

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

WORK SESSION

Date: January 10, 2017

Time: 6:00 p.m.

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

- **ORDINANCE FOR SECOND AND FINAL READING-**

**FILE OF COUNCIL NO. 21 OF 2016 – AN ORDINANCE AMENDING
ARTICLE VIII, SECTION 28-177 OF THE WILKES-BARRE CITY CODE OF
ORDINANCES RELATIVE TO THE MILLAGE RATE FOR REAL PROPERTY
TAXES.**

6:10 p.m. **Mayor Tony George (See Attached)**

WILKES-BARRE CITY COUNCIL

WORK SESSION

JANUARY 10, 2017

RESOLUTIONS:

Authorizing the City Administrator and the City Controller to execute Supplemental Agreement No. 048394-D with the Commonwealth of Pennsylvania, Department of Transportation related to the Sidney Street Bridge project.

Authorizing the proper City officials to prepare and submit the necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds for the Guard Expansion project.

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

JANUARY 12, 2017

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTION

CONSENT AGENDA (RESOLUTIONS)

ORDINANCE

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
JANUARY 12, 2017

RESOLUTION

Authorizing the proper City officials to prepare and submit the necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds for the Guard expansion project.

CITY COUNCIL
JANUARY 12, 2017

CONSENT AGENDA (RESOLUTIONS)

Authorizing the City Administrator and the City Controller to execute Supplemental Agreement No. 048394-D with the Commonwealth of Pennsylvania, Department of Transportation related to the Sidney Street Bridge project.

That the City of Wilkes-Barre takes the position that tough, new anti-corruption laws must be passed by Congress, including legislation to prohibit politicians from taking campaign money from industries they regulate; put limits on unregulated Super PACs and other groups; increase transparency for campaign funding; stop elected representative and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; strengthen federal agencies and House and Senate ethics committees to enforce the rules against politicians and special interests that break campaign finance law.

Approving the transfer of a Restaurant Liquor License into the City of Wilkes-Barre from Swoyersville for Vault Grill & Bar, LLC, 24 West Market Street.

Urging the Wilkes-Barre Area School Board to strongly consider a Wilkes-Barre site for the location of a new, consolidated high school.

MINUTES

Of the Reorganization Meeting of City Council of January 3, 2017.

Of the Regular Session of City Council of December 22, 2016.

Of the Board of Revision of Taxes and Appeals of December 20, 2016.

Of the Zoning Hearing Board of November 16, 2016.

CITY COUNCIL
JANUARY 12, 2017

ORDINANCE

**FILE OF COUNCIL NO. 21 OF 2016 – AN ORDINANCE AMENDING ARTICLE VIII,
SECTION 28-177 OF THE WILKES-BARRE CITY CODE OF ORDINANCES RELATIVE
TO THE MILLAGE RATE FOR REAL PROPERTY TAXES. (SECOND AND FINAL
READING)**



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, the establishment of the Mohegan Sun Casino at Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account—Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); AND

WHEREAS, money in this Account is available for distribution to municipalities in Luzerne County; AND

WHEREAS, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; AND

WHEREAS, the City of Wilkes-Barre has already applied for a \$1,000,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account- Luzerne County program funds. The funds will be used to assist Berkshire Hathaway GUARD to consolidate all of their PA activities under the same roof. Berkshire Hathaway GUARD is a company with a proven track record for growth, most recently becoming an insurer expected to achieve by the year-end of 2016, \$1 billion in the nationwide sale of policies that are issued and serviced from their headquarters in Wilkes-Barre; and a company expected to excessive, continued growth, which will create new infrastructure needs. They require a single solution that will allow them to consolidate all of their PA activities under the same roof – both their current staff members and the new employees yet to be added. The new jobs (like those in the past) are well-paid, full-time positions with benefits and growth opportunities. They are experienced at recruiting, training, and developing the talent needed to support their operations. They prefer to keep their headquarters in Northeastern PA, ideally in Downtown Wilkes-Barre; AND

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the CITY OF WILKES-BARRE that the actions of the proper City officials in preparing and submitting the necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account- Luzerne County program funds for the GUARD Expansion project be, and hereby are **RATIFIED**.

FURTHER, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the GUARD Expansion project, if the application is approved.

Adopted this _____ (Date) _____

CITY OF WILKES-BARRE

Attest _____ (signed) _____

_____(Signed)_____

Chairman

Submitted by _____

ROLL CALL

RESOLUTIONS



Resolution No. _____

Wilkes-Barre, Pa. _____

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

THAT the following city officials are hereby authorized to execute Supplemental Agreement No. 048394-D with the Commonwealth of Pennsylvania, Department of Transportation related to the Sidney Street Bridge Project:

1. Theodore Wampole, City Administrator
2. Darren Snyder, City Controller

BE IT FURTHER RESOLVED that the above signatures shall be attested to by City Clerk Jim Ryan or Deputy City Clerk Catherine Payne.

Submitted by _____

ROLL CALL

RESOLUTIONS

3/1/20



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, this Resolution is to establish that the position of the City of Wilkes-Barre, County of Luzerne and State of Pennsylvania, is that tough, new anti-corruption laws for politicians, lobbyists, and outside groups such as Super PACs are necessary in order to protect and promote the First Amendment free speech rights of all citizens, regardless of wealth, and to restore ordinary Americans as the most important stakeholders in government instead of major donors.

WHEREAS, limits on contributions to political candidates are justified by the need to reduce corruption and the appearance of corruption, as outlined in Buckley v. Valeo (1976);

WHEREAS, contributions to candidates, and political spending on their behalf, from lobbyists and SuperPACs, present a special risk of corruption; and,

WHEREAS, the Supreme Court held in Nevada Commission on Ethics v. Carrigan (2011) that restrictions on official actions taken by legislators in situations in which their independence of judgment is questioned do not constitute restrictions on the First Amendment free speech rights of legislators; and,

WHEREAS, closing the “revolving door”, where elected representatives and senior staff sell off their legislative power for high-paying jobs, is important to ensure that government employees are not “influenced in the performance of public duties by the thought of later reaping a benefit from a private individual.” Brown v. District of Columbia Board of Zoning, 413 A.2d 1276, 1282 (D.C. App. 1980); and,

WHEREAS, full transparency of all political money is necessary for the growth of an educated and informed electorate; and,

WHEREAS, with nearly 56 billion spent in the 2012 elections, where the vast majority came from big special interest donors, politicians are dependent on a tiny percentage of the population to fundraise their campaigns while ordinary voters have less and less influence; and,

WHEREAS, federal agencies such as the Federal Election Commission routinely fail to enforce the anti-corruption rules that already exist;

NOW, THEREFORE, BE IT RESOLVED that it is the position of the City of Wilkes-Barre, County of Luzerne, State of Pennsylvania, that tough, new anti-corruption laws must be passed by Congress, including legislation to prohibit politicians from taking campaign money from industries they regulate; put limits on unregulated Super PACs and other groups; increase transparency for campaign funding; stop elected representatives and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; strengthen federal agencies and House and Senate ethics committees to enforce the rules against politicians and special interests that break campaign finance law.

BE IT FURTHER RESOLVED that the City Council of the City of Wilkes-Barre hereby supports efforts to pass anti-corruption legislation nationally and respectfully urges the Pennsylvania Congressional delegation to support and introduce anti-corruption legislation to the House and Senate addressing the issues herein described.

Submitted by _____

ROLL CALL

RESOLUTIONS

STATE



Wilkes-Barre, Pa. _____

Resolution No. _____

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

A RESOLUTION OF THE MUNICIPALITY OF WILKES-BARRE COUNTY OF LUZERNE COMMONWEALTH OF PENNSYLVANIA, APPROVING TRANSFER OF RESTAURANT LIQUOR LICENSE # R-15170, LID #64436 INTO THE CITY OF WILKES-BARRE, LUZERNE COUNTY FROM SWOYERSVILLE.

Whereas, Act 141 of 2000 ("the Act") which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

Whereas, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

Whereas, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a retail liquor license into the receiving municipality; and

Whereas, on January 10, 2017 the City of Wilkes-Barre conducted a public hearing for the purpose of receiving comments and/or recommendations of interested individuals residing within the municipality with respect to the request for transfer.

Whereas, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a retail liquor license in the municipality.

Now, Therefore, Be It Resolved that Vault Grill & Bar, LLC, has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of a Pennsylvania Retail Liquor License to its facilities within Wilkes-Barre City with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

Be It Further Resolved that City Council of Wilkes-Barre finds that the transfer of a retail liquor license into Wilkes-Barre City by Vault Grill & Bar, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

Be It Further Resolved, that Wilkes-Barre City approves, by adoption of this Resolution, the proposed transfer of License # R-15170, LID #64436 from Pretty Mugs, Inc., Swoyersville, PA 18651, to be located at 24 West Market Street, Wilkes-Barre, PA 18702.

Be It Further Resolved, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I HEREBY CERTIFY that this Resolution was approved by the Wilkes-Barre City Council at its meeting on January 12, 2017.

Submitted by _____

ROLL CALL

RESOLUTIONS



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, for decades, the City of Wilkes-Barre (the "City") has had three (3) schools operating as high schools within city limits;

WHEREAS, the City is the largest municipality served by the Wilkes-Barre Area School District;

WHEREAS, City Council strongly believes that as the largest municipality served by the District, construction of a new, consolidated high school should be located in the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wilkes-Barre, hereby urges the Wilkes-Barre Area School Board to strongly consider a Wilkes-Barre site for the location of a new, consolidated high school.

Submitted by _____

ROLL CALL

RESOLUTIONS

MAYO

FILE OF COUNCIL

No. 21 of 2016

PRESENTED IN CITY COUNCIL ON DECEMBER 22, 2016

**AN ORDINANCE AMENDING ARTICLE VIII, SECTION 28-177
OF THE WILKES-BARRE CITY CODE OF ORDINANCES
RELATIVE TO THE MILLAGE RATE FOR REAL PROPERTY TAXES**

WHEREAS, it is the desire and intention of City Council to pass legislation within the City of Wilkes-Barre and amend Section 28-177 of the Wilkes-Barre City Code of Ordinances to increase the City's Millage Rate; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wilkes-Barre, and it is hereby ordained by the authority of the same that Section 28-177 of the City of Wilkes-Barre Code of Ordinances is amended as follows:

SECTION I. Section 28-177 (a) Millage Rate is hereby amended to now read:

(a) *Millage Increase.* As of January 1, 2017, the millage levied against real property within the City of Wilkes-Barre shall be one hundred forty-one and thirty-three hundredths (141.33). This millage shall be in effect until changes by ordinance.

SECTION II. CONFLICTS AND SEVERABILITY

All ordinances or parts of ordinances of the City of Wilkes-Barre in conflict with this Ordinance to the extent of such conflict, and no further, are hereby repealed. 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.

SECTION III. EFFECTIVE DATE OF ORDINANCE

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

Passed finally by City Council on January 12, 2017.

ATTEST:

JAMES RYAN, CITY CLERK

21