

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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**CITY COUNCIL**

**APRIL 12, 2018**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CONSENT AGENDA (RESOLUTIONS)**

**PRESENTATIONS BY COUNCIL MEMBERS**

**PUBLIC DISCUSSION**

**ADJOURNMENT**

CITY COUNCIL  
APRIL 12, 2018

**CONSENT AGENDA (RESOLUTIONS)**

Approving the transfer of a Pennsylvania Retail Liquor License to Malwa Ventures, LLC for the premises at 890 Kidder Street.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the lowest responsible bidder for the 2018 Various Streets Project.

Authorizing the proper city officials to file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$500,000.00 for assistance with King's College Spring Brook Engineering Building Project.

**MINUTES**

Of the Wyoming Valley Sanitary Authority Board Meeting of February 20, 2018.

Of the Regular Session of City Council of March 22, 2018.

Of the Parking Authority of the City of Wilkes-Barre of February 20, 2018.

CITY COUNCIL

APRIL 12, 2018

The City Council of the City of Wilkes-Barre met in Regular Session on April 12, 2018 at 6:00 p.m., in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania for the purpose of general business.

The meeting was organized with Chairperson Tony Brooks in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

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

Also Present:

Darren Snyder, Controller  
Ted Wampole, Administrator  
Tim Henry, City Attorney/Deputy Administrator  
Cathy Payne, Assistant City Clerk  
Jim Ryan, City Clerk  
Lisa Sanfilippo, Administrative Assistant

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 regarding the Redevelopment Assistance Capital Program Grant for assistance with King's College Spring Brook Engineering Building Project.

Robert Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Resolution regarding the Redevelopment Assistance Capital Program Grant for assistance with King's College Spring Brook Engineering Building Project.

Sue Gilbert, Wilkes-Barre, PA appeared before Council relative to the Resolution regarding the Redevelopment Assistance Capital Program Grant for assistance with King's College Spring Brook Engineering Building Project.

**Council member Beth Gilbert asked that the Resolution regarding the King's College Spring Brook Engineering Building Project be removed from the Consent Agenda (Resolutions) and be voted on separately.**

Jim Burden, Wilkes-Barre, PA appeared before Council relative to the Resolution regarding the Redevelopment Assistance Capital Program Grant for assistance with King's College Spring Brook Engineering Building Project.

## **RESOLUTIONS**

Resolution No. R0033-18 to and including the minutes appeared on the Consent Agenda (Resolutions).

### **RESOLUTION NO. R0033-18**

A Resolution of the Municipality of Wilkes-Barre County of Luzerne Commonwealth of Pennsylvania, Approving Transfer of Restaurant Liquor License #R7871 (Note: No LID # - Purchased at PLCB Auction) into the City of Wilkes-Barre, Luzerne County.

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 once 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 April 10, 2018 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 Malwa Ventures, LLC, 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 Malwa Ventures, LLC, 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-7871, (Note: No LID # - purchased at PLCB Auction), to be located at 890 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 April 12, 2018.

**RESOLUTION NO. R0034-18**

Whereas, the City of Wilkes-Barre advertised for bids for a paving project called the 2018 Various Streets Project (the "Project");

Whereas, responses to the bid advertisement are due on April 10, 2018;

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 lowest responsible bidder for the Project.

Streets (or portions thereof) being paved in the Project:

1. Frederick Street
2. Carbon Lane
3. Myrtle Lane
4. Finn Street
5. Knight Street
6. Burt Street

**MINUTES**

Of the Wyoming Valley Sanitary Authority Board Meeting of February 20, 2018.

Of the Regular Session of City Council of March 22, 2018.

Of the Parking Authority of the City of Wilkes-Barre of February 20, 2018.

Mr. Belusko moved to adopt the Consent Agenda (Resolutions).

The motion was seconded by Ms. Gilbert and adopted by the following yeas and nays vote:

Yeas Gilbert, Belusko and Brooks (Chairperson) – 3 – being a majority of the members elected to City Council.

Nays none.

Absent – Barrett and Merritt – 2.

**RESOLUTION NO. R0035-18**

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, King’s College was founded in 1946 by the Congregation of Holy Cross from the University of Notre Dame; and,

Whereas, since its founding, the College has developed mutually beneficial and cooperative ties to the City; and,

Whereas, the College serves as an important economic and activity anchor for Downtown Wilkes-Barre; and,

Whereas, the College has been highly committed to the revitalization of the City by investing in major economic development initiatives designed to enhance the quality of life for the residents of the City; and,

Whereas, the College has undertaken a critical initiative that will be a transformational development for the College, the City, and the entire region; and,

Whereas, in an effort to advance vital strategic initiatives involving the expansion of in-demand academic programs and the improvement of the student experience, the College has purchased the Spring Brook Water Supply Company Building, located at 28 – 30 North Franklin Street in the City; and,

Whereas, The King’s College Spring Brook Engineering Building Project includes the complete renovation of the facility, demonstrating the College’s commitment to help establish a vibrant downtown, which benefits the College, the City, and the larger community; and,

Whereas, the project will create state-of-the-art academic space for the College's new Mechanical and Civil Engineering Programs whose graduates are in demand and well-paid; and,

Whereas, in undertaking this project and contributing to the enhancement of the City, the College's commitment to the revitalization efforts of the City is evident; and,

Whereas, the City is supportive of the King's College Spring Brook Engineering Building 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,

Whereas, residents of the City have been advised of the project, its effects on the community, and given the opportunity to comment.

Now Therefore Be It Resolved, that the proper City officials be and are authorized to file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$500,000.00 for assistance with King's College Spring Brook Engineering Building Project; and,

Be It Further Resolved, that the proper City officials designate King's College to be the Sub-Applicant.

Mr. Brooks moved to adopt the Resolution.

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

Yeas Belusko and Brooks – 2- being a majority of the members present.

Abstain – Gilbert – 1.

*Ms. Gilbert announced that she is abstaining because she would like more information on the overall grant provisions.*

Absent – Barrett and Merritt – 2.

#### **PRESENTATIONS BY COUNCIL MEMBERS**

Ms. Gilbert reported cardboard and wood on the curb at 280 East South Street.

#### **PUBLIC DISCUSSION**

John Magda, Wilkes-Barre, PA appeared before Council relative to the condition of 31 Mineral Street, 243 Mill Street, 147 Garden Avenue, Lombardo's property (Scott Street), the old Citizens Bank and disabled veterans / handicapped parking spots.

Jim Burden, Wilkes-Barre, PA appeared before Council relative to 426-428 East Northampton Street (garbage in yard, Section 8, drug dealing) and raising the fees at Hollenback Golf Course.

Rick Voelker, Wilkes-Barre, PA appeared before Council relative to a halfway house in Parsons.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to halfway houses (zoning issues), TIFF Lawsuit, the colleges investing more in the city and the basketball rims in the parks.

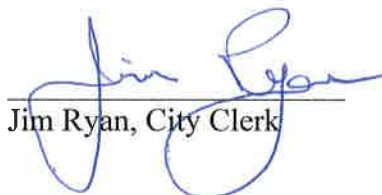
Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to non-profits, the Mayor and the results from the recent police study.

Ms. Gilbert said she had planned on introducing a Resolution tonight asking for the immediate resignation of Chief Lendacky and Commander Foy, but since Mr. Barrett and Mr. Merritt were not in attendance, she said she would present it at the next meeting.

There being no further business to discuss the meeting adjourned at 6:53 p.m.

  
Tony Brooks, Chairperson

ATTEST:

  
Jim Ryan, City Clerk