

COUNCIL FOR THE CITY OF SCRANTON

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HELD:

Monday, June 17th, 2019

LOCATION:

Council Chambers  
Scranton City Hall  
340 North Washington Avenue  
Scranton, Pennsylvania

Maria McCool, RPR  
Official Court Reporter

1 C O U N C I L M E M B E R S :

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3 PATRICK ROGAN, PRESIDENT - absent

4 TIMOTHY PERRY, VICE PRESIDENT

5 WAYNE EVANS

6 WILLIAM GAUGHAN

7 KYLE DONAHUE

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10 LORI REED, CITY CLERK

11 KATHY CARRERA, ASSISTANT CITY CLERK

12 AMIL MINORA, ESQUIRE - SOLICITOR

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1 (Pledge of Allegiance recited and a  
2 moment of reflection observed.)

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4 MR. PERRY: Before caucus we had an  
5 executive session tonight to discuss personnel  
6 matters and potential litigation. Roll call,  
7 please.

8 MS. CARRERA: Mr. Perry.

9 MR. PERRY: Here.

10 MS. CARRERA: Mr. Donahue.

11 MR. DONAHUE: Here.

12 MS. CARRERA: Mr. Evans.

13 MR. EVANS: Here.

14 MS. CARRERA: Mr. Gaughan.

15 MR. GAUGHAN: Here.

16 MS. CARRERA: Mr. Rogan.

17 MR. EVANS: I would like to make a  
18 motion to appoint Councilman Perry as temporary  
19 Chair for the Committee on Rules.

20 MR. DONAHUE: Second.

21 MR. PERRY: On the question?

22 (No response.)

23 MR. PERRY. All those in favor  
24 signify by saying aye.

25 MR. DONAHUE: Aye.

1 MR. GAUGHAN: Aye.

2 MR. EVANS: Aye.

3 MR. PERRY: Aye. Opposed?

4 (No response.)

5 MR. PERRY: Ayes have it and so  
6 moved. Dispense with the reading of the  
7 minutes, please.

8 MS. REED: THIRD ORDER. TAX  
9 ASSESSOR'S REPORT FOR HEARING DATE TO BE HELD  
10 JUNE 26, 2019.

11 MR. PERRY: Are there any comments?  
12 If not, received and filed.

13 MS. REED: 3-B. TAX ASSESSOR'S  
14 RESULTS REPORT FOR HEARING DATE HELD JUNE 5,  
15 2019.

16 MR. PERRY: Are there any comments?  
17 If not, received and filed.

18 MS. REED: 3-C. MINUTES OF THE  
19 REGULAR MEETING OF SCRANTON REDEVELOPMENT  
20 AUTHORITY HELD MAY 1, 2019.

21 MR. PERRY: Are there any comments?  
22 If not, received and filed.

23 MS. REED: 3-D. MINUTES OF THE  
24 CIVIL SERVICE COMMISSION MEETING HELD MAY 9,  
25 2019. Civil service.

1 MR. PERRY: Are there any comments?  
2 If not, received and filed. Do any Council  
3 members have any announcements at this time?

4 MR. GAUGHAN: Yes, I have one. The  
5 Dunmore Historical Society is presenting John  
6 Mitchell, an American Hero, a dramatic reading  
7 written and performed by Robert Thomas Hughes.

8 This two-act play will be presented  
9 as an interview revealing personnel and  
10 professional insights into the life of Mr.  
11 John Mitchell. The original play is also a  
12 tribute to Mr. Mitchell as a champion of labor  
13 and defender of human rights.

14 The performance date will be June  
15 23rd, which is a Sunday at 2 p.m. Tickets are  
16 \$5 per person. The play is to be performed at  
17 the Dunmore Historical Society located at 120  
18 Barton Street in Dunmore. Thank you.

19 MR. PERRY: I have two  
20 announcements. Next Monday, June 24th, there  
21 will be a public caucus at 5:15 with NDC to  
22 discuss 5-B and 5-C on tonight's agenda. Both  
23 of those pieces are related to parking meter  
24 zone and downtown residential parking program.

25 Also, there will be a public hearing

1 held at 5:45 for Item 5-D which is amending a  
2 portion of the OECD's home funding for a  
3 project with Scranton Lackawanna Human  
4 Development Agency for housing.

5 Note again, Council will hold  
6 daytime meetings for the month of July. We'll  
7 meet weekly at 12:30 p.m., and hold caucus at  
8 noon in the Clerk's Office or in Council  
9 Chambers, if necessary. The weekly meetings in  
10 July will be held Wednesdays due to work  
11 schedules that conflict with meetings on  
12 Mondays.

13 Our daytime meeting will begin on  
14 Wednesday, July 3rd at 12:30 and will continue  
15 with that schedule for the four remaining  
16 Wednesdays that follow.

17 Also a change -- a slight change  
18 with Fourth Order. We will be implementing a  
19 program where we'll still be honoring, of  
20 course, the five-minute time limit. But there  
21 will be a 30 second bell prior to your five  
22 minutes just to -- you can wrap up your thought  
23 at that time.

24 Once your five minutes is up, we  
25 will ask for you to the leave podium for the

1 new speaker to come up. That's all I have.  
2 Thank you.

3 MS. REED: FOURTH ORDER.  
4 CITIZENS PARTICIPATION.

5  
6 (The following speakers offered  
7 public comment as follows:

8 Joan Hodowanitz spoke on city  
9 business and matters of general concern.

10 Les Spindler spoke on matters of  
11 general concern.

12 Ron Ellman spoke on matters of  
13 general concern.

14 Jerry Healy spoke on matters of  
15 general concern.

16 Dave Dobrzyn spoke on matters of  
17 general concern.

18 Marie Schumacher spoke on city  
19 business and matters of general concern.)

20  
21 MS. REED: FIFTH ORDER. 5-A.  
22 MOTIONS.

23 MR. PERRY: Mr. Donahue, do you have  
24 any motions or comments tonight?

25 MR. DONAHUE: Yeah, just to touch on

1           what a couple of the speakers said. We did ask  
2           that the City Solicitor come in and give us  
3           further explanation on both 5-F and 5-G,  
4           settlement agreements.

5                       In terms of 6-A, we have requested  
6           more information about how they're going to  
7           implement that program with rental  
8           registration. So we're going to see what they  
9           give us before next week.

10                      And I know Mr. Gaughan had asked for  
11           the street paving list and we still haven't  
12           received it. And it's still not ready I don't  
13           believe. And I think the PEL thing is at  
14           12:15. Is PEL on July 15th or is it -- what  
15           are we doing? No, we're doing noon. I'm  
16           sorry, noon. And that's all I have tonight.  
17           Thank you.

18                      MR. PERRY: Thank you, Mr. Donahue.  
19           Mr. Evans, any motions or comments?

20                      MR. EVANS: Very briefly. Right, so  
21           12:00 noon is PEL on the 15th of July -- or  
22           10th. I don't know why I keep on thinking the  
23           15th. We're on Wednesday now, Wednesday time.  
24           Very briefly, I would like to congratulate the  
25           Recreation Authority that oversees Nay Aug Park



1 on the recent announcement that they worked out  
2 a deal with Geisinger CMC for long-term  
3 commitment for the park for a substantial  
4 amount of money. You may have seen that in the  
5 paper this morning.

6 Also thank Geisinger CMC for  
7 stepping up and being a good neighbor of the  
8 park. This will go a long way to not only  
9 improving the park, but making it sustainable  
10 for years to come. So it's nice to see  
11 positive news in the paper every now and then.

12 And finally all I have to say is,  
13 every day is your chance to make this city a  
14 little better. That's all I have for tonight.

15 MR. PERRY: Thank you, Mr. Evans.  
16 Mr. Gaughan, any motions or comments tonight?

17 MR. GAUGHAN: Yes, thank you. In  
18 regards to Mrs. Schumacher's question about the  
19 fireman, I had asked and posed the same  
20 question and received notice from the HR  
21 Department and the HR Director that he is still  
22 employed by the city. So that was the only  
23 response that I received, okay?

24 The last two weeks I brought up  
25 913-915 Eynon Street. Councilman Evans,

1 Councilman Donahue and myself had been out  
2 there to look at this house. Mr. Hinton had  
3 told us that this house was tied up in  
4 litigation. We had requested from the Law  
5 Department more of an explanation on that.  
6 Mr. Hinton explained that the city was going to  
7 take further action against the property  
8 owners.

9 We did receive correspondence from  
10 Michael O'Brien of Oliver Price and Rhodes who  
11 is representing the City of Scranton Housing  
12 Appeals Board in the matter of Bing Chang  
13 versus City of Scranton Housing Appeals Board  
14 from 2014.

15 I just want to briefly read the  
16 letter that he sent. "Enclosed please find a  
17 memorandum and order dated May 24th, 2018,  
18 wherein Judge Munley denies the property  
19 owner's appeal, upheld the relevant order of  
20 condemnation and further directed Mr. Chang to  
21 arrange for a walkthrough, necessary affidavit  
22 and bond, remediation work and subsequent  
23 inspection relative to the property at 913-915  
24 Eynon Street.

25 As of this date, Mr. Chang has

1 failed to schedule these items in accordance  
2 with Judge Munley's order. Council for  
3 Mr. Chang has repeatedly requested additional  
4 time to comply with the order attached and has  
5 sought to apply for a special exception wherein  
6 he may secure certain zoning approval which  
7 would in his view allow for the economic  
8 considerations that he deems appropriate prior  
9 to abating the unlawful condition of current  
10 property.

11 This request, however, should have  
12 no bearing on the property owner's obligation  
13 to abide by Judge Munley's order and the  
14 relevant provisions of the city code as it may  
15 relate to the property maintenance.

16 Based on the above, I have advised  
17 opposing Council that we have prepared and  
18 intend to present a motion to enforce Judge  
19 Munley's May 24th, 2018 order and to seek any  
20 other such relief as appropriate and consistent  
21 with the code. I will provide a copy of this  
22 motion for your review upon filing."

23 I was in contact with the residents  
24 in the 900 block of Eynon Street and in that  
25 vicinity who are concerned about this property

1 and the property's condition. And they were  
2 pleased I think that now we have a better  
3 understanding of what legal action is being  
4 taken in regard to this property.

5 And I do want to note that, you  
6 know, many times people are under the  
7 impression for a number of different reasons,  
8 one I think might be from a lack of  
9 communication that the city isn't doing  
10 anything with some of these properties.

11 And if you look at the order here  
12 that will take you through since 2014, the city  
13 actually has tried to rectify this issue. And  
14 it is spelled out in the order. So I do want  
15 to thank the city administration, Mr. Hinton,  
16 and Mr. O'Brien and the Law Department for  
17 providing this and giving us a better idea of  
18 where this property stands. And I think giving  
19 the neighbors a little bit more comfort that  
20 you know something is in the works to rectify  
21 that issue.

22 The 1100 to 1400 block of Oram  
23 Street received notification from neighbors  
24 about water runoff issues, pavement coming up  
25 revealing old brick pave underneath. The DPW

1 Director responded that actually this block of  
2 Oram Street is going to be paved by, I believe,  
3 the water or gas company. They are redoing the  
4 service lines.

5 So there is no need for the DPW at  
6 this point to go out and mill and pave the  
7 street because that is going to be taken care  
8 of eventually by one of the utility companies.

9 We received a request that I would  
10 like to forward, Mrs. Reed, to the DPW and also  
11 to the Chief of Police from a gentleman  
12 regarding the 1100 block of Hampton Street.  
13 He's requesting that that street be put on the  
14 paving list and also he is detailing some  
15 concerns about Hampton Street being so narrow.  
16 So if we could forward that, please to DPW.

17 Also, I received a few calls about  
18 1441-1443 North Sumner Avenue. Apparently  
19 last week the police department and other law  
20 enforcement agencies have raided this home.  
21 Neighbors are concerned. They would like to  
22 know if the property is condemned and what the  
23 status of this property is.

24 They have called about this and  
25 tried to get some answers. So, Mrs. Reed, if

1 we can try to find out for them what's going on  
2 with that property.

3 Also, Councilman Donahue and I had  
4 asked for quite a few weeks now about the case  
5 against the City of Scranton and the Licensing  
6 and Inspections Department in regards to  
7 Theodor Brunelle with the city losing the case  
8 or -- I don't know if they settled or lost or  
9 whatever. But we would have to pay out a very  
10 large amount.

11 So I just want to read into the  
12 record the letter from Jessica Eskra, the City  
13 Solicitor. "I am in receipt of your letter of  
14 June 11, 2019. By way of background, this  
15 case, Theodor Brunelle versus City of Scranton  
16 involved allegations by the plaintiff that his  
17 contractor license was revoked without  
18 affording him due process.

19 At the time of revocation, the  
20 Housing Board of Appeals had been defunct for  
21 several years and it would have been impossible  
22 to establish the same in the short time period  
23 allowed.

24 Subsequent to discovery, the  
25 Plaintiff filed a motion for partial summary

1 judgment. The court partially granted  
2 Plaintiff's motion for summary judgment as to  
3 his procedural due process claim.  
4 Specifically, the court found that the city had  
5 failed to provide Mr. Brunelle the appropriate  
6 procedural due process prior to and after the  
7 revocation of his electrical license. All  
8 other aspects of the Plaintiff's motion were  
9 denied."

10 In response to Councilman Donahue's  
11 questions and mine about why the insurance  
12 coverage for the city was denied, Solicitor  
13 Eskra explains that the insurance coverage for  
14 the claim was denied as the Plaintiff's  
15 complaint alleged conduct and malicious  
16 prosecution which are not covered by an  
17 insurance policy and sought damages in the form  
18 of injunctive relief, which is also not covered  
19 by our insurance policy.

20 Attorneys fees are included and  
21 reflected in the settlement figure. It is  
22 unknown how Plaintiff and his counsel  
23 allocated the total settlement award amongst  
24 themselves. The settlement was paid from the  
25 court awards line item in the 2018-2019 budget.

1                   Other suits that include Director  
2                   Hinton as a defendant had been filed by  
3                   Alexander Brunelle, Kelly Klee{sic}, Steven  
4                   Garanin, George and Judith Reihner, and Svec  
5                   Sketti{sic}. This list may not be exhaustive  
6                   but includes those that may have a significant  
7                   impact.

8                   I just would like to follow up on  
9                   this letter, Mrs. Reed, if we can because I  
10                  believe Councilman Donahue and I specifically  
11                  requested the insurance coverage denial letter  
12                  from the insurance carrier. So if we can send  
13                  a followup, I'm assuming Mrs. Eskra just forgot  
14                  to put that in there. I would appreciate that  
15                  for next week. And that is all I have this  
16                  week. Thank you.

17                  MR. PERRY: Thank you, Mr. Gaughan.  
18                  Yeah, I only have a couple things. Mr.  
19                  Gaughan, how long ago did we get communication  
20                  from the HR Department about that fireman? Do  
21                  you know how long about because I don't  
22                  remember seeing it come through.

23                  MR. GAUGHAN: It was in an e-mail,  
24                  correct, Mrs. Reed, I think. It might have  
25                  been three or four weeks. It was a while ago.



1 MR. PERRY: Okay. All right. Okay.  
2 And really I only have a couple quick  
3 housekeeping things. If we could, I would like  
4 to take advantage of American Water's offer to  
5 clean out some storm drains as needed. The  
6 2600 block of Pittston Avenue again, they did  
7 it last year and they did a fantastic job.

8 With the recent flooding that we did  
9 have, a lot of sediment did build up in it.  
10 And I would just like it cleaned out again. I  
11 think it was eight months about since it was  
12 done. And after that last one, that would be  
13 some great preventative maintenance to take  
14 care of that. So I'll definitely take them up  
15 on that offer.

16 And then thank you for getting back  
17 with the Kane and Kirst Ct light. I know  
18 that -- that's been notified and on the books  
19 since midMay. But it's still out right now if  
20 we can do a followup letter to see where we are  
21 with that and I could let the people in that  
22 area know that -- maybe give them a timeframe  
23 when that light's going to be getting taken  
24 care of.

25 And then finally, we had a

1 speaker -- I wasn't here last week. He brought  
2 up the LST breakdown. Did we send anything out  
3 on the LST breakdown for an answer form about  
4 where it goes or what the breakdown is form?  
5 So we're just waiting for a response back? All  
6 right. Okay. All right. That's all I have.  
7 Thank you.

8 MS. REED: 5-B. FOR INTRODUCTION -  
9 AN ORDINANCE - AMENDING FILE OF THE COUNCIL  
10 NO. 41, 2016, AMENDING FILE OF THE COUNCIL NO.  
11 91, 2002 "AN ORDINANCE (AS AMENDED) PROVIDING  
12 FOR THE ESTABLISHMENT OF PARKING METER ZONES  
13 WITHIN THE CITY OF SCRANTON; ESTABLISHING  
14 HOURS OF OPERATION; PROVIDING FOR THE  
15 INSTALLATION OF METERS AND PARKING METER RATES;  
16 AUTHORIZING THE ENFORCEMENT OF PARKING  
17 ORDINANCES AND PROVIDING PENALTIES FOR  
18 VIOLATIONS THEREOF' BY AMENDING SECTION 3(A) TO  
19 REFLECT THE CHANGE IN HOURLY RATES"  
20 BY AMENDING SECTION 1 TO ADD A DEFINITION,  
21 SECTION 7 TO MODIFY THE USE, SECTION 14(a) AND  
22 (b) TO CHANGE THE TEMPORARY SUSPENSION, SECTION  
23 15(a) AND (b) TO ADDRESS CHANGES FOR PERMIT  
24 PARKING, AND TO ADD SECTION 21 ADOPTING THE MAP  
25 FOR ON-STREET PARKING, SECTION 22 TO ABOLISH

1 TIME ZONE PARKING AND TO CREATE  
2 LOADING ZONES WITHIN THE DOWNTOWN.

3 MR. PERRY: At this time I'll  
4 entertain a motion that Item 5-B be introduced  
5 into its proper committee.

6 MR. EVANS: So moved.

7 MR. DONAHUE: Second.

8 MR. PERRY: On the question?

9 MR. EVANS: On the question. This  
10 is basically -- an all encompassing bill. This  
11 type of legislation is really to correct some  
12 of the proliferation of all kinds of signs we  
13 have downtown.

14 We have 15 minute signs. We have 30  
15 minute signs. We have no parking for bank  
16 signs. A lot them have just appeared over the  
17 years. So we're trying to get a handle on  
18 that. And many of those signs didn't even have  
19 enabling legislation to be put in place.

20 So this is going to correct that.  
21 It's going to establish no loading zone signs,  
22 one per block to allow the businesses to be  
23 able to park and load and move onto where they  
24 would normally park their car. I think overall  
25 it's going to be a positive. And it's a

1 precursor to the kiosk parking plan as well.  
2 So that's what's going on with that type of  
3 legislation.

4 MR. PERRY: All those in favor of  
5 introduction signify by saying aye.

6 MR. DONAHUE: Aye.

7 MR. GAUGHAN: Aye.

8 MR. EVANS: Aye.

9 MR. PERRY: Aye. Opposed?

10 (No response.)

11 MR. PERRY: Ayes have it and so  
12 moved.

13 MS. REED: 5-C. FOR INTRODUCTION -  
14 AN ORDINANCE - AUTHORIZING THE MAYOR AND  
15 OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF  
16 SCRANTON TO APPROVE DOWNTOWN RESIDENTIAL  
17 PARKING RATES FOR THE DOWNTOWN  
18 SCRANTON RESIDENT PARKING PROGRAM.

19 MR. PERRY: At this time I'll  
20 entertain a motion that item 5-C be introduced  
21 into its proper committee.

22 MR. EVANS: So moved.

23 MR. DONAHUE: Second.

24 MR. PERRY: On the question?

25 (No response.)

1 MR. PERRY: All those in favor of  
2 introduction signify by saying aye.

3 MR. DONAHUE: Aye.

4 MR. GAUGHAN: Aye.

5 MR. EVANS: Aye.

6 MR. PERRY: Aye. Opposed?

7 (No response.)

8 MR. PERRY: Ayes have it and so  
9 moved.

10 MS. REED: 5-D. FOR INTRODUCTION -  
11 AN ORDINANCE - AMENDING FILE OF THE COUNCIL  
12 NO. 47, 2013, ENTITLED "AN ORDINANCE  
13 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
14 OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL  
15 NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED  
16 SUBMISSION FOR COMMUNITY PLANNING AND  
17 DEVELOPMENT PROGRAMS TO BE FUNDED UNDER  
18 THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
19 PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)  
20 PROGRAM AND EMERGENCY SOLUTIONS  
21 GRANTS (ESG) PROGRAM FOR THE PERIOD BEGINNING  
22 JANUARY 1, 2014" BY AMENDING THE 2014 ACTION  
23 PLAN BY UTILIZING ONE HUNDRED AND  
24 TWENTY-SIX THOUSAND NINE HUNDRED AND TWO  
25 DOLLARS AND NINETY CENTS (\$126,902.90) UNDER

1 THE HOME INVESTMENT PARTNERSHIP. PROGRAM  
2 (HOME) TO BUILD A TWO (2) UNIT RENTAL HOUSE FOR  
3 LOW  
4 INCOME FAMILIES IN THE CITY OF SCRANTON OR TO  
5 ACQUIRE AND REHAB TWO (2) VACANT HOUSES IN THE  
6 CITY OF SCRANTON FOR LOW INCOME  
7 FAMILIES BY AND THROUGH THE SCRANTON LACKAWANNA  
8 RESOURCES DEVELOPMENT CORPORATION A SUBSIDIARY  
9 OF THE SCRANTON LACKAWANNA HUMAN DEVELOPMENT  
10 AGENCY.

11 MR. PERRY: At this time I'll  
12 entertain a motion that Item 5-D be introduced  
13 into its proper committee.

14 MR. EVANS: So moved.

15 MR. DONAHUE: Second.

16 MR. PERRY: On the question.

17 (No response.)

18 MR. PERRY: All those in favor of  
19 introduction signify by saying aye.

20 MR. DONAHUE: Aye.

21 MR. GAUGHAN: Aye.

22 MR. EVANS: Aye.

23 MR. PERRY: Aye. Opposed?

24 (No response.)

25 MR. PERRY: The ayes have it and so

1 moved.

2 MS. REED: 5-E. FOR INTRODUCTION - A  
3 RESOLUTION - AUTHORIZING THE MAYOR AND  
4 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
5 ENTER INTO A CONTRACT WITH REUTHER+BOWEN, PC TO  
6 PROVIDE ENGINEERING SERVICES FOR THE CITY OF  
7 SCRANTON 2019 ROADWAY IMPROVEMENT PROJECT.

8 MR. PERRY: At this time I'll  
9 entertain a motion that Item 5-E be introduced  
10 into its proper committee.

11 MR. EVANS: So moved.

12 MR. DONAHUE: Second.

13 MR. PERRY: On the question?

14 MR. GAUGHAN: Yes, on the question.

15 As Councilman Donahue had mentioned and to  
16 answer Mrs. Schumacher's question I had asked  
17 for the paving list but apparently it has not  
18 been prepared yet. Thank you.

19 MR. PERRY: All those in favor of  
20 introduction signify by saying aye.

21 MR. DONAHUE: Aye.

22 MR. GAUGHAN: Aye.

23 MR. EVANS: Aye.

24 MR. PERRY: Aye. Opposed?

25 (No response.)

1 MR. PERRY: The ayes have it and so  
2 moved.

3 MS. REED: 5-F. FOR INTRODUCTION -  
4 A RESOLUTION - AUTHORIZING THE MAYOR AND  
5 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
6 ENTER INTO A SETTLEMENT AGREEMENT BY AND  
7 BETWEEN UGI UTILITIES, INC., ("UGI")  
8 THE CITY OF SCRANTON ("CITY") AND PENNSYLVANIA  
9 PUBLIC UTILITY COMMISSION ("PUC") TO SETTLE  
10 LITIGATION FILED AGAINST THE CITY  
11 AND PUC BY UGI.

12 MR. PERRY: At this time I'll  
13 entertain a motion that Item 5-F be introduced  
14 into its proper committee.

15 MR. EVANS: So moved.

16 MR. DONAHUE: Second.

17 MR. PERRY: On the question?

18 MR. GAUGHAN: Yes, on the question.  
19 We discussed in caucus the plan here with this  
20 legislation is to introduce it this week and  
21 then next week table it until the Law  
22 Department and the DPW -- I hope the pave cut  
23 inspector would also be a part of that could  
24 come in and provide further clarification and  
25 explanation on this settlement agreement.



1 I'm still in the process of  
2 reviewing it. But just as Miss Hodowanitz  
3 brought up, I do have several questions. And I  
4 think there is several points of clarification  
5 that need to be reviewed. Thank you.

6 MR. PERRY: All those in favor of  
7 introduction signify by saying aye.

8 MR. DONAHUE: Aye.

9 MR. GAUGHAN: Aye.

10 MR. EVANS: Aye.

11 MR. PERRY: Aye. Opposed?

12 (No response.)

13 MR. PERRY: The ayes have it and so  
14 moved.

15 MS. REED: 5-G. FOR INTRODUCTION -  
16 A RESOLUTION - APPROVING AND AUTHORIZING THE  
17 MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR  
18 THE CITY OF SCRANTON TO ENTER INTO A SETTLEMENT  
19 AND MUTUAL GENERAL RELEASE WITH 500 LACKAWANNA  
20 DEVELOPMENT COMPANY CONCERNING PROJECT NO.  
21 400.14 FROM THE URBAN DEVELOPMENT ACTION GRANT  
22 PROGRAM FOR A LOAN IN THE AMOUNT OF  
23 \$550,000.00, PASSED BY RESOLUTION NO. 39,  
24 2006.

25 MR. PERRY: At this time I'll

1 entertain a motion that Item 5-G be introduced  
2 into its proper committee.

3 MR. EVANS: So moved.

4 MR. DONAHUE: Second.

5 MR. PERRY: On the question?

6 MR. GAUGHAN: Yes, on the question.  
7 Just as with previous piece of legislation and  
8 as we discussed in the caucus, I would that we  
9 would introduce this piece of legislation  
10 tonight and then next week table it until we  
11 are able to meet with the City Solicitor, the  
12 Director of the Office of Economic and  
13 Community Development and also their solicitor  
14 so that we can provide or they can provide  
15 further clarification on this piece of  
16 legislation. Thank you.

17 MR. PERRY: Yeah, on the question  
18 when these -- these are only in two readings.  
19 So sometimes it happens quick and there's a lot  
20 of information for us to digest. And I think  
21 it's just prudent to introduce it, collect our  
22 information, meet with the proper people that  
23 give us our answers and then go on from there.

24 So I am agreeing with introducing  
25 this and then tabling it next week to get the

1 proper information.

2 MR. EVANS: Yeah, on the question.  
3 We talked a little bit in caucus about this. I  
4 think when there's settlements and there's  
5 litigation, it should almost be our policy to  
6 talk to someone from the Law Department prior  
7 to a final vote. So I think it will continue  
8 to do that as well.

9 MR. PERRY: All those in favor of  
10 introduction signify by saying aye.

11 MR. DONAHUE: Aye.

12 MR. GAUGHAN: Aye.

13 MR. EVANS: Aye.

14 MR. PERRY: Aye. Opposed?

15 (No response.)

16 MR. PERRY: The ayes have it and so  
17 moved.

18 MS. REED: 5-H. FOR INTRODUCTION -  
19 A RESOLUTION - AUTHORIZING THE MAYOR AND  
20 OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND  
21 ENTER INTO A GRANT AGREEMENT BY AND BETWEEN THE  
22 COUNTY OF LACKAWANNA AND CITY OF SCRANTON  
23 PERTAINING TO A COMMUNITY RE-INVEST GRANT  
24 #2013-32 (REVISED).

25 MR. PERRY: At this time I'll

1 entertain a motion that Item 5-H be introduced  
2 into its proper committee.

3 MR. EVANS: So moved.

4 MR. DONAHUE: Second.

5 MR. PERRY: On the question?

6 MR. GAUGHAN: Yes, on the question.

7 I believe that this legislation is basically  
8 repurposing the funds which were originally  
9 earmarked for the Fellows Park project and now  
10 the city per a 2000 -- February, 2018 letter is  
11 requesting that it be repurposed for the Nay  
12 Aug Park tree house.

13 MR. PERRY: All those in favor of  
14 introduction signify by saying aye.

15 MR. DONAHUE: Aye.

16 MR. GAUGHAN: Aye.

17 MR. EVANS: Aye.

18 MR. PERRY: Aye. Opposed?

19 (No response.)

20 MR. PERRY: The ayes have it and so  
21 moved.

22 MS. REED: SIXTH ORDER. 6-A.

23 READING BY TITLE - FILE OF THE COUNCIL NO. 66,  
24 2019 - AN ORDINANCE - CREATING AND ESTABLISHING  
25 SPECIAL CITY ESCROW ACCOUNT NO. 02.229640

1 ENTITLED "RENTAL REGISTRATION TENANT  
2 ESCROW" TO ACCEPT AND DISBURSE FUNDS RECEIVED  
3 FROM RENTAL PAYMENTS FROM TENANTS WHOSE  
4 LANDLORDS HAVE FAILED TO COMPLY  
5 WITH REGISTERING THEIR RENTAL PROPERTIES IN THE  
6 CITY OF SCRANTON PURSUANT TO FILE OF THE  
7 COUNCIL NO.58, 2016 (AS AMENDED).

8 MR. PERRY: You've heard reading by  
9 title of Item 6-A. What is your pleasure?

10 MR. EVANS: I move that Item 6-A  
11 pass reading by title.

12 MR. DONAHUE: Second.

13 MR. PERRY: On the question?

14 MR. GAUGHAN: Yes, on the question.  
15 You know, at least a week or two ago I had  
16 asked the Law Department and the Licensing and  
17 Inspections Department what their plan was to  
18 enforce this because I do have questions as  
19 other people do about the process for  
20 collection, you know, what specifically what  
21 city employees will be in charge of this whole  
22 operation.

23 And I do think that although this  
24 legislation is just simply opening an account  
25 so that we can put the escrow funds in there,

1           it goes without saying that when this type of  
2           legislation comes before Council, we have the  
3           opportunity to hold administration's feet to  
4           the fire to make sure that we understand that  
5           there's going to be a coherent competent plan  
6           in place to collect and to enforce this type of  
7           legislation.

8                         There have been speakers that have  
9           brought up maybe there are legal questions to  
10          this. I'm interested in questioning the Law  
11          Department and the Licensing and Inspections  
12          Department further about that.

13                        But I do think before final passage  
14          on this legislation that we should make sure  
15          that they have a plan in place and a process in  
16          place so that this just doesn't fall to the  
17          wayside. Thank you.

18                        MR. EVANS: On the question. Just  
19          for a little background on this, the original  
20          Rental Registration Ordinance that was  
21          litigated and there is also this Rental  
22          Registration Ordinance was attached to that as  
23          well. When it was settled, the judge did keep  
24          this portion in the new ordinance, which is  
25          very encouraging.

1           I think at that point he felt it  
2           would pass muster. And again, this is, you  
3           know, what it is. It's just setting up the  
4           account. But I have no problem with trying to  
5           get ahead of this a little bit and find out if  
6           the city has a plan and how they are going to  
7           go about doing it or at least give us the  
8           outline of how they're going to do it before we  
9           move the legislation forward.

10           But I'm very encouraged that this is  
11           here in front of us and that we are moving  
12           ahead with a plan to enforce this.

13           MR. GAUGHAN: I just want to add too  
14           when I originally had a brief conversation with  
15           the City Solicitor regarding the previous  
16           legislation when we were accepting the  
17           settlement for the rental registration, and I  
18           brought up to her about the -- what the process  
19           would be like.

20           And at that point they were still,  
21           you know, coming up with that and discussing  
22           that. So I will be interested to see, you  
23           know, how those conversations have progressed  
24           and where the city is at at this point. Thank  
25           you.

1 MR. PERRY: All those in favor  
2 signify by saying aye.

3 MR. DONAHUE: Aye.

4 MR. GAUGHAN: Aye.

5 MR. EVANS: Aye.

6 MR. PERRY: Aye. Ayes have it and  
7 so moved.

8 MS. REED: SEVENTH ORDER. 7-A. FOR  
9 CONSIDERATION BY THE COMMITTEE ON RULES - FOR  
10 ADOPTION - FILE OF THE COUNCIL NO. 65, 2019 -  
11 AMENDING FILE OF THE COUNCIL NO. 9, 2010 AN  
12 ORDINANCE REPEALING FILE OF THE COUNCIL  
13 NO. 95, 2009 (AS AMENDED) AN ORDINANCE,  
14 ENTITLED "SIGNIFYING THE INTENTION AND DESIRE  
15 OF THE COUNCIL OF THE CITY OF SCRANTON  
16 TO ORGANIZE AN AUTHORITY TO BE KNOWN AS THE  
17 SCRANTON PUBLIC LIBRARY AUTHORITY UNDER  
18 PROVISIONS OF THE ACT OF THE GENERAL  
19 ASSEMBLY, KNOWN AS THE MUNICIPALITY AUTHORITIES  
20 ACT, 53 PA.C.S.A. 56; SETTING FORTH AND  
21 AUTHORIZING EXECUTION OF ARTICLES OF  
22 INCORPORATION; APPOINTING AND FIXING THE TERMS  
23 OF THE FIRST MEMBERS OF THE BOARD OF SUCH  
24 AUTHORITY; AND UPON ORGANIZATION CONVEYING  
25 TITLE TO THE AUTHORITY FOR THE



1           PROPERTIES ON WHICH THE ALBRIGHT MEMORIAL  
2           LIBRARY, THE GREEN RIDGE LIBRARY AND THE  
3           SILKMAN HOUSE ARE LOCATED; AUTHORIZING  
4           ALL OTHER NECESSARY ACTION; AND REPEALING ALL  
5           INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES,  
6           RESOLUTIONS OR PARTS OF RESOLUTIONS" TO REVIVE  
7           THE SCRANTON PUBLIC LIBRARY AUTHORITY.

8                   MR. PERRY: As temporary chairperson  
9           for the Committee on Rules, I recommend final  
10          passage of Item 7-A.

11                   MR. EVANS: Second.

12                   MR. PERRY: On the question?

13                   (No response.)

14                   MR. PERRY: Roll call, please.

15                   MS. CARRERA: Mr. Donahue.

16                   MR. DONAHUE: Yes.

17                   MS. CARRERA: Mr. Evans.

18                   MR. EVANS: Yes.

19                   MS. CARRERA: Mr. Gaughan.

20                   MR. GAUGHAN: Yes.

21                   MS. CARRERA: Mr. Perry.

22                   MR. PERRY: Yes. I hereby declare  
23          Item 7-A legally and lawfully adopted.

24                   If there is no further business,  
25          I'll entertain a motion to adjourn.

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MR. EVANS: Motion to adjourn.

MR. PERRY: This meeting is  
adjourned.

C E R T I F I C A T E

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4 evidence are contained fully and accurately in the  
5 notes taken by me of the above-cause and that this copy  
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