

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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**CITY COUNCIL**

**DECEMBER 22, 2016**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**MOTION – AMEND THE MAYOR’S GENERAL FUND BUDGET FROM A 30  
MIL TAX INCREASE TO A 19.7 MIL TAX INCREASE AND TO  
ADOPT THE AMENDED BUDGET FOR CALENDAR YEAR 2017**

**CONSENT AGENDA (RESOLUTIONS)**

**ORDINANCES**

**PUBLIC DISCUSSION**

**ADJOURNMENT**

CITY COUNCIL  
DECEMBER 22, 2016

CONSENT AGENDA (RESOLUTIONS)

Authorizing the issuance of a Federally Taxable Tax and Revenue Anticipation Note, Series of 2017 in the principal amount of three million dollars.

Enter into an agreement with the lowest responsible bidder for a 2017 Tax and Revenue Anticipation Note.

Enter into an agreement with the lowest responsible bidder for supplying the city  
With fuel oil.

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 Solomon Creek Pump Station 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 Solomon Creek Retaining Wall Replacement 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 Neighborhood Beautification project.

Designating Mayor George and City Controller Darren Snyder to execute all documents and agreements between the City and the Pennsylvania Department of Community and Economic Development facilitate and assist in obtaining the Keystone Communities Program grant along with any or all other project documents related to the Solomon Creek Retaining Wall Repair 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 Children's Service Center Expansion 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 Renovations to YMCA's Accessibility Pool & Wellness Center project.

CITY COUNCIL  
DECEMBER 22, 2016

CONSENT AGENDA (RESOLUTIONS) CONTINUED

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 King's College Spring Brook Engineering Building project.

MINUTES

Of the Wyoming Valley Sanitary Authority of October 18, 2016.

Of the Regular Session of City Council of December 8, 2016.

CITY COUNCIL  
DECEMBER 22, 2016

ORDINANCES

**FILE OF COUNCIL NO. 20 OF 2016** – AN ORDINANCE ENTITLED “AN ORDINANCE VACATING AN ALLEY KNOWN AS GROVER LANE IN THE CITY OF WILKES-BARRE. (FIRST 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. (FIRST READING)

CITY COUNCIL

DECEMBER 22, 2016

The City Council of the City of Wilkes-Barre met in Regular Session on December 22, 2016 at 6:00 p.m., in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania for the purpose of general business.

The meeting was organized with Chairperson Bill Barrett in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

Belusko	- present
Brooks	- present
Gilbert	- present
Merritt, Vice Chairperson	- present
Barrett, Chairperson	- present

Also Present:

Tony George, Mayor  
Ted Wampole, Administrator  
Maureen Collins, Assistant City Attorney  
Jay Delaney, Fire Chief  
Nicole Ference, Director of Human Resources  
Ron Foy, Police Commander  
Butch Frati, Director of Operations  
Bill Harris, Director of Planning and Zoning  
Brett Kittrick, Finance Director  
Marcella Lendacky, Police Chief  
Cathy Payne, Assistant City Clerk  
Hank Radulski, Director Health of Service  
Jim Ryan, City Clerk  
Lisa Sanfilippo, Administrative Assistant  
Kurt Sauer, Director of Community Development  
Joyce Zaykowski, Capital Projects Program Manager

The City Clerk asked if there way anyone wishing to address Council on pending legislation.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolution related to the King's College Spring Brook Engineering Building project and the revised 2017 General Fund Budget.

Alan Jones, Wilkes-Barre, PA appeared before Council relative to the revised 2017 General Fund Budget.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the revised 2017 General Fund Budget.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the revised 2017 General Fund Budget.

Debbie McClain, Wilkes-Barre, PA appeared before Council relative to the revised 2017 General Fund Budget.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the revised 2017 General Fund Budget.

Andy LaFratte, Wilkes-Barre, PA appeared before Council relative to several Resolutions regarding Local Share Account funds.

#### MOTION

***To Amend the Mayor's General Fund Budget from a 30 mil tax increase to a 19.7 mil tax increase and to adopt the amended budget for calendar year 2017.***

Mr. Barrett moved to adopt the motion.

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

Yeas Belusko, Merritt and Barrett (Chairperson) – 3 – being a majority of the members elected to City Council.

Nays Brooks and Gilbert – 2.

*Mr. Brooks gave the following comments relative to his vote:*

*He said if you go around many streets in this town the tipping point has already happened and any raises in taxes on people who are already circling the drain are just going to have them fall in when you consider the school tax, the county tax. Also, a lot of the problems that the city needs to look at, we are boxed in as a third class city. There are things that are just so hard to do that we can't. Someone mentioned about a sales tax, it is impossible for us to do a sales tax. There are only things that Harrisburg can change for us to help the way third class cities are structured. And with that I vote no.*

*Ms. Gilbert gave the following statement relative to her vote:*

*As I expressed earlier this year when the Mayor proposed his original 2017 budget, the time is now to tighten our belts and make other sensible cuts elsewhere within the budget. Even though this proposed tax increase is a lot smaller than the original proposed amount, I still can't find it in my heart to logically vote for this budget knowing that it will once again fall on the backs of our residents. With that being said my vote is no.*

## RESOLUTIONS

Resolution No. R0104-16 to and including the minutes appeared on the Consent Agenda (Resolutions).

### **RESOLUTION NO. R0104-16**

AUTHORIZING THE ISSUANCE OF A FEDERALLY TAXABLE TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2017 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 ATTACHED HERETO AS EXHIBIT "B" FROM THE FINANCIAL INSTITUTION OR ENTITY NAMED THEREIN 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; 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 THE 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, 2017, which taxes and other revenues are currently uncollected; and

WHEREAS, the City has determined to borrow monies for the purpose of funding, in part, any cash flow deficit or any working capital needs which may be experienced during the fiscal year ending December 31, 2017, 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 Federally Taxable 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, 2017, 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 Federally Taxable Tax and Revenue Anticipation Note, Series of 2017, 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, 2017, 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, 2017, 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, 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, 2017, is hereby ratified and approved.

Section 3. The Note shall be designated "City of Wilkes-Barre, Luzerne County, Pennsylvania, Federally Taxable Tax and Revenue Anticipation Note, Series of 2017", 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, 2017, or such other date as set forth in the Proposal, 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.

Section 4. The Note, when issued, will be a general obligation of the City.

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.

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, 2017, 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. The formal proposal (the "Proposal") of the lender identified therein (the "Purchaser"), presented to the Council is attached hereto as Exhibit "B", 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 good faith deposit (the "Deposit"), if any, requested by the City of the Purchaser accompanying the Proposal or subject to delivery upon demand of the City at any time prior to the Closing (as hereinafter defined) and representing the security for the performance by the Purchaser of its obligations to accept and pay for the Note on the closing date for the Note (such date being herein referred to as the "Closing"), shall be accepted by the City, may be commingled with other funds of the City and may be applied and expended for any lawful purpose by the City prior to the Closing. Concurrently with the delivery of and payment for the Note at the Closing, the amount of the Deposit, without any interest thereon, shall be applied in partial payment for the purchase price of the Note. Upon the City's failure to deliver the Note at the Closing, or if the City shall be unable to satisfy the conditions to the obligations of the Purchaser contained in the Proposal, or if such obligations of the Purchaser shall be terminated for any reason permitted by the Proposal, the amount of the Deposit, without any interest thereon, shall be repaid to the Purchaser.

In the event that the Purchaser fails (other than for a reason permitted under the Proposal) to accept and pay for the Note at the Closing, the Deposit shall be retained by the City, and shall constitute full liquidated damages for such failure and for any and all defaults under the Proposal on the part of the Purchaser, and the retention of such Deposit shall constitute a full release and discharge of all claims and rights under the Proposal by the City against the Purchaser.

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, 2017, shall have been paid in full.

Section 8. 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.

Section 9. The proper officers of the City are hereby authorized, empowered and directed to contract with the Purchaser or such other 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 10. Stevens & Lee, P.C., is hereby appointed Bond Counsel in connection with the issuance and sale of the Note.

Section 11. The Mayor, City Controller or other proper official of the City are each hereby authorized and directed to pay at, or subsequent to, the closing for the issuance of the Note, all costs and expense of the issuance incurred by or on behalf of the City or required to be paid by the City, all in accordance with the provisions of the Purchaser's proposal.

DULY ADOPTED, THIS 22ND DAY OF DECEMBER, 2016, BY THE COUNCIL OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY, PENNSYLVANIA, IN LAWFUL REGULAR SESSION DULY ASSEMBLED.

**RESOLUTION NO. R0105-16**

Authorizing the proper city officials to enter into an agreement with the lowest responsible bidder for a 2017 Tax and Revenue Anticipation Note.

**RESOLUTION NO. R0106-16**

Authorizing the proper city officials to enter into an agreement with the lowest responsible bidder for supplying the city with fuel oil.

**RESOLUTION NO. R0107-16**

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 is desirous of applying for a \$1,287,500.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account- Luzerne County program funds. The project scope of work will consist of engineering services related to hydraulic analysis, storm water flow, drawings and plans to address the creek's flooding issue. The construction phase of the project will involve a new pump station being installed to prevent flood water from back up into that area and residents' homes; and

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized 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; and

Be It Further Resolved, 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 Solomon Creek Pump Station project, if the application is approved.

**RESOLUTION NO. R0108-16**

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 is desirous of applying for a \$5,700,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The project scope of work will consist of engineering analysis, drawings and plans to address the creek walls deficiencies. The construction phase of the project will involve a new PZC 18 sheet piling wall capped in concrete will be installed; and

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized 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; and

Be It Further Resolved, that the Mayor is hereby authorized to enter into the appropriate agreement with CFA, along with any or all other project documents, related to the Solomon Creek Retaining Wall Replacement project, if the application is approved.

**RESOLUTION NO. R0109-16**

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 is desirous of applying for a \$225,000.00 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 provide exterior façade improvements to homes along the targeted streets. The homeowners will be required to provide a 50% match of the exterior façade improvement costs with the cap being a \$5,000.00 maximum; and

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized 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; and

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 Neighborhood Beautification project, if the application is approved.

**RESOLUTION NO. R0110-16**

Be It Resolved, that the City of Wilkes-Barre, Luzerne County hereby requests a Keystone Communities Program grant of \$54,500.00 from the Pennsylvania Department of Community and Economic Development to be used for the Solomon Creek Retaining Wall Repair project.

Be It Further Resolved by the City Council of the City of Wilkes-Barre to authorize the appropriate city officials to submit a \$54,500.00 Keystone Communities Program grant application funded by the Pennsylvania Department of Community and Economic Development to be used for the Solomon Creek Retaining Wall Repair project.

Now, Therefore Be It Resolved, that the Applicant does hereby designate Anthony G. George, Mayor and Darren Snyder, City Controller as the officials to execute all documents and agreements between the City of Wilkes-Barre and the Pennsylvania Department of Community and Economic Development to facilitate and assist in obtaining the requested grant along with any or all other project documents, related to the Solomon Creek Retaining Wall Repair project, if the application is approved.

I, Jim Ryan, duly qualified City Clerk of the City of Wilkes-Barre, Luzerne County, Pennsylvania hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the City Council of the City of Wilkes-Barre at a regular meeting held December 22, 2016 and said Resolution has been recorded in the Minutes of the City of Wilkes-Barre and remains in effect as of this date.

In Witness Whereof, I affix my hand and attached the seal of the City of Wilkes-Barre, this 22<sup>nd</sup> day of December, 2016.

**RESOLUTION NO. R0111-16**

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 is desirous of applying for a \$650,000 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 add a new Outpatient Clinic that will be a 17,622 square foot building that is connected to the existing clinic via a central elevator core. The existing clinic (9,769 SF) will be renovated. The combined buildings will house new contracted entities to compliment behavioral health services including pediatric and pharmacy services.

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized 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; and

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 Children's Service Center Expansion project, if the application is approved.

#### **RESOLUTION NO. R0112-16**

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 is desirous of applying for a \$195,000.00 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 renovate the YMCA's Pool, Wellness Center and improve accessibility. This project includes the purchase and installation of an ADA Compliant Swing Gate and three (3) ADA Compliant Doors, converting them into push button automatic doors. Also, the swimming pool's 15 year old HVAC system is in need of replacement. The pool is used weekly by more than 1,000 people of all ages for swimming lessons, recreational swim, water fitness classes, lap swimming, Red Cross Lifeguard Training/recertification and local/regional swim leagues. The Wellness Center opened in 2012 and all the center's 4 yr. old equipment warranties have all expired and need to be renewed. All equipment has been maintained, however, due to heavy use some of it needs to be replaced. Approximately 450 people a day use the wellness center including participants in the Y's Cardiac and LIVESTRONG; and

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized 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; and

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 Renovations to YMCA's Accessibility, Pool & Wellness Center project, if the application is approved.

**RESOLUTION NO. R0113-16**

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 is desirous of applying for a \$750,000.00 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 renovate the vacant Spring Brook Water Company Building on North Franklin Street into a vibrant hub of teaching and learning in the heart of downtown Wilkes-Barre. The facility will house King's College's soon to be established new Bachelor of Science degree programs in civil engineering and mechanical engineering, with the initial freshman class set to begin in the fall of 2017. Also, the facility will have the capacity to accept 175 engineering students, which in turn will provide and enormous economic boost to the City of Wilkes-Barre and the entire region; and

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized 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; and

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 King's College Spring Brook Engineering Building project, if the application is approved.

**MINUTES**

Of the Wyoming Valley Sanitary Authority of October 18, 2016.

Of the Regular Session of City Council of December 8, 2016.

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

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

Yeas Belusko, Brooks, Gilbert, Merritt and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

## **ORDINANCES**

### **FILE OF COUNCIL NO. 20 OF 2016 – AN ORDINANCE ENTITLED “AN ORDINANCE VACATING AN ALLEY KNOWN AS GROVER LANE IN THE CITY OF WILKES-BARRE. (FIRST READING)**

Mr. Barrett asked for a clarification on the Ordinance and the easement before the Second Reading.

Mr. Brooks moved to adopt the Ordinance.

The motion was seconded Ms. Gilbert and adopted by the following yeas and nays vote:

Yeas Belusko, Brooks, Gilbert, Merritt and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

### **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. (FIRST READING)**

Mr. Barrett moved to adopt the Ordinance.

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

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



Nays Gilbert – 1.

### **PRESENTATIONS BY COUNCIL MEMBERS**

Mr. Belusko thanked/commended the following:

1. Council for all their hard work on the budget.
2. The Mayor, City Administrator and the Finance Director for being receptive to Council's suggestions on reducing the tax increase.
3. Council Chairperson Bill Barrett for his leadership over the last year.

Mr. Belusko wished the residents of Wilkes-Barre happy holidays.

Mr. Brooks also thanked Mr. Barrett for leading Council this past year.

Mr. Brooks announced that tomorrow at noon the five coordinators for the different Residents Associations are meeting for lunch and if anyone in the public wishes to help create a Residents Association in their neighborhood can see him after the meeting.

Ms. Gilbert mentioned that beginning the first week of January the Junior Council members will be having collection boxes for Ruth's Place at each of the Schiel's Markets and in City Hall.

Ms. Gilbert asked for an update on the former Raymond's Electric property on the corner of East Northampton and South Grant Street. She asked if there have been any further developments regarding it.

Mr. Frati said the city has not heard from the owner of the building in some time. He said he believes the owner was cited and they are waiting for a response on the citation.

Commander Ron Foy appeared before Council to give a presentation regarding the Police Department and Police Chief Lendacky.

### **PUBLIC DISCUSSION**

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the budget, Mr. Belusko and Mayor taking healthcare, Police Department and closing City Hall for Martin Luther King Day.

Mr. Wampole said that the Martin Luther King Holiday is still being negotiated with the unions; however should that issue not be settled by the time the holiday comes around, City Hall will be moving to Sherman Hills for the day.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Police Department, Mayor's meeting with Leo Glodzick and several others, Mayor's healthcare, Council's medical buyout, former Mayor Tom McGroarty being involved in city business (Brook Street) and pensions.

John Rushton, Wilkes-Barre, PA appeared before Council to wish everyone a Merry Christmas and a Happy New Year.

Christine Sperger, Wilkes-Barre Crime Watch, Rolling Mill Hill Coordinator, Wilkes-Barre, PA appeared before Council to offer support for Police Chief Lendacky.

Jessica McClay, Wilkes-Barre, PA appeared before Council relative to the Right-To-Know process and Council members' healthcare (Brooks and Gilbert not disclosing that they take the buyout).

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Police Department.

Debbie McClain, Wilkes-Barre, PA appeared before Council relative to tax hikes, Quality of Life Ordinance and creating an incentive program for landlords.

There being no further business to discuss the meeting adjourned at 7:50 p.m.

  
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Bill Barrett, Chairperson

ATTEST:

  
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Jim Ryan, City Clerk