

AGENDA
REGULAR MEETING OF COUNCIL
JANUARY 11, 2007
6:30 P.M.

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES:
 - A. MINUTES OF THE SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY MEETING HELD ON NOVEMBER 16, 2006.
4. CITIZENS PARTICIPATION
5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENTS AND/OR RE-APPOINTMENTS TO BOARDS & COMMISSIONS. MOTIONS & REPORTS OF COMMITTEES:

A.
MOTIONS

B.
FOR INTRODUCTION - A RESOLUTION - RE-APPOINTMENT OF ROBERT WAGNER, 1731 CAPOUSE AVENUE, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF THE SCRANTON REDEVELOPMENT AUTHORITY. MR WAGNER'S TERM EXPIRED ON FEBRUARY 4, 2006 AND HIS NEW TERM WILL EXPIRE ON FEBRUARY 4, 2011.

C.
FOR INTRODUCTION - A RESOLUTION - APPOINTMENT OF MARCIE HERMAN RIEBE, 1315 SANDERSON AVENUE, SCRANTON, PENNSYLVANIA, 18509, TO THE SCRANTON RECREATION AUTHORITY. MRS. RIEBE WILL BE FULFILLING THE TERM OF JOSEPH O'CONNOR AND HER TERM WILL EXPIRE ON MARCH 1, 2011.

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D.

FOR INTRODUCTION - A RESOLUTION - ACCEPTING THE RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW BOARD ("HARB") AND APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR HARTLEY & ESGRO WATERPROOFING CO., INC., 312 S. SHERMAN AVENUE, SCRANTON, PA. 18504 FOR MASONRY REPAIR ON THE SCRANTON LIFE BUILDING, 538 SPRUCE STREET, SCRANTON.

E.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A CONTRACT FOR INSURANCE WITH HARIE INSURANCE EXCHANGE, NATIONAL CASUALTY, PHILADELPHIA INSURANCE COMPANY AND CONTINENTAL CASUALTY COMPANY FOR THE CITY INSURANCE COVERAGES FOR THE PERIOD JANUARY 1, 2007 THROUGH JANUARY 1, 2008.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

A.

READING BY TITLE - FILE OF COUNCIL NO. 72, 2007 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT 2.5% FOR THE CALENDAR YEAR 2007.

B.

READING BY TITLE - FILE OF COUNCIL NO. 73, 2007 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 7, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1976 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES", BY IMPOSING THE MERCANTILE LICENSE TAX AT 1 MILL FOR CALENDAR YEAR 2007.

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C.

READING BY TITLE - FILE OF COUNCIL NO. 74, 2007 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 8, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF 2 MILL UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF 1 MILL FOR CALENDAR YEAR 2007.

D.

READING BY TITLE - FILE OF COUNCIL NO. 75, 2007 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO.11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF 2% ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAX PAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS", BY IMPOSING THE WAGE TAX AT 2.4% ON EARNED INCOME FOR THE YEAR 2007 FOR RESIDENTS.

E.

READING BY TITLE - FILE OF COUNCIL NO. 76, 2007 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977", BY SETTING THE MILLAGE FOR THE YEAR 2007.

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F.

READING BY TITLE - FILE OF COUNCIL NO. 77, 2007 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO.17, 1994 ENTITLED "AN ORDINANCE (AS AMENDED) AUTHORIZING THE GOVERNING BODY OF THE CITY OF SCRANTON TO ENACT A "WASTE DISPOSAL AND COLLECTION FEE" FOR THE PURPOSE OF RAISING REVENUE TO COVER THE WASTE DISPOSAL AND COLLECTION COSTS INCURRED BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE", BY IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$178.00 FOR CALENDAR YEAR 2007.

G.

READING BY TITLE - FILE OF COUNCIL NO. 78, 2007 - AN ORDINANCE - AMENDING FILE OF COUNCIL NO.10 OF 2006 AMENDING FILE OF THE COUNCIL 95 OF 2005, WHICH IN TURN AMENDED FILE OF COUNCIL NO. 9, 1976 ENTITLED "AN ORDINANCE ENACTING AND IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON INDIVIDUALS FOR THE PRIVILEGE OF ENGAGING IN AN OCCUPATION WITHIN THE CORPORATE LIMITS OF THE CITY OF SCRANTON" BY CHANGING THE NAME OF THE TAX TO THE EMERGENCY MUNICIPAL SERVICES TAX, INCREASING THE AMOUNT OF THE WITHHOLDING TO \$52.00, AND DIRECTING THAT THE REVENUE BE USED FOR POLICE, FIRE, OR EMERGENCY SERVICES OR FOR ROAD CONSTRUCTION OR MAINTENANCE.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES - CONSIDERATION FOR ADOPTION:

A.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF COUNCIL NO. 71, 2006 - AUTHORIZING THE VACATION OF A PORTION OF THE RIGHT-OF-WAY KNOWN AS GORGE STREET CONSISTING OF AN AREA 165 FEET LONG AND 26 FEET WIDE IN THE CITY OF SCRANTON, AS MORE PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

B.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 116, 2007 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A RENEWAL OF THE CITY'S STOP LOSS COVERAGE FOR MAJOR MEDICAL HEALTH INSURANCE WITH AMERICAN FIDELITY ASSURANCE COMPANY FOR 2007.

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C.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 117, 2007 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW FIRM OF CARL J. GRECO, P.C. FOR LEGAL SERVICES INCLUDING BUT NOT LIMITED TO GENERAL COUNSEL TO THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT ("OECD"), URBAN RENEWAL PROCESS AND PROCEDURE, EMINENT DOMAIN AND RELATED LITIGATION, DISPOSITION OF SURPLUS URBAN RENEWAL LANDS, TITLE SEARCHES AND DEED PREPARATION.

D.

FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - RESOLUTION NO. 118, 2007 - ACCEPTING AND AGREEING TO MAINTAIN A TRAFFIC SIGNAL LOCATED ON KEYSER AVENUE (S.R. 6307) AND THE INTERSECTION OF KEYSER VILLAGE DRIVEWAY/PRIVATE DRIVE IN THE CITY OF SCRANTON PURSUANT TO THE REQUIREMENTS OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION.

E.

FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 119, 2007 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN FROM THE URBAN DEVELOPMENT ACTION GRANT REPAYMENT LOAN PROGRAM, PROJECT NO. 400.29 IN AN AMOUNT NOT TO EXCEED \$250,000.00 TO DML PROPERTIES, L.P. TO ASSIST AN ELIGIBLE PROJECT.

F.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 120, 2007 - RE-APPOINTMENT OF JOHN F. KENNEDY, 829 NORTH IRVING AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE CITY PLANNING COMMISSION. MR. KENNEDY'S CURRENT TERM EXPIRES ON DECEMBER 31, 2006 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2011.

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G.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 121, 2007 - RE-APPOINTMENT OF EV JONES, 1912 BOULEVARD AVENUE, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF THE CITY PLANNING COMMISSION. MR. JONES' CURRENT TERM EXPIRES ON DECEMBER 31, 2006 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2011.

H.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 122, 2007 - APPOINTMENT OF MICHELLE DEMPSEY, 545 QUINCY AVENUE, SCRANTON, PENNSYLVANIA, 18510, AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD, EFFECTIVE OCTOBER 11, 2006. MS. DEMPSEY WILL BE REPLACING NELIDA AMADOR WHOSE TERM EXPIRED ON OCTOBER 11, 2006. MS. DEMPSEY'S TERM WILL EXPIRE ON OCTOBER 11, 2011.

8. ADJOURNMENT:

KAY GARVEY
CITY CLERK
SCRANTON, PENNSYLVANIA