

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

DECEMBER 17, 2020

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTION/MINUTES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
DECEMBER 17, 2020

CONSENT AGENDA (RESOLUTIONS/MINUTES)

RESOLUTIONS

Authorizing the proper city officials to sign any and all necessary documents related to the sale of 101-103 Westminster Street to Deepak Juneja (or his designee) for a purchase price of \$2,500.

MINUTES

Of the Regular Session of City Council of November 19, 2020.

Of the Public Hearing of City Council of November 12, 2020.

Of the Zoning Hearing Board of October 21, 2020.

CITY COUNCIL

DECEMBER 17, 2020

The City Council of the City of Wilkes-Barre met in Regular Session on December 17, 2020, at 6:30 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 conducted and streamed on YouTube for public viewing due to COVID-19)

The meeting was organized with Chairperson Bill Barrett in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

Belusko	- present
Marconi	- present
Gilbert McBride	- present
Brooks, Vice Chairperson	- present
Barrett, Chairperson	- present

Also Present:

George Brown, Mayor
Tim Henry, City Attorney
Frank Hershberger, IT Director
Charles McCormick, City Administrator
Cathy Payne, Assistant City Clerk
Jim Ryan, City Clerk
Lisa Sanfilippo, Administrative Assistant

The City Clerk listed the following new items:

1. Amendment to decrease the overtime budget by \$200,000.
2. Amendment to decrease the Workers Compensation Budget by \$200,000.
3. Amendment to increase the Sewer Fee Revenue line item by \$300,000.
4. Amendment to increase the Recycling Fee Revenue line item by \$300,000.
5. Amendment to increase the Total Fine Revenue Budget by \$100,000.
6. Amending the Ordinance relative to the Sewer Fee – decreasing from \$85.00 to \$75.00.
7. Amending the Ordinance relative to the Recycling Fee – decreasing from \$80.00 to \$75.00.

8. Resolution requesting a Keystone Communities Program grant of \$250,000 to be used for the First National Bank Building Renovations project.
9. Ordinance that provides substantial amendment to the Community Development Block Grant Consolidated Plan for Program Year 2020.
10. Resolution authorizing the sale of 59-63 Public Square to George Albert for the purchase price of \$400,000.
11. Ordinance amending Sec. 7-230 of Chapter 7 of the Wilkes-Barre City Code of Ordinances entitled "Fees". (Rental Inspections)
12. Ordinance amending Chapter 30 of the Wilkes-Barre City Code of Ordinances entitled "Utilities". (Sewer Maintenance Fee).
13. Ordinance amending Section 12-27 of Article II of Chapter 12 of the Wilkes-Barre City Code of Ordinances entitled "Garbage and Refuse". (Recycling fee)

Mr. Barrett asked if there was anyone wishing to address Council on pending legislation:

Bob Kadluboski, Wilkes-Barre, PA phoned in relative to raising the fees for just one year.

Tony Thomas, Wilkes-Barre, PA phoned in relative to the decrease in the overtime budget and workers' comp budget (more than 5%).

Jason Carr, Saylorsburg, PA phoned in relative to the sale of First National Bank (terms of renovation/timeframe), decreasing the overtime budget, increasing the rental inspection fee, and raising the sewer maintenance fees.

Mr. Barrett asked Attorney Henry if there is any language in the bank sales agreement that requires the buyer to do certain things within a certain period of time.

Attorney Henry said that there is no agreement of sale yet, this Resolution will give the Administration the authority to prepare and execute an agreement of sale.

Mr. Barrett asked if a standard agreement would have that language in it.

Attorney Henry said a standard agreement wouldn't have that in it, but that doesn't mean there won't be anything in there.

Sam Troy, Wilkes-Barre, PA phoned in relative to Council's amendments to the Ordinances regarding the sewer maintenance fee and recycling fee and the sale of First National Bank.

Mr. Barrett told Mr. Troy that the sale price of the bank building is \$400,000 if approved by Council. It is above the assessed value of \$266,000.00.

CONSENT AGENDA (RESOLUTIONS)

RESOLUTION NO. R0099-20

That, the proper city officials are hereby authorized to take any and all necessary actions related to the sale of 101-103 Westminster Street (PIN: I9NW2-011-010) to Deepak Juneja (or his designee) for a purchase price of \$2,500.00.

MINUTES

Of the Regular Session of City Council of November 19, 2020.

Of the Public Hearing of City Council of November 12, 2020.

Of the Zoning Hearing Board of October 21, 2020.

Mrs. McBride moved to adopt the Consent Agenda (Resolutions).

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

Yeas Belusko, Marconi, McBride, Brooks and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

Amendment to the sewer maintenance fee – decreasing it from \$85.00 to \$75.00.

Mr. Brooks moved to adopt the amendment.

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

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2 -.

Ordinance as amended:

FILE OF COUNCIL NO. 16 OF 2020 – AN ORDINANCE AMENDING CHAPTER 30 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “UTILITIES”. (FIRST READING)

Mr. Brooks moved to adopt the Ordinance as amended.

The motion was seconded by Mrs. Gilbert and adopted by the following yea and nay vote:

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2 -.

Amendment to the recycling fee – decreasing it from \$80.00 to \$75.00.

Mr. Brooks moved to adopt the amendment.

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

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2.

Ordinance as amended:

FILE OF COUNCIL NO. 17 OF 2020 – AN ORDINANCE AMENDING SECTION 12-27 OF ARTICLE II OF CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “GARBAGE AND REFUSE”. (FIRST READING)

Mrs. McBride moved to adopt the Ordinance as amended.

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

Yeas Marconi, McBride, and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2 -.

Amendments to the budget:

Decrease the Overtime Budget by \$200,000

Mr. Brooks moved to adopt the above amendment to the budget.

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

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2.

Decrease the Workers Comp Budget by \$200,000

Mr. Brooks moved to adopt the above amendment to the budget.

The motion was seconded by Mrs. McBride and adopted by the following yea and nay vote:

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2.

Increase the Sewer Fee Revenue line item by \$300,000

Mr. Brooks moved to adopt the above amendment to the budget.

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

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2.

Increase the Recycling Fee Revenue line item by \$300,000

Mr. Brooks moved to adopt the above amendment to the budget.

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

Yeas Marconi, McBride and Brooks – 3 being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2.

Increase the Total Fine Revenue Budget by \$100,000

Mrs. McBride moved to adopt the above amendment to the budget.

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

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

Nays Belusko and Barrett (Chairperson) – 2.

New Items:

RESOLUTION NO. R0100-20

That, the proper city officials are hereby authorized to take any and all necessary actions related to the sale of 59-63 Public Square (PIN: H9SE2-021-001) to George M. Albert, P.E., LLC (or its designee) for a purchase price of \$400,000.00.

Mr. Belusko moved to adopt the Resolution.

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

Yeas Belusko, Marconi, McBride, Brooks and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

RESOLUTION NO. R0101-20

Be It Resolved, that the City of Wilkes-Barre, Luzerne County hereby requests a Keystone Communities Program grant of \$250,000.00 from the Pennsylvania Department of Community and Economic Development to be used for the First National Bank Building Renovations project. The renovations will include a fine dining component and private collaborative meeting rooms.

Be It Further Resolved by the City Council of the City of Wilkes-Barre to authorize the appropriate city officials to submit a \$250,000.00 Keystone Communities Program grant applications funded by from the Pennsylvania Department of Community and Economic Development to be used for the First National Bank Building Renovations project.

Now, Therefore Be It Resolved that the Applicant does hereby designate George C. Brown, Mayor and Darren Snyder, City Controller as the officials to execute all documents and agreements between the City of Wilkes-Barre and the Pennsylvania Department of Community and Economic Development to facilitate and assist in obtaining the requested grant along with any or all other project documents, related to the First National Bank Building Renovations project, if the application is approved.

I, Jim Ryan, duly qualified City Clerk of the City of Wilkes-Barre, Luzerne County, Pennsylvania, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the City Council of the City of Wilkes-Barre at a regular meeting held December 17, 2020 and said Resolution has been recorded in the Minutes of the City of Wilkes-Barre and remains in effect as of this date.

In Witness thereof, I affix my hand and attached the seal of the City of Wilkes-Barre, this 17th day of December 2020.

Mr. Brooks moved to adopt the Resolution.

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

Yeas Belusko, Marconi, McBride, Brooks and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

FILE OF COUNCIL NO. 18 OF 2020 – AN ORDINANCE SUBSTANTIAL AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN FOR PROGRAM YEAR 2020. (FIRST READING)

Mr. Brooks moved to adopt the Ordinance.

The motion was seconded by Mrs. McBride and adopted by the following yea and nay vote:

Yeas Belusko, Marconi, McBride, Brooks and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

FILE OF COUNCIL NO. 19 OF 2020 – AN ORDINANCE AMENDING SEC. 70230 OF CHAPTER 7 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “FEE”. (FIRST READING) (RENTAL INSPECTION FEES)

Mr. Belusko moved to adopt the Ordinance.

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

Yeas Belusko, Marconi, McBride, Brooks and Barrett (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

BUDGET AS AMENDED

FILE OF COUNCIL NO. 20 OF 2020 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA ADOPTING THE AMENDED 2021 GENERAL FUND BUDGET. (FIRST READING)

Mr. Brooks moved to adopt the Ordinance.

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

Yeas Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

Nays Belusko and Barrett (Chairperson) – 2.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Belusko said that he has received several complaints from people in his district who put leaves in the tree lawn for pick up by the vacuum truck and the truck never came.

Mrs. McBride said she received a complaint from a resident that South Empire Street, between East Northampton and Moyallen Streets, has not been plowed or salted.

Mr. Brooks said that the Mayor asked for a 53-million-dollar budget and Council gave him a 53-million-dollar budget. He said he is hopeful that there will be no layoffs.

Mr. Brooks stressed that the voices of the low-income senior citizen homeowners definitely need to be heard. He said he is happy that the Mayor is hearing the pleas from people who are financially and emotionally effected by Covid. Mr. Brooks said he hopes that the city will think about discounting the low-income senior citizens that extra \$25.

Mr. Brooks thanked PFM for all their guidance and suggestions over the last couple of days.

Mr. Barrett said what was done collectively through the vote on the budget, is to save the taxpayers a total of \$15.00 a year, but what we simultaneously did was cut the overtime budget, the workers comp budget and a few other things. He expressed concern about what happened this evening for the sake of \$15.00 a year. He said it was risky but hopes that the city will be able to make it work.

Mayor Brown appeared before Council to express his disappointment with the amendments and the vote on the budget. He said Council raised fluff numbers and reduced numbers that are real. He said Council cut numbers without facts. This will not allow the city to create the revenue source needed to run the city. Mayor Brown said there is a chance of layoffs because he will not be able to run the city with the numbers Council came together with.

PUBLIC DISCUSSION

Bob Kadluboski, Wilkes-Barre, PA phoned in relative to Council's salaries, benefits and pensions (what will Council give up).

Mrs. McBride responded by saying that she gave up 10% of her salary, she doesn't contribute to the pension and her husband will be opting out of the city's healthcare plan next year.

Mr. Ryan explained that there is nothing that says that it is illegal for Council members to join the pension plan.

Mark Roberts, Wilkes-Barre, PA phoned in relative to the cut in the Workers Comp budget and Mr. Marconi's wife being on workers compensation.

Mr. Marconi replied that it is a personnel matter.

Jason Carr, Saylorsburg, PA phoned in relative to Council's amendments to the 2021 budget, fund for the elderly (on-going basis), increasing the sewer maintenance and recycling fees for one year, decrease in the overtime budget and workers comp budget, police working at Schiel's Market (overtime) and property taxes.

Mayor Brown told Mr. Carr that when a police officer is working at Schiel's Market or another business, they are not being paid by the city, they are being paid by that particular business.

Mayor Brown said the city has a \$100,000 limit on the Covid CDBG grant. The program will be in effect until that money runs out.

Linda Joseph, Wilkes-Barre, PA phoned in relative to the following questions regarding workers compensation:

1. How many city employees are on workers compensation currently?
2. Is there a set limit of time before they stop receiving workers comp benefits?
3. Are they required to file for disability from the State after a period of time and be removed from workers comp?
4. Is there abuse of workers comp benefits for long periods of time and does the city investigate abuse of the system?

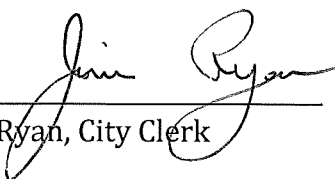
Mr. Barrett said that there is a limited amount of time that you can be on workers comp until some sort of decision is made. He added that there have been investigations in the past as to people that might have been on workers comp and should not have been on workers comp and were able to return to work.

Mr. Belusko wished everyone a Merry Christmas and a Happy New Year.

There being no further business to discuss the meeting adjourned at 8:10 p.m.



Bill Barrett, Chairperson

ATTEST: 

Jim Ryan, City Clerk