

AGENDA
REGULAR MEETING OF COUNCIL
JANUARY 13, 2009
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. TAX COLLECTION COMPARISON REPORTS RECEIVED FROM THE SINGLE TAX OFFICE ON JANUARY 5, 2009.

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 - AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO MAKE A SUPPLEMENTAL APPROPRIATION FROM THE CONTINGENCY ACCOUNT TO INCREASE THE SALARY OF THE DEPUTY CITY CONTROLLER TO INCLUDE \$4,814.00 TO BE PAID AT REGULAR SALARY INTERVALS BEGINNING JANUARY 1, 2009.

C.
FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF COUNCIL NO. 31, 1987; AMENDING FILE OF COUNCIL NO. 13, 1979 (AS AMENDED) AMENDING THE HOME RULE CHARTER OF THE CITY OF SCRANTON, "SECTION 1304 - SALARIES" BY AMENDING THE SALARY OF THE MAYOR, CITY CONTROLLER AND COUNCIL MEMBERS OF THE CITY OF SCRANTON.

5

D.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING REVISION
OF THE EXISTING TRAFFIC SIGNAL ALONG 7TH AVENUE/PROVIDENCE
AND OLIVE STREET TO INCLUDE A NEW DRIVEWAY APPROACH FOR
THE ICE BOX DRIVEWAY.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE:

A.

READING BY TITLE - FILE OF COUNCIL NO. 52, 2009 - 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 TWO (2)
MILLS 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;
TAX; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH
RECORDS; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND
COLLECTOR; AND CONFERRING POWERS AND DUTIES UPON THE TAX
BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL FOR
CALENDAR YEAR 2009.

B.

READING BY TITLE - FILE OF COUNCIL NO. 53, 2009 - 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 THE CALENDAR
YEAR 2009.

C.

READING BY TITLE - FILE OF COUNCIL NO. 54, 2009 - 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 2009.

6

D.

READING BY TITLE - FILE OF COUNCIL NO. 55, 2009 - 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 TWO
PERCENT (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 TAXPAYERS 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 TWO AND FOUR TENTHS PERCENT (2.4%) ON EARNED
INCOME FOR THE YEAR 2009 FOR RESIDENTS.

E.

READING BY TITLE - FILE OF COUNCIL NO. 56, 2009 - 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 ONE (1) MILL FOR CALENDAR YEAR
2009.

F.

READING BY TITLE - FILE OF COUNCIL NO. 57, 2009 - 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 TWO AND FIVE TENTHS PERCENT (2.5%) FOR CALENDAR YEAR 2009.

6

G.

READING BY TITLE - FILE OF COUNCIL NO. 58, 2009 - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 145 OF 2007 ENTITLED AN ORDINANCE RENAMING THE EMERGENCY AND MUNICIPAL SERVICES TAX ("EMST") TO LOCAL SERVICE TAX ("LST") AND BY IMPOSING A WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR 2009.

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

A.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 91, 2009 - ACCEPTING THE GIFT OF A POLICE VEHICLE, VIN NUMBER 2G1WF55K249348192 FROM POLICE OFFICER WILLIAM O'BRIEN FOR USE IN THE CITY'S FLEET PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY AND OFFICER WILLIAM O'BRIEN.

B.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 92, 2009 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE/POLICY AGREEMENT WITH OFFICER WILLIAM O'BRIEN, GOVERNING THE USE OF SCRANTON POLICE OFFICER O'BRIEN'S "PRIVATE CRUISER" AS DEFINED HEREIN.

C.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 93, 2009 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO AN ASSIGNMENT AGREEMENT AUTHORIZING THE ASSIGNMENT OF ALL RIGHTS AND LIABILITIES UNDER THE PRIVATE POLICE CRUISER LEASE OF OFFICER JOSEPH J. HARRIS TO OFFICER BRETT GRIFFITHS.

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D.

FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 94, 2009 -
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 COMMERCIAL INDUSTRIAL REVOLVING LOAN PROGRAM, PROJECT NO. 08-150.20 IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO JOHN D. MUROSKI, SR. D/B/A JOHN'SIGNS TO ASSIST AN ELIGIBLE PROJECT.

E.

FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 95, 2009 -
AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO ENTER INTO A SUBORDINATION AGREEMENT AND A MORTGAGE ASSUMPTION AGREEMENT TO FACILITATE THE SALE FROM 410-412 SPRUCE STREET, L.L.P. TO SCRANTON DOWNTOWN, LLC OF PROPERTY LOCATED AT 410-412 SPRUCE STREET, SCRANTON, PA, ON WHICH THE CITY OF SCRANTON HAS A RECORDED MORTGAGE DATED NOVEMBER 5, 2002 IN THE PRINCIPAL AMOUNT OF \$220,000.00.

F.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 97, 2009 - RE-APPOINTMENT OF
JAMES MCDONNELL, 1432 SANDERSON AVENUE, SCRANTON, PENNSYLVANIA, 18509, TO THE BOARD OF THE SCRANTON RECREATION AUTHORITY. MR. MCDONNELL'S CURRENT TERM WILL EXPIRE ON DECEMBER 31, 2008 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2013.

G.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 98, 2009 - RE-APPOINTMENT OF
MARY ELIZABETH MOYLAN, 1502 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE CITY PLANNING COMMISSION. MS. MOYLAN'S CURRENT TERM

EXPIRED ON DECEMBER
ON DECEMBER 31,

31, 2008 AND HER NEW TERM WILL EXPIRE
2013.

7

H.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR
ADOPTION - RESOLUTION NO. 99, 2009 - DESIGNATING THE
CITY OF SCRANTON'S BUSINESS ADMINISTRATOR AS SCRANTON'S
OPEN RECORDS OFFICER, TO RECEIVE REQUESTS FOR PUBLIC
RECORDS, TO DIRECT REQUESTS TO APPROPRIATE PERSONNEL, TO
TRACK SCRANTON'S PROGRESS IN RESPONDING TO REQUESTS,
AND TO ISSUE INTERIM AND FINAL RESPONSES UNDER
PENNSYLVANIA'S RIGHT-TO-KNOW LAW.

I.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR
ADOPTION - RESOLUTION NO. 100, 2009 - DESIGNATING THE
CITY OF SCRANTON'S FINANCE MANAGER TO ACT AS
SCRANTON'S ALTERNATE OPEN RECORDS OFFICER TO RECEIVE
REQUESTS FOR PUBLIC RECORDS, TO DIRECT REQUESTS TO
APPROPRIATE PERSONNEL, TO TRACK PROGRESS IN RESPONDING
TO REQUESTS, AND TO ISSUE INTERIM AND FINAL RESPONSES
UNDER PENNSYLVANIA'S RIGHT-TO-KNOW LAW.

J.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR
ADOPTION - RESOLUTION NO. 101, 2009 - PURSUANT TO
SECTION 702 OF THE RIGHT-TO-KNOW LAW, THE CITY OF
SCRANTON, AS AN AGENCY OF THE COMMONWEALTH, IS NOT
REQUIRED TO FULFILL VERBAL OR ANONYMOUS VERBAL
REQUESTS FOR ACCESS TO RECORDS; AS SUCH, THE CITY OF
SCRANTON'S OPEN RECORDS OFFICER WILL ACCEPT ONLY WRITTEN
REQUESTS FOR ACCESS TO RECORDS AND WILL NOT ACCEPT
VERBAL OR ANONYMOUS VERBAL REQUESTS FOR ACCESS TO
RECORDS.

8. ADJOURNMENT:

KAY GARVEY
CITY CLERK

SCRANTON, PENNSYLVANIA

