

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

NOVEMBER 21, 2017

PLEDGE OF ALLEGIANCE

ROLL CALL

MOTION - ADOPT THE MAYOR'S 2018 GENERAL FUND BUDGET

RESOLUTIONS

MINUTES

ORDINANCE

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
NOVEMBER 21, 2017

MOTION

To Adopt the Mayor's 2018 General Fund Budget

RESOLUTIONS

Amending Section 12-18 (7), of Chapter 12 of the City of Wilkes-Barre Code of Ordinances (garbage bag fees).

Authorizing the proper City officials to vacate and sell a portion of Corbett Lane (adjacent to the Ciavarella parcels) to Ben Ciavarella.

Authorizing the installation of stop signs at the intersection of South River, Garfield and South Franklin Streets for a 90 day trial basis.

MINUTES

Of the Public Hearing of City Council of November 9, 2017.

Of the Regular Session of City Council of November 9, 2017.

Of the Zoning Hearing Board of October 18, 2017.

CITY COUNCIL
NOVEMBER 21, 2017

ORDINANCES

FILE OF COUNCIL NO. 19 OF 2017 – AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (FIRST READING)

CITY COUNCIL

NOVEMBER 21, 2017

The City Council of the City of Wilkes-Barre met in Regular Session on November 21, 2017 at 6:11 p.m. (immediately following the Work Session), in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania for the purpose of general business.

The meeting was organized with Chairperson Beth Gilbert in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

Barrett	- present
Belusko	- present
Merritt	- excused
Brooks, Vice Chairperson	- present
Gilbert, Chairperson	- present

Also Present:

Ted Wampole, Administrator
Maureen Collins, Assistant City Attorney
Butch Frati, Director of Operations
Cathy Payne, Assistant City Clerk
Jim Ryan, City Clerk
Lisa Sanfilippo, Administrative Assistant
Joyce Zaykowski, Capital Projects Program Manager

City Clerk Jim Ryan read a statement relative to Council's Rules and Procedures.

The City Clerk asked if there was anyone wishing to address Council on pending legislation.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the Resolution raising the garbage bag fees.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Resolution raising the garbage bag fees, the Ordinance raising the parking meter fees and the 2018 budget (cutting salaries, benefits, positions and union contracts).

Jerry Lynott, Times Leader, appeared before Council relative to passing the 2018 budget before the Ordinance (raising the parking meter fees) has a second reading.

Mr. Lynott asked how Council could vote on the budget, when the Ordinance raising the parking fees requires two readings.

Mr. Wampole explained that it is procedural and everything takes effect in 2018. If for some reason the Ordinance doesn't pass on second reading and the budget does, it will be up to the Administration to make changes.

Frank Monda, Wilkes-Barre, PA appeared before Council relative the Resolution regarding a four way stop sign at the intersection of South River, Garfield and South Franklin Streets. (Thank Council)

Gordon Williams, Wilkes-Barre, PA appeared before Council relative to the Ordinance raising the parking meter fees.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Ordinance raising the parking meter fees and the Resolution raising the garbage bag fees.

City Clerk Jim Ryan told Council that he was contacted today by Mr. Sam Troy and asked to read a statement on his behalf because he was unable to attend the meeting. Mr. Ryan asked if Council would like to approve his request.

Mr. Brooks objected to reading the statement from a resident who could not attend the meeting; he said it sets a bad precedent.

Mr. Barrett said that as long as the City Clerk provided copies of the letter to Council that should suffice.

Ms. Gilbert said she doesn't have a problem with reading the letter, but without a consensus of Council there is no point moving forward.

Mr. Ryan said that Mr. Troy's letter would not be read in to the record due to a lack of consensus by City Council.

MOTION

To Adopt the Mayor's 2018 General Fund Budget.

Mr. Barrett: I have one question and it's procedural and it has to do with the issue that Mr. Lynott brought up, which is troubling. It does seem like we are getting a step ahead of ourselves. I don't know if you agree or not agree procedurally. We would be adopting a budget that has unanswered questions.

Attorney Collins: Correct. I would agree that you would be adopting a budget without having finalized the passage of the Ordinance on the parking meter fees.

Mr. Barrett: We are making an assumption.

Attorney Collins: Technically, yes. I think legally you could still do it, but you are adopting a budget without knowing whether or not the Ordinance is officially passed.

Mr. Barrett: So the alternative would be to wait two weeks to have a special meeting. I know this is time sensitive, I understand that, but also we want to make sure that we are doing this properly, in accordance with the rules.

Mr. Ryan: The first reading would be tonight. The second reading on the bags would be at the first meeting of December.

Mr. Belusko: We can vote on the budget then? It only needs one vote?

Mr. Ryan: Yes.

Mr. Barrett: There's a lot of discussion about bags and meters and all these other things, specifically the meters seem to be a sticking point here because there is an ordinance. I would just feel more comfortable, because I'm not sure that there is going to be a unanimous decision on any of this. So knowing that, and the uncomfortableness of some members here we may be best if we went in that particular direction.

Ms. Gilbert: I think so too. Do we need a motion to do that?

Mr. Ryan: Just don't address it. Remove it from the agenda.

The Motion was removed from the agenda by unanimous consent of Council members present.

RESOLUTIONS

RESOLUTION NO. R0119-17

WHEREAS, Section 12-18(7), of Chapter 12 of the City of Wilkes-Barre Code of Ordinances provides that the fees for the purchase of city garbage bags may be modified by City Council by resolution;

WHEREAS, it is the intention of City Council to hereby modify the fees for the purchase of city garbage bags beginning on January 1, 2018;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that Sec. 12-18(5) be and hereby is amended as follows:

CHAPTER 12. GARBAGE AND REFUSE

Article II. Litter and Disposal

Sec. 12-18. Duties imposed.

(5) Since January 10, 1994, the City of Wilkes-Barre has operated under a user-fee charge program for refuse picked up by the City which requires that garbage shall be placed in refuse bags authorized by the City. The refuse bags are specially designed and are 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-gallon refuse bags shall be two dollars and sixty cents (\$2.60) per bag or five (5) bags for thirteen dollars (\$13.00). The cost of fifteen-gallon refuse bags shall be one dollar and eighty-five cents (\$1.85) per bag or five (5) bags for nine dollars and twenty-five cents (\$9.25).

Mr. Barrett moved to adopt the Resolution.

The motion was seconded by Mr. Brooks and adopted by the following yeas and nays vote:

Yeas Barrett, Belusko and Brooks – 3- being a majority of the members elected to City Council.

Nays – Gilbert (Chairperson) – 1.

Absent – Merritt – 1.

RESOLUTION NO. R0120-17

Whereas, Ben Ciavarella is the owner of several vacant parcels of land (the “Ciavarella parcels”) located on and/or near the corner of Pine and Spring Streets;

Whereas, a portion of an alley known as Corbett Lane runs through the Ciavarella parcels;

Whereas, the above –referenced portion of Corbett Lane is not used for vehicular and/or pedestrian traffic;

Whereas, Mr. Ciavarella has requested that the City vacate the portion of Corbett Lane which is located adjacent to his property assist development of the Ciavarella parcels;

Whereas, Mr. Ciavarella has agreed to pay fair market value for the property as determined by City Assessor John Anstett;

Now, Therefore, Be It Resolved that the City Council of the City of Wilkes-Barre hereby authorizes the vacation and sale of that portion of Corbett Lane which is adjacent to the Ciavarella parcels.

Be It Further Resolved that any and all survey expenses necessary to complete the transaction shall be the responsibility of Mr. Ciavarella.

Ms. Gilbert moved to adopt the Resolution.

The motion was seconded by Mr. Belusko and adopted by the following yeas and nays vote:

Yeas Barrett, Belusko, Brooks and Gilbert (Chairperson) – 4 – being a majority of the members elected to City Council.

Nays none.

Absent – Merritt – 1.

RESOLUTION NO. R0121-17

BE IT FURTHER RESOLVED that the amendment contained herein shall become effective on January 1, 2018.

Whereas, the Wilkes-Barre City Council is concerned about traffic at the intersection of South River Street, Garfield Street and South Franklin Streets in Wilkes-Barre, and the potential for accidents or hazardous conditions;

Whereas, Wilkes-Barre City Council feels it is necessary to address concerns raised by residents and parties travelling on those streets and through that intersection; and

Whereas, City Council is prepared to take immediate action to reduce speed and protect drivers in that intersection through a temporary change in the traffic control devices used in that intersection.

Now, Therefore, be it Resolved by the City Council of the City of Wilkes-Barre that the City shall modify the traffic control devices to make the intersection of South River, Garfield and South Franklin Streets a four-way stop. The proper City officials are authorized to install “Stop” signs at that intersection consistent with this Resolution. This Resolution shall authorize the change in traffic control devices at this intersection for a ninety (90) day trial basis.

Mr. Belusko moved to adopt the Resolution.

The motion was seconded by Mr. Brooks and adopted by the following yea and nay vote:

Yeas Barrett, Belusko, Brooks and Gilbert (Chairperson) – 4 – being a majority of the members elected to City Council.

Nays none.

Absent – Merritt – 1.

MINUTES

Of the Public Hearing of City Council of November 9, 2017.

Of the Regular Session of City Council of November 9, 2017.

Of the Zoning Hearing Board of October 18, 2017.

Ms. Gilbert moved to adopt the minutes.

The motion was seconded by Mr. Brooks and adopted by the following yea and nay vote:

Yeas Barrett, Belusko, Brooks and Gilbert (Chairperson) – 4 – being a majority of the members elected to City Council.

Nays none.

Absent – Merritt – 1.

ORDINANCE

FILE OF COUNCIL NO. 19 OF 2017 – AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (FIRST READING) (PARKING METER FEES).

Mr. Barrett moved to adopt the Ordinance.

The motion was seconded by Mr. Brooks and adopted by the following yea and nay vote:

Yeas Barrett, Belusko and Brooks – 3 – being a majority of members elected to City Council.

Nays – Gilbert (Chairperson) – 1.

Absent – Merritt – 1.

PUBLIC DISCUSSION

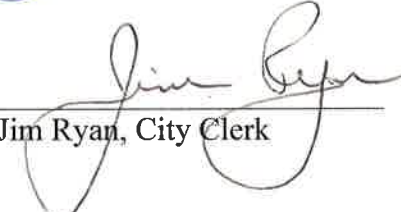
John Suchoski, Wilkes-Barre, PA appeared before Council relative to Mr. Troy's letter not being read into the record and trash by Park Place.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Mayor's attendance at next weeks meeting (budget), garbage bags fees and the Police Department.

There being no further business to discuss the meeting adjourned at 6:56 p.m.


Beth Gilbert, Chairperson

ATTEST:


Jim Ryan, City Clerk

