

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

SEPTEMBER 9, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

RESOLUTION (LIQUOR LICENSE TRANSFER)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
SEPTEMBER 9, 2021

CONSENT AGENDA (RESOLUTIONS)

Temporarily suspend and not enforce the Ordinance pertaining to open consumption of alcoholic beverages for Oktoberfest, Celebrating the 150th Anniversary of Wilkes-Barre's Incorporation as a City, on Saturday, October 2, 2021.

Reappointing Patricia Unvasky to the Wilkes-Barre Industrial Development Authority.

Reappointing Carl Naessig to the Wilkes-Barre Planning Commission.

Reappointing Karen Collins to the Wilkes-Barre Planning Commission.

Reinstating and extending the State of Emergency (Hurricane IDA) for a period of thirty (30) days or until the same is formally lifted by Executive Order of the Mayor.

MINUTES

Of the Regular Session of City Council of August 17, 2021.

RESOLUTION

Approving the transfer of a Liquor License into the City from Hazleton to be located at 815 Kidder Street. (Sheetz, Inc.)



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 directs that the provisions of Section 20-4 of the Wilkes-Barre Code of Ordinances pertaining to the open consumption of alcoholic beverages be temporarily suspended and not enforced for the following event:

Event:	OKTOBERFEST, Celebrating the 150 th Anniversary of the Wilkes-Barre's Incorporation as a City
Sponsor:	City of Wilkes-Barre
Area:	Designated area on Public Square
Date:	Saturday, October 2, 2021
Time:	2:00 p.m. until 8:00 p.m.
Limitation:	The suspension shall only apply to malted or brewed beverages sold as part of the festival.

All other regulations related to intoxicating beverages in the City of Wilkes-Barre shall remain in full force and effect. A copy of this resolution shall be provided to the Wilkes-Barre Police Department.

Submitted by _____

ROLL CALL



Resolution No. _____

Wilkes-Barre, PA _____

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

WHEREAS, File of Council No. 17 of 1967 of the City of Wilkes-Barre authorizes the Mayor, with the approval of City Council, to appoint members of the City of Wilkes-Barre Industrial Development Authority;

WHEREAS, File of Council No. 11 of 1976 of the City of Wilkes-Barre amended File of Council No. 17 of 1967 by changing the number of board members from five (5) to eleven (11);

WHEREAS, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the City of Wilkes-Barre Industrial Development Authority;

NOW, THEREFORE, BE IT RESOLVED, that the following person is hereby re-appointed as a member to the City of Wilkes-Barre Industrial Development Authority:

Name

Term Expires

Patricia Unvasky
21 Gore Street
Wilkes-Barre, PA 18705

December 31, 2023

Submitted by _____

ROLL CALL



Resolution No. _____ Wilkes-Barre, PA _____

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

WHEREAS, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre authorizes the Mayor, with the approval of City Council, to appoint members of the Planning Commission of the City of Wilkes-Barre;

WHEREAS, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Planning Commission of the City of Wilkes-Barre;

NOW, THEREFORE, BE IT RESOLVED, that the following person is hereby re-appointed as a member to the Planning Commission of the City of Wilkes-Barre:

Name

Term Expires

Carl Naessig
33 Diebel Avenue
Wilkes-Barre, PA 18702

September 9, 2025

Submitted by _____

ROLL CALL



Resolution No. _____

Wilkes-Barre, PA _____

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

WHEREAS, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre authorizes the Mayor, with the approval of City Council, to appoint members of the Planning Commission of the City of Wilkes-Barre;

WHEREAS, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Planning Commission of the City of Wilkes-Barre;

NOW, THEREFORE, BE IT RESOLVED, that the following person is hereby re-appointed as a member to the Planning Commission of the City of Wilkes-Barre:

Name

Term Expires

Karen Collins
74 W. Ross Street
Wilkes-Barre, PA 18702

September 9, 2025

Submitted by _____

ROLL CALL



Resolution No. _____ Wilkes-Barre, PA _____

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

**A RESOLUTION EXTENDING THE STATE OF EMERGENCY
IN THE CITY OF WILKES-BARRE**

WHEREAS, on September 1, 2021, Mayor George C. Brown issued an Executive Order and Proclamation of State of Emergency in the City of Wilkes-Barre related to effects of Hurricane IDA;

WHEREAS, 11 Pa.C.S.A. Sect. 11203(e)(1) provides that a "state of emergency shall not exceed five (5) days, unless extended by council.";

WHEREAS, the City Council of the City of Wilkes-Barre believes a reinstatement and extension of the Executive Order and Proclamation of State of Emergency issued by Mayor Brown is necessary to protect the health, safety, and welfare of city residents, while the city continues to assess the damage caused by Hurricane IDA;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the above-referenced *STATE OF EMERGENCY* is reinstated and extended for a period of thirty (30) days or until the same is formally lifted by Executive Order of the Mayor.

Submitted by _____

ROLL CALL



Resolution No. _____

Wilkes-Barre, PA _____

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

A RESOLUTION OF THE MUNICIPALITY OF WILKES-BARRE COUNTY OF LUZERNE
COMMONWEALTH OF PENNSYLVANIA, APPROVING TRANSFER OF RESTAURANT LIQUOR LICENSE
R-14873, LID # 40410 INTO THE CITY OF WILKES-BARRE, LUZERNE COUNTY FROM
HAZLETON.

Whereas, Act 141 of 2000 ("the Act") which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

Whereas, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

Whereas, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a retail liquor license into the receiving municipality; and

Whereas, on September 9, 2021 the City of Wilkes-Barre conducted a public hearing for the purpose of receiving comments and/or recommendations of interested individuals residing within the municipality with respect to the request for transfer.

Whereas, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a retail liquor license in the municipality.

Now, Therefore, Be It Resolved that Sheetz, Inc. has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of a Pennsylvania Retail Liquor License to its facilities within Wilkes-Barre City with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

Be It Further Resolved that City Council of Wilkes-Barre finds that the transfer of a retail liquor license into Wilkes-Barre City by Sheetz, Inc., will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

Be It Further Resolved, that Wilkes-Barre City approves, by adoption of this Resolution, the proposed transfer of License # R-14873, LID #40410, from Hazleton, PA to be located at 815 Kidder Street., Wilkes-Barre, PA.

Be It Further Resolved, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I HEREBY CERTIFY that this Resolution was approved by the Wilkes-Barre City Council at its meeting on September 9, 2021.

Submitted by _____

ROLL CALL