

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

---

**CITY COUNCIL  
WORK SESSION**

**DATE:** October 10, 2006

**TIME:** 6:00 P.M.

**6:00 P.M. Thomas M. Leighton, Mayor**

**ORDINANCES**

Establishing rules for a property owner performing work on his/her primary residence

Amending File of Council No. 63 of 2004, Landlord Ordinance, adding a Flood Insurance Rate Map Classification

Amending File of Council No. 6 of 1978, Housing Ordinance, adding a Flood Insurance Rate Map Classification

**RESOLUTIONS**

Authorizing the proper City officials to purchase three vehicles for use by the Police Department

Authorizing the proper City officials to enter into an agreement with CTSI to relocate its lines and to replace an existing manhole in conjunction with the Intermodal Transportation Center/Parking Garage Project

CITY COUNCIL  
WORK SESSION  
OCTOBER 10, 2006

Authorizing the proper City officials to rehabilitate Barney Farm Park

Authorizing the sale of 464-466-468 Hazle St.

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

---

CITY COUNCIL

OCTOBER 12, 2006

6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
OCTOBER 12, 2006

**CONSENT AGENDA (RESOLUTIONS)**

Enter into a purchase agreement with United Sanitation for one 2005 Chevrolet Express Van 2500 Cargo for the purpose of Animal Enforcement.

Enter into a purchase agreement with Northeast Auto for three 2007 Chevrolet Impalas with emergency equipment.

Enter into an agreement with CTSI to complete necessary site work and to remove an existing manhole and replace it with a new manhole in conjunction with the Intermodal Transportation Center/Parking Garage Project.

Authorizing the proper City officials to replace/repair Barney Farms Park.

Execute any and all necessary paperwork related to the sale of 464-466-468 Hazle Street to Dr. Patrick Kerrigan.

Congratulating Genetti Hotel & Convention Center on the occasion of their 100<sup>th</sup> anniversary.

Requesting the Traffic Committee evaluate speeding on Ivy Lane and any similar concerns in the future on other City streets and make specific recommendations relative to resolving them.

Extending gratitude to Officer Robert Essex for giving the City of Wilkes-Barre an artifact from the World Trade Towers to be used in the planned Memorial to victims of the 9/11 terrorists attacks.

**MINUTES**

Of the Wyoming Valley Sanitary Authority of July 18, 2006.

Of the Regular Session of City Council of September 21, 2006.

CITY COUNCIL  
OCTOBER 12, 2006

**CONSENT AGENDA (ORDINANCES)**

**FILE OF COUNCIL NO. 18 OF 2006 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY, PENNSYLVANIA ESTABLISHING REGULATIONS FOR THE CARE AND CONTROL OF ANIMALS WITHIN THE CITY (FIRST READING – ON TITLE).**

**FILE OF COUNCIL NO. 19 OF 2006 – AN ORDINANCE AMENDING CHAPTER 7, SECTION 19 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE TO AMEND PERMITS TO BE ISSUED TO LICENSED ELECTRICIANS, PLUMBERS OR CONTRACTORS; EXCEPTIONS. (FIRST READING)**

**FILE OF COUNCIL NO. 20 OF 2006 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 6 OF 1978, AMENDING FILE OF COUNCIL NO. 16 OF 1971, ENTITLED “THE HOUSING CODE ORDINANCE OF THE CITY OF WILKES-BARRE”, AS AMENDED. (FIRST READING)**

**FILE OF COUNCIL NO. 21 OF 2006 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 63 OF 2004, AN ORDINANCE ESTABLISHING A TENANT AND RENTAL UNIT REGISTRATION REQUIREMENT WITHIN THE CITY OF WILKES-BARRE AND AMENDING THE LANDLORD ORDINANCE NUMBER 23 OF 2002, AS AMENDED. (FIRST READING)**



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

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

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

WHEREAS, the City desires to purchase one 2005 Chevrolet Express Van 2500 Cargo at a cost of \$18,000.00 from United Sanitation for purposes of Animal Enforcement.

NOW, THEREFORE, BE IT RESOLVED, THAT the proper City officials are hereby authorized to enter into a purchase agreement with United Sanitation for (1) one 2005 Chevrolet Express Van 2500 Cargo at a cost of \$18,000.00, for the purpose of Animal Enforcement.

FURTHER, payment will be made from the General Fund.

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:

WHEREAS, the police department plans to purchase three new vehicles from State contract dealer, Northeast Auto in Philadelphia; and

WHEREAS, the City desires to purchase three (3) 2007 Chevrolet Impalas at a cost of \$17,045.00 each with an estimated additional cost of \$3,000.00 per car for emergency equipment, i.e. light bar, radio, siren, speaker and reflective identification. Each vehicle is a V6 fuel efficient police package.

NOW, THEREFORE, 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 purchase agreement with Northeast Auto for three (3) 2007 Chevrolet Impalas with emergency equipment at a cost estimated at \$60,135.00.

FURTHER, payment will be made from the General Fund for two vehicles and DEA funding will be used for the third vehicle.

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

ROLL CALL

YEAS

RESOLUTIONS

NAYS

# WILKES-BARRE CITY POLICE

## Memo

**To:** Mr. Jim Ryan, City Clerk  
**From:** Captain Donald Crane  
**Date:** October 3, 2006  
**Re:** City Council Agenda

---

The police department plans to purchase three new vehicles shortly and it is my understanding a Resolution from City Council must be in place first. I would greatly appreciate your assistance completing this process.

Three 2007 Chevrolet Impalas will be purchased from Northeast Auto in Philadelphia. This dealer is on the state contract vendor list and we have purchased cars from them in the past.

One vehicle cost \$17,045.00. However, to complete the basic vehicle with emergency equipment such as lightbar, radio, siren, speaker, and reflective identification will cost an estimated \$3,000.00 per car. Therefore all three will cost an estimated \$60,135. These are V6 fuel efficient police package vehicles.

Mr. John Koval has indicated two will be purchased using General Fund money and one will be purchased using DEA money.

C: Mr. John Koval  
Chief Gerard Dessoie



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

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

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

WHEREAS, the City of Wilkes-Barre plans to undertake the Intermodal Transportation Facility/Parking Garage Project on South Washington St.; and,

WHEREAS, site work and removal of and replacement of an existing manhole is required for CTSI equipment; and,

WHEREAS, CTSI must hire a contractor to complete this work; and,

WHEREAS, CTSI must also install the cable to all surrounding property users.

NOW, THEREFORE BE IT RESOLVED, THAT the City Council of the City of Wilkes-Barre hereby authorizes the proper City officials to enter into an agreement with CTSI to complete necessary site work and to remove an existing manhole and replace it with a new manhole in conjunction with the Intermodal Transportation Facility/Parking Garage Project in an amount not to exceed \$11,225.

FURTHER, that the City Council of the City of Wilkes-Barre agrees to pay CTSI a sum not to exceed \$23,020 for cable removal, placement, splicing and restoration of service to surrounding property owners.

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:

WHEREAS, the playground equipment in Barney Farms Park is in dire need of replacement; and,

WHEREAS, Barney Farms Park is the only City of Wilkes-Barre playground not to receive an ADA upgrade; and,

WHEREAS, City Council and the Administration want to ensure the health, welfare and safety of children utilizing the park.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilkes-Barre authorizes the proper City officials to replace/repair Barney Farms Park in an amount not to exceed \$53,000. Said equipment will be purchased on Pennsylvania State Piggy Back. In addition, the contract for installation of the equipment Barney Farms Park will be awarded to the lowest responsive, responsible bidder in an amount not to exceed \$15,000.

FURTHER, the 2006 Series B Bond proceeds will be utilized to pay for this capital improvement.

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 execute any and all necessary paperwork related to the sale of 464-466-468 Hazle Street to Dr. Patrick Kerrigan.

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 City Council of the City of Wilkes-Barre hereby congratulates Genetti Hotel & Convention Center on the occasion of their 100<sup>th</sup> anniversary.

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

ROLL CALL

YEAS

RESOLUTIONS

NAYS

NAME



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

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

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

Whereas, neighbors in the vicinity of Ivy Lane have recently seen a significant increase in traffic on this street; and

Whereas, not only the traffic has increased but so has the speed of the motorists;  
and

Whereas, the neighbors are concerned that this situation is hazardous and may cause a tragedy.

Now, Therefore Be It Resolved that the City Council of Wilkes-Barre hereby requests the Traffic Committee to evaluate not only this situation on Ivy Lane but also any similar concerns in the future on other city streets and make specific recommendations relative to resolving them (such as the feasibility/advisability of installing rumble strips etc.)

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 City Council of the City of Wilkes-Barre hereby extends its gratitude to Officer Robert Essex for giving the City an artifact from the destroyed World Trade Towers for use in the City's planned Memorial to victims of the 9/11 terrorists attacks.

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

ROLL CALL

YEAS

RESOLUTIONS

NAYS

18  
CITY OF WILKES-BARRE  
Pennsylvania  
Thomas M. Leighton, Mayor

Timothy J. Henry, Esquire  
City Attorney



William E. Vinsko, Jr., Esquire  
Assistant City Attorney

Margaret M. Sharksnas  
Paralegal

OFFICE OF THE CITY ATTORNEY  
40 East Market Street  
Wilkes-Barre, PA 18711  
Tel. (570) 208-4155 Fax (570) 208-4153

**MEMORANDUM**

To: Jim Ryan, City Clerk  
From: Timothy J. Henry, City Attorney *NH*  
Date: October 10, 2006  
Re: City Council Agenda for this weeks meetings

Please have the following Ordinance placed on Council's agenda for this weeks meetings:

AN ORDINANCE OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY,  
PENNSYLVANIA ESTABLISHING REGULATIONS FOR THE CARE AND  
CONTROL OF ANIMALS WITHIN THE CITY. (TITLE ONLY).

Thank you for your attention to this matter. Call with any question or comment.

TJH/ms

cc: Wilkes-Barre City Council  
Mayor Thomas M. Leighton

FILE OF COUNCIL

NO. 19 OF 2006

PRESENTED IN CITY COUNCIL OCTOBER 12, 2006

---

AN ORDINANCE

AN ORDINANCE AMENDING CHAPTER 7, SECTION 19 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE TO AMEND PERMITS TO BE ISSUED TO LICENSED ELECTRICIANS, PLUMBERS OR CONTRACTORS; EXCEPTIONS.

Whereas, it is the desire and intention of City Council to pass legislation within the City of Wilkes-Barre and amend Section 7-19, Permits to be issued to licensed electricians, plumbers or contractors; exceptions; and

Now, Therefore, Be It Ordained by the City Council of Wilkes-Barre and it is hereby ordained by the authority of the same that:

SECTION I. Section 7-19 (7) Permits to be issued to licensed electricians, plumbers or contractors; exceptions which originally read:

Permits to be issued to licensed electricians, plumbers or contractors; exceptions: All electrical, plumbing and general construction work performed under any permit shall be done by a licensed electrician, plumber or contractor except, however a person may perform any electrical, plumbing and general construction work on a structure of which he is the owner, provided he does not employ or engage, for compensation of any form, any person or persons to assist him and provided further that he has first secured the necessary permits from the office building inspection. All such work performed by the owner of a structure must conform to the same requirements governing licensed electricians, plumbers or contractors.

The purpose of this exception is to allow a property owner to work on his own property and get assistance from family and friends. It is also meant to prevent a property owner from securing a building permit and then hiring an unlicensed contractor to perform the work.

Is amended to Read:

Permits to be issued to licensed electricians, plumbers or contractors; exceptions: All electrical, plumbing and general construction work performed under any permit shall be done by a licensed electrician, plumber or contractor, except, however, a person may

perform electrical, plumbing and general construction work on a structure which he is the owner, (AND PROVIDED THAT THE STRUCTURE HE IS WORKING ON IS HIS PRIMARY RESIDENCE,) and further provided that he does not employ or engage for compensation of any form any person or persons to assist him and provided further that he has first secured the necessary permits from the office of building inspection. all such work performed by the owner of a structure must conform to the same requirements governing licenses electricians, plumbers or contractors.

The purpose of this exception is to allow a property owner to work on his own property and get assistance from family and friends. it is also meant to prevent a property owner from securing a building permit and then hiring an unlicensed contractor to perform the work.

## SECTION II. 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 III. 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

CITY OF WILKES-BARRE  
Pennsylvania  
Thomas M. Leighton, Mayor

Timothy J. Henry, Esquire  
City Attorney




William E. Vinsko, Jr., Esquire  
Assistant City Attorney

Margaret M. Sharksnas  
Paralegal

OFFICE OF THE CITY ATTORNEY  
40 East Market Street  
Wilkes-Barre, PA 18711  
Tel. (570) 208-4155 Fax (570) 208-4153

**MEMORANDUM**

To: Jim Ryan, City Clerk

From: Timothy J. Henry, City Attorney 

Date: October 3, 2006

Re: **Amendment of Wilkes-Barre City Code Ordinance No. 7-19 (7)**

Attached is a copy of Ordinance 7-19 (7) as it currently reads and the proposed amendment. Please place this amended Ordinance on council's next agenda for first reading.

Thank you for your attention to this matter. Call with any question or comment.

TJH/ms  
Attachment  
cc: Frank Kratz  
Butch Frati

## Margaret Sharksnas

---

**From:** Frank Kratz  
**Sent:** Monday, September 25, 2006 4:16 PM  
**To:** Tim Henry  
**Cc:** Margaret Sharksnas; JJ Murphy; Butch Frati; MayorTML  
**Subject:** code change

Wilkes-Barre City code 7-19(7)

Permits to be issued to licensed electricians, plumbers or contractors; exceptions. All electrical, plumbing and general construction work performed under any permit shall be done by a licensed electrician, plumber or contractor, except, however, a person may perform any electrical, plumbing and general construction work on a structure of which he is the owner, provided he does not employ or engage, for compensation of any form, any person or persons to assist him and provided further that he has first secured the necessary permits from the office of building inspection. All such work performed by the owner of a structure must conform to the same requirements governing licensed electricians, plumbers or contractors.

The purpose of this exception is to allow a property owner to work on his own property and get assistance from family and friends. It is also meant to prevent a property owner from securing a building permit and then hiring an unlicensed contractor to perform the work.

This ordinance should be amended to read;

Permits to be issued to licensed electricians, plumbers or contractors; Exceptions. All electrical, plumbing and general construction work performed under any permit shall be done by a licensed electrician, plumber or contractor, except, however, a person may perform and electrical, plumbing and general construction work on a structure which he is the owner, ( and provided that the structure he is working on is his primary residence,) and further provided that he does not employ or engage for compensation of any form any person or persons to assist him and provided further that he has first secured the necessary permits from the office of building inspection. All such work performed by the owner of a structure must conform to the same requirements governing licensed electricians, plumbers or contractors.

The purpose of this exception is to allow a property owner to work on his own property and get assistance from family and friends. It is also meant to prevent a property owner from securing a building permit and then hiring an unlicensed contractor to perform the work.

FILE OF COUNCIL

NO. 20 OF 2006

PRESENTED TO CITY COUNCIL October 12, 2006

---

AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 6 OF 1978, AMENDING FILE OF COUNCIL NO. 16 OF 1971, ENTITLED "THE HOUSING CODE ORDINANCE OF THE CITY OF WILKES-BARRE", AS AMENDED.

Whereas, it is the desire and intention of City Council to pass legislation within the City of Wilkes-Barre and amend file of Council No. 6 of 1978.

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 I. Article VI BUYER NOTIFICATION SECTION 604. CONTENTS OF HOUSING STATISTICAL REPORT (2) which originally read:

2. A Statement of zoning classification applicable to the subject dwelling(s).

IS AMENDED TO READ:

2. A Statement of Zoning and Flood Insurance Rate Map Classification applicable to the subject dwelling(s).

SECTION II. 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 III. 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. 21 OF 2006

PRESENTED TO CITY COUNCIL OCTOBER 12, 2006

---

AN ORDINANCE

AN ORDINANCE AMENDING FILE OF COUNCIL NO. 63 OF 2004, AN ORDINANCE ESTABLISHING A TENANT AND RENTAL UNIT REGISTRATION REQUIREMENT WITHIN THE CITY OF WILKES-BARRE AND AMENDING THE LANDLORD ORDINANCE NUMBER 23 OF 2002, AS AMENDED.

Whereas, it is the desire and intention of City Council to pass legislation within the City of Wilkes-Barre and amend File of Council No. 63 of 2004.

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 I. SECTION 7-222 (2) which originally read:

SECTION 7-222 CONTENTS OF HOUSING STATISTICAL REPORT

2. A Statement of Zoning classification applicable to the Subject Regulated Rental Unit(s).

IS AMENDED TO READ:

SECTION 7-222 CONTENTS OF HOUSING STATISTICAL REPORT

2. A Statement of Zoning and Flood Insurance Rate Map Classification applicable to the Subject Regulated Rental Unit(s).

SECTION II. 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 III. 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