks in the Chair.

The Pledge of Allegiance to the Flag was given.

Opening prayer was read by Michael Belusko.

Roll Call:

Barrett	-present
Belusko	-present
Marconi	-present
Brooks	-present

Also Present:

George C. Brown, Mayor
Charlie McCormick, Administrator
Joseph Coffay, Police Chief
Cathy Payne, City Clerk
Lisa Sanfilippo, Administrative Assistant

Absent:

Beth Gilbert McBride, Council Member
Tracy Smith, Assistant City Clerk

City Clerk Cathy Payne read a statement relative to Council's Rules and Procedures.

The Chairperson asked if there was anyone wishing to address Council on pending legislation:

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Ordinance amending "Designated Zone"..

Jerry Lynott, Times Leader, appeared before Council with questions regarding the Resolution for the 2021 Tax Claims and The American Rescue Plan monies. (approved uses)

Mayor Brown replied that all the monies to be distributed from the American Rescue Funds are all approved uses according to the guidelines the city initially received.

Mayor Brown said he will speak with the Finance Officer and get an answer to his question on the tax claims.

Angel Mathis, Wilkes-Barre, PA appeared before Council regarding the Resolution for the ice-skating rink and the new police vehicles.

Mayor Brown replied the new police vehicles are Co-Stars, the special vehicles (ATVs) are single source specialty item that do not require a company bid. Any Resolution that needed to be put out for bid was completed prior to tonight.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the Resolution for the ice-skating rink.

Mayor Brown responded that once we purchase this it is the City's property. Department of Public Works will be responsible for installation, removal, storage and maintenance. It is designed to be very low maintenance.

CONSENT AGENDA (RESOLUTIONS)

Resolution No. R0102-21 to No. R0109-21 appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0102-21

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 IN 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., Chapter 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 the 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 purpose 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, 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 the 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 purpose 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 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 thereafter. 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 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 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 money 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 Council 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, depository 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.

14. If any provisions, sections, 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 provisions, 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.

15. This Resolution shall become effective immediately upon approval.

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

RESOLUTION NO. R0103-21

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.

RESOLUTION NO. R0104-21

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.

RESOLUTION NO. R0105-21

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

FURTHER RESOLVED, that the City be and 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 executions of all documents subject to the approval as to form of said document by legal counsel for the City.

RESOLUTION NO. R0106-21

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.

RESOLUTION NO. R0107-21

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.

RESOLUTION NO. R0108-21

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.

RESOLUTION NO. R0109-21

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.

Mr. Barrett moved to adopt the Consent Agenda (Resolutions).

The motion was seconded by Mr. Belusko and adopted by the following yeas and nays vote:

Yeas Barrett, Belusko, Marconi and Brooks (Chairperson) – 4 – being a majority of the members elected to City Council.

Nays none.

Absent – McBride -1.

Adopted and approved at Regular Meeting of Wilkes-Barre City Council, this 21st day of December 2021.

ORDINANCES

The following Ordinances appeared in the Consent Agenda (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”.

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”.

Mr. Marconi moved to adopt the Consent Agenda (Ordinances).

The motion was seconded by Mr. Belusko and adopted by the following yeas and nays vote:

Yeas Barrett, Belusko, Marconi and Brooks (Chairperson) – 4 – being all of the present members elected to City Council.

Nays none.

Absent – McBride – 1.

MINUTES

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

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

Mr. Marconi moved to adopt the Minutes.

The motion was seconded by Mr. Barrett and adopted by the following yeas and nays vote:

Yeas Barrett, Belusko, Marconi and Brooks (Chairperson) – 4 – being all of the present members elected to City Council.

Nays none.

Absent – McBride – 1.

COUNCIL PRESENTATIONS

Mr. Barrett wished everyone a Safe and Happy Holiday season.

Mr. Belusko wished everyone a Merry Christmas and Happy New Year.

Mr. Marconi wished everyone a Safe and Happy Holiday season.

Mr. Brooks also wished everyone a Safe and Happy Holiday season and thanked everyone for their support as Chairperson throughout this year.

PUBLIC DISCUSSION

Bob Kadluboski, Wilkes-Barre, PA appeared before City Council in regard to the pensions and benefits that are being received by City Council members.

Tom Dombroski, Wilkes-Barre, PA appeared before City Council in regard to replacement of sewer lines and the selling of the city sewer system.

Mayor Brown replied that when the city looked at either selling or leasing the sewer system there were 3 bids. Unfortunately, these bids came in high and would also raise the residents and business's yearly sewer fees. A concern is if the sewer system was sold or leased there would be no control over the yearly rates. The sewer system is over 100 years old. At least \$40 million needs to be invested into the system to have it upgraded.

Martin Dartoe, Wilkes-Barre, PA appeared before City Council in regard to the taxpayers being truly represented by Council members, neglected and nuisance properties and the need for more police officers on foot patrol, and to thank Councilman Belusko and the Mayor for cleaning up 335 Caitlin Avenue.

Mayor Brown stated that when there is a problem property the Code Department is responsible for addressing the situation with the owner and/or landlord.

Mr. Brooks stated he is very happy with our police department and the Chief in his district.

Chief Coffay responded by saying that his door is always open for any citizen that wants to discuss any issues or concerns they may have. The City's Task Force is very proactive in taking illegal guns off the street and working with the FBI State Street Task Force.

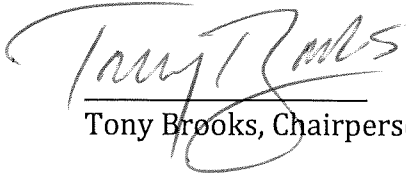
John Suchoski, Wilkes-Barre, PA appeared before City Council regarding an Ordinance for properties that have multiple business's having their own private security, American Rescue Plan money (criteria for spending) and the Sterling Hotel Building (can the city purchase it back).

Mr. Brooks stated we could not mandate any type of private security.

Mayor Brown stated on the American Rescue Plan money anything over \$20,000 needs City Council's approval. There are guidelines given by the Federal Government that must be adhered to.

Mayor Brown explained that the Hotel Sterling renovations have been halted due to construction material shortages. If we wanted to obtain ownership again the City would have to reimburse the owners for all their expenses.

There being no further business to discuss the meeting adjourned at 6:47 p.m.


Tony Brooks, Chairperson

ATTEST:


Cathy Payne, City Clerk