

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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**ORGANIZATIONAL MEETING OF COUNCIL**

**JANUARY 7, 2008**

**5:00 P.M.**

- I. MEETING CALLED TO ORDER BY COUNCIL CHAIRPERSON BILL BARRETT.**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. OATH OF OFFICE – MAYOR**
  - (A) THOMAS M. LEIGHTON**
  - (B) ADMINISTERING THE OATH OF OFFICE**
  - (C) OATH OF OFFICE RECEIVED AND FILED**
- V. OATH OF OFFICE – CITY COUNCIL**
  - (A) BILL BARRETT**
  - (B) ADMINISTERING THE OATH OF OFFICE**
  - (C) OATH OF OFFICE RECEIVED AND FILED**
  - (A) RICK CRONAUER**
  - (B) ADMINISTERING THE OATH OF OFFICE**
  - (C) OATH OF OFFICE RECEIVED AND FILED**

ORGANIZATIONAL MEETING OF COUNCIL  
JANUARY 7, 2008

OATH OF OFFICE – CITY COUNCIL (CONTINUED)

- (A) KATHY KANE
- (B) ADMINISTERING THE OATH OF OFFICE
- (C) OATH OF OFFICE RECEIVED AND FILED

- (A) MIKE MERRITT
- (B) ADMINISTERING THE OATH OF OFFICE
- (C) OATH OF OFFICE RECEIVED AND FILED

- (A) TONY THOMAS JR.
- (B) ADMINISTERING THE OATH OF OFFICE
- (C) OATH OF OFFICE RECEIVED AND FILED

VI. OATH OF OFFICE – CITY CONTROLLER

- (A) BERNARD MENGERINGHAUSEN
- (B) ADMINISTERING THE OATH OF OFFICE
- (C) OATH OF OFFICE RECEIVED AND FILED

VII. NOMINATION OF CHAIR

- (A) ELECTION OF CHAIR
- (B) ADMINISTERING THE OATH OF OFFICE
- (C) OATH OF OFFICE RECEIVED AND FILED

VIII. NOMINATION OF VICE CHAIR

- (A) ELECTION OF VICE CHAIR
- (B) ADMINISTERING THE OATH OF OFFICE
- (C) OATH OF OFFICE RECEIVED AND FILED

IX. RESOLUTIONS

- (A) ESTABLISHING THE 2008 HOLIDAY SCHEDULE
- (B) ESTABLISHING THE MEETING DATE FOR COUNCIL/

X. REMARKS

XI. ADJOURNMENT



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

That, City Hall and all Departments except for the mandatory services will be closed on the following holidays during the year 2008 as established by Union Agreement:

Monday	February	18, 2008	President's Day
Friday	March	21, 2008	Good Friday
Monday	May	26, 2008	Memorial Day
Friday	June	13, 2008	Flag Day
Friday	July	4, 2008	Independence Day
Monday	September	1, 2008	Labor Day
Monday	October	13, 2008	Columbus Day
Tuesday	November	11, 2008	Veterans Day
Thursday	November	27, 2008	Thanksgiving Day
Friday	November	28, 2008	Day After Thanksgiving
Thursday	December	25, 2008	Christmas Day
Thursday	January	1, 2009	New Year's Day

Submitted by \_\_\_\_\_

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

**ALL CITY COUNCIL WORK SESSIONS AND REGULARS SESSIONS ARE AS FOLLOWS FOR THE YEAR 2008 AT 6:00 P.M., UNLESS NOTED OTHERWISE, IN CITY COUNCIL CHAMBERS, FOURTH FLOOR, CITY HALL.**

**WORK SESSION**

Tuesday, January 8, 2008  
\*Combined Session 5:00/Regular Session will immediately follow  
Tuesday, February 12, 2008  
Tuesday, February 26, 2008  
Tuesday, March 11, 2008  
Tuesday, March 25, 2008  
Tuesday, April 8, 2008  
\*Combined Session 5:00/Regular Session will immediately follow  
Tuesday, May 6, 2008  
Tuesday, May 20, 2008  
Tuesday, June 10, 2008  
Tuesday, July 8, 2008  
Tuesday, August 5, 2008  
Tuesday, September 9, 2008  
Tuesday, September 23, 2008  
\*Combined Session 5:00/Regular Session will immediately follow  
Tuesday, October 21, 2008  
\* Combined Session 5:00/Regular Session will immediately follow  
Tuesday, November 18, 2008  
Tuesday, December 9, 2008

**REGULAR SESSION**

Thursday, January 10, 2008  
Tuesday, January 22, 2008  
Thursday, February 14, 2008  
Thursday, February 28, 2008  
Thursday, March 13, 2008  
Thursday, March 27, 2008  
Thursday, April 10, 2008  
Thursday, April 24, 2008  
Thursday, May 8, 2008  
Thursday, May 22, 2008  
Thursday, June 12, 2008  
Thursday, July 10, 2008  
Thursday, August 7, 2008  
Thursday, September 11, 2008  
Thursday, September 25, 2008  
Tuesday, October 7, 2008  
Thursday, October 23, 2008  
Thursday, November 6, 2008  
Thursday, November 20, 2008  
Thursday, December 11, 2008

Submitted by \_\_\_\_\_

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**

CITY OF WILKES-BARRE  
PENNSYLVANIA



## CITY COUNCIL AGENDA

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CITY COUNCIL

WORK SESSION

DATE: January 8, 2008

TIME: 6:00 P.M.

6:00 P.M. **Jim Ryan, City Clerk**

1. An Ordinance amending File of Council No. 1 of 1992, Entitled "An Ordinance adopting Council's Rules and Procedures", as amended.

**-SECOND AND FINAL READING-**

**FILE OF COUNCIL NO. 32 OF 2007 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 19 OF 1976, AS AMENDED, ENTITLED "AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA, UNDER THE HOME RULE CHARTER, AND OPTIONAL PLANS LAW, ACT OF 1972, APRIL 13, NO. 62, SECTIONS 101 TO 1309, 53 P.S., 1-101, ET SEQ, ESTABLISHING AN ADMINISTRATIVE ORGANIZATION FOR THE CITY OF WILKES-BARRE, DESIGNATING POWERS AND DUTIES OF COUNCIL, THE MAYOR AND OTHER CITY OFFICERS; PROVIDING FOR THE CONDUCT OF CITY FISCAL AFFAIRS, THE ENACTMENT AND ENFORCEMENT OF CITY ORDINANCES AND THE CONDUCT OF CITY OFFICERS AND EMPLOYEES; REPEALING OBSOLETE AND INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE HEREOF, AS AMENDED. (SECOND AND FINAL READING)**

CITY COUNCIL  
JANUARY 8, 2008

**FILE OF COUNCIL NO. 33 OF 2007 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 1 OF 1992, ENTITLED “AN ORDINANCE ADOPTING COUNCIL’S RULES AND PROCEDURES,” AS AMENDED.**

6:10 P.M.    **Mayor Thomas M. Leighton (See Attached)**

**CITY OF WILKES-BARRE  
Pennsylvania**

**Thomas M. Leighton**  
Mayor



40 East Market Street  
Wilkes-Barre, PA 18711-0451

(570) 208-4152 phone  
(570) 208-4101 fax

OFFICE OF THE  
MAYOR

**MAYOR'S AGENDA**

**WORK SESSION**

**WILKES-BARRE CITY COUNCIL**

**JANUARY 8, 2008**

**RESOLUTIONS**

Authorizing the proper City Officials to select a construction manager for the Coal Street Project.

Authorizing the proper City Officials to enter into an agreement with Borton-Lawson Engineering for the Regent Street Bridge Replacement Project.

Authorizing the proper City Officials to enter into an agreement with Borton-Lawson Engineering for the Barney Street Bridge Replacement Project.

Authorizing the proper City Officials to enter into an agreement for improvements to Kirby Park, Riverfront Park and Nesbitt Park

Authorizing the proper City Officials to enter into a Pole Attachment Agreement with UGI.

Authorizing the proper City Officials to file a proposal for Housing Redevelopment Assistance Grant for Murray Courtright Complex.

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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**CITY COUNCIL**

**JANUARY 10, 2008**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CONSENT AGENDA (RESOLUTIONS)**

**CONSENT AGENDA (ORDINANCES)**

**PRESENTATIONS BY COUNCIL MEMBERS**

**PUBLIC DISCUSSION**

**ADJOURNMENT**

CITY COUNCIL  
JANUARY 10, 2008

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing the proper City officials to select a construction manager for the Coal Street Project.

Authorizing the proper City officials to enter into an agreement with Borton-Lawson Engineering for the Regent Street Bridge Replacement Project.

Authorizing the proper City officials to enter into an agreement with Borton-Lawson Engineering for the Barney Street Bridge Replacement Project.

Authorizing the proper City officials to enter into an agreement for improvements to Kirby Park, Riverfront Park and Nesbitt Park.

Authorizing the proper City officials to enter into a Pole Attachment Agreement with UGI.

Authorizing the proper City officials to file a proposal for Housing Redevelopment Assistance Grant for Murray Courtright Complex.

**MINUTES**

Of the Regular Session of City Council of November 29, 2007.

Of the Regular Session of City Council of December 13, 2007.

CITY COUNCIL  
JANUARY 10, 2008

**CONSENT AGENDA (ORDINANCES)**

**FILE OF COUNCIL NO. 32 OF 2007** – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 19 OF 1976, AS AMENDED, ENTITLED “AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA, UNDER THE HOME RULE CHARTER, AND OPTIONAL PLANS LAW, ACT OF 1972, APRIL 13, NO. 62, SECTIONS 101 TO 1309, 53 P.S., 1-101, ET SEQ, ESTABLISHING AN ADMINISTRATIVE ORGANIZATION FOR THE CITY OF WILKES-BARRE, DESIGNATING POWERS AND DUTIES OF COUNCIL, THE MAYOR AND OTHER CITY OFFICERS; PROVIDING FOR THE CONDUCT OF CITY FISCAL AFFAIRS, THE ENACTMENT AND ENFORCEMENT OF CITY ORDINANCES AND THE CONDUCT OF CITY OFFICERS AND EMPLOYEES; REPEALING OBSOLETE AND INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE HEREOF, AS AMENDED. **(SECOND AND FINAL READING)**

**FILE OF COUNCIL NO. 33 OF 2007** – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 1 OF 1992, ENTITLED “AN ORDINANCE ADOPTING COUNCIL’S RULES AND PROCEDURES,” AS AMENDED. **(SECOND AND FINAL READING)**

**FILE OF COUNCIL NO. 1 OF 2008** – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 1 OF 1992, ENTITLED “AN ORDINANCE ADOPTING COUNCIL’S RULES AND PROCEDURES”, AS AMENDED. **(FIRST READING)**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

**THAT, the proper City Officials are hereby authorized to select a construction manager for the Coal Street Revitalization Project.**

Submitted by \_\_\_\_\_

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

THAT, the proper City Officials are hereby authorized to enter into an Construction Services Agreement with Borton-Lawson Engineering; (supplemental request B; agreement #048272A) on the Regent Street Bridge Replacement Project in the amount of \$16,548.11.

AND, FURTHER, THAT the source of funds for this supplement are:

80% Federal  
15% State  
5% Local

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

THAT, the proper City Officials are hereby authorized to enter into an Construction Services Agreement with Borton-Lawson Engineering; (supplemental request B; agreement #048272A) on the Barney Street Bridge Replacement Project in the amount of \$16,548.11.

AND, FURTHER, THAT the source of funds for this supplement are:

80% Federal  
20% Local

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

**RESOLVED**, that the proper city officials are hereby authorized to enter into lease agreements with Luzerne County and/or the Luzerne County Flood Protection Authority (or its agents and assigns) for improvements related to Kirby Park, Riverfront Park and Nesbitt Park.

Submitted by \_\_\_\_\_

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

THAT, the proper City Officials are hereby authorized to enter into a Pole Attachment Agreement with UGI to Pole # 51218-40068 for the annual fee of \$53.43 which includes standard attachment fees of \$18.70 plus the annual energy usage fee of \$34.73. The attachment will be used to hold and supply a wireless transmitter for the Wilkes-Barre city Wi-Fi Program.

AND, FURTHER, THAT, the source of funds for this attachment is Wireless Wilkes-Barre

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

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

THAT, the proper City officials are hereby authorized to file a proposal for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania to demolish buildings and redevelop/rehabilitate the Murray Courtright complex property located at 165 Darling Street Wilkes-Barre, PA.

WHEREAS, the City of Wilkes-Barre is desirous of obtaining funds from the DCED in the amount of \$760,000.00 for the prevention and elimination of blight under Section 4 (c) of the Housing and Redevelopment Assistance Law, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Wilkes-Barre City Council that a blighting influence exists because of the poor conditions at the large, vacant, fire damaged and deteriorated former Lace Manufacturing Company complex known as the Murray Courtright complex and the proposed project will prevent further blight and or eliminate the existing influence by the development of infrastructure and site improvement activities.

BE IT FURTHER RESOLVED, that the City of Wilkes-Barre will assume the provision of the full local share of the project costs.

BE IT FUTURE RESOLVED, that the City of Wilkes-Barre will reimburse the Commonwealth for the DCED's share of any expenditures found by the DCED to be ineligible.

BE IT FURTHER RESOLVED, that the City Clerk is directed to execute a certificate attesting to the adoption of this resolution and to furnish a copy of the resolution to DCED.

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS

FILE OF COUNCIL

NO. 32 OF 2007

PRESENTED IN CITY COUNCIL DECEMBER 13, 2007

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AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 19 OF 1976, AS AMENDED, ENTITLED "AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA, UNDER THE HOME RULE CHARTER, AND OPTIONAL PLANS LAW, ACT OF 1972, APRIL 13, NO. 62, SECTIONS 101 TO 1309, 53 P.S., 1-101, ET SEQ, ESTABLISHING AN ADMINISTRATIVE ORGANIZATION FOR THE CITY OF WILKES-BARRE, DESIGNATING POWERS AND DUTIES OF COUNCIL, THE MAYOR AND OTHER CITY OFFICERS; PROVIDING FOR THE CONDUCT OF CITY FISCAL AFFAIRS, THE ENACTMENT AND ENFORCEMENT OF CITY ORDINANCES AND THE CONDUCT OF CITY OFFICERS AND EMPLOYEES; REPEALING OBSOLETE AND INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE HEREOF, AS AMENDED.

Be it Ordained and Enacted by the City Council of the City of Wilkes-Barre and it is hereby Ordained and Enacted by the authority of the same, as follows:

SECTION 1.

**SECTION 2:04 – MEETINGS AND PROCEDURES: 2 which originally read:**

2. A quorum of Council shall be four (4) members.

IS AMENDED TO READ:

2. A quorum of Council shall be three (3) members.

**SECTION 2:04 – MEETINGS AND PROCEDURES: 4 which originally read:**

4. Special Meetings. Special meetings may be held on the call of the Mayor or at least four (4) members of Council at such time and place and under such conditions as the Council may prescribe by rule, including but not limited to the adoption of a rule to restrict the agenda of a special meeting to a special item of business.

IS AMENDED TO READ:

4. Special Meetings. Special meetings may be held on the call of the Mayor or at least three (3) members of Council at such time and place and under such conditions as the Council may prescribe by rule, including but not limited to the adoption of a rule to restrict the agenda of a special meeting to a special item of business.

SECTION 2. 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.

SECTION 3. Repealer.

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

Passed finally by the Council of the City of Wilkes-Barre on

\_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Jim Ryan, City Clerk

FILE OF COUNCIL

NO. 33 OF 2007

PRESENTED IN CITY COUNCIL ON DECEMBER 13, 2007

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AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 1 OF 1992, ENTITLED "AN ORDINANCE ADOPTING COUNCIL'S RULES AND PROCEDURES," AS AMENDED.

Be It Ordained and enacted by the City Council of the City of Wilkes-Barre and it is hereby Ordained and Enacted by the authority of the same, as follows:

SECTION 1.

IV. Types of Meetings: 4.3 which originally read:

4.3 Special Meetings: Special meetings may be called by the Mayor or by any four (4) members of the Council.

IS AMENDED TO READ:

4.3 Special Meetings: Special meetings may be called by the mayor or by any three (3) members of the Council.

VIII. Voting: 8.1 which originally read:

8.1 The affirmative vote of four (4) members of Council shall be necessary to adopt any Ordinance or any budget motion.

IS AMENDED TO READ:

8.1 The affirmative vote of three (3) members of Council shall be necessary to adopt any ordinance or any budget motion.

SECTION 2. 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.

SECTION 3. Repealer.

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

Passed finally by the Council of the City of Wilkes-Barre on

\_\_\_\_\_.

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

ATTEST:

\_\_\_\_\_  
Jim Ryan, City Clerk

FILE OF COUNCIL

NO. \_\_\_\_ OF 2008

PRESENTED IN CITY COUNCIL ON \_\_\_\_\_

---

AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 1 OF 1992, ENTITLED "AN ORDINANCE ADOPTING COUNCIL'S RULES AND PROCEDURES", AS AMENDED.

Be It Ordained and Enacted by the City Council of the City of Wilkes-Barre and it is hereby Ordained and Enacted by the authority of the same, as follows:

SECTION 1.

IV. Types of Meetings: 4.9 which originally read:

4.9 Manner of Addressing Council: Persons addressing the Council shall give their names and street addresses in an audible tone of voice for the record and shall limit their addresses to 10 minutes. If more than 10 minutes is required, arrangements should be made with the City Clerk, either before the session begins or after the session closes for scheduling at the next session.

IS AMENDED TO READ:

4.9. Manner of Addressing Council: Persons addressing the Council shall give their names and street addresses in an audible tone of voice for the record and shall limit their addresses to five (5) minutes. If more than five (5) minutes is required, arrangements should be made with the City Clerk, either before the session begins or after the session closes for scheduling at the next session. Approval for said arrangements is at the discretion of City Council.

SECTION 2. 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.

SECTION 3. REPEALER.

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

Passed finally by the Council of the City of Wilkes-Barre on

\_\_\_\_\_.

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

ATTEST:

\_\_\_\_\_  
Jim Ryan, City Clerk