

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

---

CITY COUNCIL

JUNE 17, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
JUNE 17, 2021

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing the proper city officials to file an application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$2,000,000.00 for assistance with the Irem Temple Restoration Project.

Authorizing the proper city officials to enter into an agreement with Pioneer Construction Co., Inc., the low bidder, for the replacement of collapsed walls at two separate locations along Laurel Run Creek. The low bid for specified repairs is \$765,387.50. The project will be funded using the American Recovery Act Money.

Authorizing the proper city officials to enter into a lease-purchase agreement for one (1) new 2021 Case 580 Super N Wide Track Loader Backhoe at a new cost of \$85,069.83 and one (1) new 2021 Case 721 G Wheel Loader at a net cost of \$154,481.50. The equipment will be purchased from Medico Industries through the DGS Co Stars Program Contract #4400019956. The lease agreement will be funded by the City's Liquid Fuels Budget.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm for the Mill Creek Channel Storm Water Infrastructure Project. The project is funded by the Pennsylvania American Rescue Plan Act of 2021.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm for the Laurel Run Channel Storm Water Infrastructure Project. The project is funded by the Pennsylvania American Rescue Plan Act of 2021.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm for the Solomon Creek Channel Storm Water Infrastructure Project. The project is funded by the Pennsylvania American Rescue Plan Act of 2021.

Supporting and authorizing the McCarthy Tire Wilkes-Barre HQ 901 Project along with any or all other project documents related to the project.

Designating Attilio Frati, Deputy Administrator, as the signature authority to execute the Automated Red Light Enforcement grant application.

CITY COUNCIL  
JUNE 17, 2021

**CONSENT AGENDA (RESOLUTIONS) CONTINUED**

**MINUTES**

Of the Regular Session of City Council of May 27, 2021.

Of the Wyoming Valley Sanitary Authority of April 20, 201.

**ORDINANCES**

**FILE OF COUNCIL NO. 11 OF 2021** – AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (PARKING TICKET RATE SCHEDULE) (FIRST READING)

**FILE OF COUNCIL NO. 12 OF 2021** – AN ORDINANCE AMENDING CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “GARBAGE AND REFUSE”. (BLUE GARBAGE BAG FEES) (FIRST



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

Wilkes-Barre, PA \_\_\_\_\_

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

**WHEREAS**, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

**WHEREAS**, the City area has suffered from a great loss of retail and commercial businesses; and,

**WHEREAS**, the Irem Temple Restoration Project addresses immediate and urgent issues to improve the quality of life in Downtown Wilkes-Barre; and,

**WHEREAS**, this project will address blight with the reuse of a vacant commercial property; and,

**WHEREAS**, this project will create new job opportunities; and,

**WHEREAS**, the Irem Temple Restoration Project, Inc., has taken the critical initiative that will be a transformational development for the downtown, the City, and the entire region; and,

**WHEREAS**, in an effort to advance these vital strategic initiatives involving job creation, and foster working collaborations among the businesses, government, academia, and residential community is vital; and,

**WHEREAS**, the Irem Temple Restoration Project includes the renovation of the Historic Irem Temple Building in Downtown Wilkes-Barre that has been vacant since 2004 and will benefit the City, and the larger community; and,

**WHEREAS**, in undertaking this project and contributing to the enhancement of the Downtown district, Irem Temple Restoration Project, Inc.'s commitment to the revitalization efforts of the City is evident; and,

**WHEREAS**, the City is supportive of the Irem Temple Restoration Project; and,

**WHEREAS**, one necessary component of the successful implementation of said project is the securing of adequate funding; and,

**WHEREAS**, the Commonwealth of Pennsylvania has established a Redevelopment Assistance Capital Program designed specifically for this type of project; and,

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the proper City officials be and are authorized to file an application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$2,000,000.00 for assistance with the Irem Temple Restoration Project; and,

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

ROLL CALL

**BE IT FURTHER RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the proper City officials designate Irem Temple Restoration Project, Inc., to be the Administrator/Sub-Applicant; and,

**BE IT FURTHER RESOLVED**, the City Council of the CITY OF WILKES-BARRE that the proper City officials be and are authorized to enter into a Cooperation Agreement with Irem Temple Restoration Project, Inc., outlining the responsibilities of each organization along with any or all other project documents; and,

**BE IT FURTHER RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the Cooperation Agreement will also stipulate that the City and Irem Temple Restoration Project, Inc., are obligated to comply with RACP terms and conditions of the grant agreement.



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

Wilkes-Barre, PA \_\_\_\_\_

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

Authorizing the proper city officials to enter into an agreement with Pioneer Construction Co., Inc. the low bidder, for the replacement of collapsed walls at two separate locations along Laurel Run Creek. The low bid for specified repairs is \$765,387.50. The project will be funded using the American Recovery Act Money.

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

**ROLL CALL**



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

Wilkes-Barre, PA \_\_\_\_\_

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

***Resolved, that the City Council of the City of Wilkes-Barre hereby authorizes proper city officials to enter into a lease-purchase agreement for one (1) new 2021 Case 580 Super N Wide Track Loader Backhoe at a net cost of \$85,069.83 and one (1) new 2021 Case 721 G Wheel Loader at a net cost of \$154,481.50. The equipment will be purchased from Medico Industries through the DGS Co Stars Program Contract # 4400019956.***

***And further, the lease-purchase agreement will be funded by the City's Liquid Fuels Budget.***

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

**ROLL CALL**



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

Wilkes-Barre, PA \_\_\_\_\_

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

WHEREAS, the City of Wilkes-Barre advertised for proposals for engineering services for the *Mill Creek Storm Water Infrastructure Project* on June 11, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to sign any and all necessary documents related to awarding the contract to the most qualified firm for the *Mill Creek Channel Storm Water Infrastructure Project*

PAYMENT Project are funded by the Pennsylvania American Rescue Plan Act of 2021

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

ROLL CALL





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

Wilkes-Barre, PA \_\_\_\_\_

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

WHEREAS, the City of Wilkes-Barre advertised for proposals for engineering services for the ***Laurel Run Channel Storm Water Infrastructure Project*** on June 11, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to sign any and all necessary documents related to awarding the contract to the most qualified firm for the ***Laurel Run Channel Storm Water Infrastructure Project***

PAYMENT Project are funded by the Pennsylvania American Rescue Plan Act of 2021

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

ROLL CALL



Resolution No. \_\_\_\_\_ Wilkes-Barre, PA \_\_\_\_\_

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

WHEREAS, the City of Wilkes-Barre advertised for proposals for engineering services for the *Solomon Creek Storm Water Infrastructure Project* on June 11, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to sign any and all necessary documents related to awarding the contract to the most qualified firm for the *Solomon Creek Channel Storm Water Infrastructure Project*

PAYMENT Project are funded by the Pennsylvania American Rescue Plan Act of 2021

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

ROLL CALL



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

Wilkes-Barre, PA \_\_\_\_\_

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

**WHEREAS**, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

**WHEREAS**, the City area has suffered from a great loss of retail and commercial businesses; and,

**WHEREAS**, the McCarthy Tire Wilkes-Barre HQ 901 Project addresses immediate and urgent issues to improve the local economy in Wilkes-Barre; and,

**WHEREAS**, McCarthy Tire Service Company serves as an important economic and activity anchor for Wilkes-Barre; and,

**WHEREAS**, this project will retain and create new job opportunities; and,

**WHEREAS**, the Greater Wilkes-Barre Industrial Fund, Inc., grantee, has taken the critical initiative of applying and being awarded a \$500,000 Redevelopment Assistance Capital Program (RACP) grant funded by the Commonwealth of Pennsylvania acting through the Office of the Budget that will be a transformational development for the City and the entire region; and,

**WHEREAS**, in an effort to advance these vital strategic initiatives involving job creation, job retention, and foster working collaborations among the businesses, McCarthy Tire Service Company has decided to renovate and expand its existing headquarters and increase office space to maintain existing jobs within the City of Wilkes-Barre and to remove the physical barriers that have prohibited the company from hiring more full-time employees in the City; and,

**WHEREAS**, the McCarthy Tire Wilkes-Barre HQ 901 Project is the physical renovation and expansion of the corporate offices of McCarthy Tire, located at 340 Kidder Street, Wilkes-Barre, Pennsylvania 18702; an endeavor necessary to allow McCarthy Tire to remain at this Wilkes-Barre location while accommodating growing business operations; and,

**WHEREAS**, the McCarthy Tire Service Company has been designated as a sub-grantee by the Commonwealth of Pennsylvania acting through the Office of the Budget for a Redevelopment Assistance Capital Program (RACP) grant; and,

**WHEREAS**, in undertaking this project and contributing to the enhancement of Wilkes-Barre, the Greater Wilkes-Barre Industrial Fund, Inc., and McCarthy Tire Service Company's commitment to the revitalization efforts of the City is evident; and,

**WHEREAS**, the City is supportive of Greater Wilkes-Barre Industrial Fund, Inc., and the McCarthy Tire Wilkes-Barre HQ 901 Project; and,

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

ROLL CALL

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the proper City officials are supportive and authorize the McCarthy Tire Wilkes-Barre HQ 901 Project along with any or all other project documents, related to the project; and,

**BE IT FURTHER RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the proper City officials be and are authorized to enter into a Cooperation Agreement with the Greater Wilkes-Barre Industrial Fund, Inc., and the McCarthy Tire Service Company outlining the responsibilities of each organization; and,

**BE IT FURTHER RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the Cooperation Agreement will also stipulate that the City and Greater Wilkes-Barre Industrial Fund, Inc., and McCarthy Tire Service Company are obligated to comply with RACP terms and conditions of the grant agreement.



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

Wilkes-Barre, PA \_\_\_\_\_

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

**WHEREAS**, Wilkes-Barre, Luzerne County, is seeking grant funding from the Pennsylvania Department of Transportation Automated Red Light Enforcement Program for the purpose of safety improvements for Public Square traffic signals in Wilkes-Barre.

**NOW, THEREFORE, BE IT RESOLVED** by the Wilkes-Barre City Council, Luzerne County, Commonwealth of Pennsylvania that Attilio Frati, Deputy Administrator is hereby designated as the signature authority to execute the Automated Red Light Enforcement grant application.

Adopted and approved at Regular Meeting of Wilkes-Barre City Council, this \_\_\_\_ day of \_\_\_\_, \_\_\_\_.

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

ROLL CALL

**FILE OF COUNCIL**

**Presented in City Council on June 17, 2021**

No. \_\_\_\_\_ of 2021

---

**AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "TRAFFIC AND MOTOR VEHICLES."**

WHEREAS, it is the desire and intention of the City Council to pass legislation within the City of Wilkes-Barre by amending Chapter 29 of the Wilkes-Barre Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT CHAPTER 29 ENTITLED "TRAFFIC AND MOTOR VEHICLES" IS HEREBY AMENDED AS FOLLOWS:

**CHAPTER 29.      TRAFFIC AND MOTOR VEHICLES:**

**ARTICLE V.      PARKING, STOPPING AND STANDING**

**DIVISION 2. PARKING METER ZONES**

**Sec. 29-127.    Rate schedule – Metered parking within the city limits.**

The rate for metered parking within the city limits of Wilkes-Barre shall be set as follows:

Twenty-Five cents (\$0.25) for each fifteen (15) minute interval.

**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.

**REPEALER.**

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passes finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_

\_\_\_\_\_, 2021.

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

Attest:

\_\_\_\_\_  
Cathy Payne, City Clerk

**FILE OF COUNCIL**

**Presented in City Council on June 17, 2021**

No. \_\_\_\_\_ of 2021

---

**AN ORDINANCE AMENDING CHAPTER 12 OF THE WILKES-BARRE  
CITY CODE OF ORDINANCES ENTITLED "GARBAGE AND REFUSE."**

WHEREAS, it is the desire and intention of the City Council to pass legislation within the City of Wilkes-Barre by amending Chapter 12 of the Wilkes-Barre Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT CHAPTER 29 ENTITLED "TRAFFIC AND MOTOR VEHICLES" IS HEREBY AMENDED AS FOLLOWS:

**CHAPTER 12.        GARBAGE AND REFUSE**

**ARTICLE II.        LITTER AND DISPOSAL**

**Sec. 12-18.    Duties imposed.**

- (5) Effective January 10, 1994, the City of Wilkes-Barre shall commence a user-fee charge program for refuse picked up by the city shall be placed in refuse bags authorized by the city. The refuse bags will be specially designed and be distributed through commercial outlets only. The cost of the bags shall be reviewed on an annual basis and shall be modified according to all costs associated with the collection and disposal of municipal refuse. The cost of thirty (30) gallon refuse bags shall be two dollars (\$2.00) per bag or five (5) bags for ten dollars (\$10.00). The cost of fifteen (15) gallon refuse bags will be one dollar and twenty-five cents (\$1.25) per bag or five (5) bags for six dollars and twenty-five cents (\$6.25).

**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.



REPEALER.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passes finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_  
\_\_\_\_\_, 2021.

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

Attest:

\_\_\_\_\_  
Cathy Payne, City Clerk