

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

MARCH 9, 2017

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

RESOLUTION

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
MARCH 9, 2017

CONSENT AGENDA (RESOLUTIONS)

Appointing William Lewis III to the Human Relations Commission.

Appointing Liza Prokop to the Human Relations Commission.

Authorizing the proper city officials to sign any and all necessary documents related to the sale of 773 South Franklin Street, to Artanor, LLC (or its named designee) for a purchase price of \$100.00.

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 Innovation Squared Project.

Reappointing Carl Frank, Torre Lippi and Ken Thoma to the Building Inspection Board of Appeals.

Granting permission to Big Brothers Big Sisters to temporarily place a promotional sign on City property located at the corner of West Market and North River Streets.

Authorizing the proper city officials to sign any and all necessary documents related to the sale of a vacant lot on Westminster Street to Artanor, LLC.

MINUTES

Of the Wyoming Valley Sanitary Authority of January 17, 2017.

Of the Regular Session of City Council of February 23, 2017.

CITY COUNCIL
MARCH 9, 2017

RESOLUTION

Appointing John Livingston to the General Municipal Authority.

ORDINANCES

FILE OF COUNCIL NO. 2 OF 2017 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “OFFENSES, MISCELLANEOUS PROVISIONS” BY ADDING ARTICLE XII ENTITLED “QUALITY OF LIFE REGULATIONS”. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 5 OF 2017 – AN ORDINANCE AUTHORIZING THE INCURRENCE BY THE CITY OF WILKES-BARRE, LUZERNE COUNTY, PENNSYLVANIA OF NONELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS AND OR NOTES. (SECOND AND FINAL READING)

CITY COUNCIL

MARCH 9, 2017

The City Council of the City of Wilkes-Barre met in Regular Session on March 9, 2017 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 Beth Gilbert in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

Barrett	- present (by speaker phone)
Belusko	- present
Merritt	- present
Brooks, Vice Chairperson	- present
Gilbert, Chairperson	- present

Also Present:

Darren Snyder, Controller
Ted Wampole, Administrator
Maureen Collins, Assistant City Attorney
William Harris, Director of Planning and Zoning
Alan Klapat, Deputy Fire Chief
Cathy Payne, Assistant City Clerk
Jim Ryan, City Clerk
Lisa Sanfilippo, Administrative Assistant
Joyce Zaykowski, Capital Projects Program Manager

Mr. Ryan announced that File of Council No. 5 of 2017 regarding the Bond Issue will be removed from the agenda and not considered for a vote.

City Clerk Jim Ryan read a statement relative to Council's Rules and Procedures and gave an explanation of the 5 minute public statement time limit and back and forth dialogue with Council.

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

Linda Joseph, Wilkes-Barre, PA appeared before Council relative to the Quality of Life Ordinance (ticket).

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolution appointing John Livingston to the General Municipal Authority, the sale of 773 S. Franklin Street to Artanor LLC and the Innovation Squared Project.

Mary Pat Julias, co-owner, Artanor, LLC, appeared before Council relative to the purchase of and plans for 773 S. Franklin Street and the vacant lot on Westminster Street.

John Livingston, Wilkes-Barre, PA appeared before Council relative to his appointment to the General Municipal Authority.

Pat (inaudible), appeared before Council to support Artanor, LLC.

Krista Krebs, co-owner, Artanor, LLC, appeared before Council relative to the purchase of and plans for 773 S. Franklin Street and the vacant lot on Westminster Street.

Nikki Moyers, co-owner, Artanor, LLC, appeared before Council relative to the purchase of and plans for 773 S. Franklin Street and the vacant lot on Westminster Street.

Claire Wert, Wilkes-Barre, PA appeared before Council to support Artanor, LLC.

Junior Council member Melissa Rush said that she too supports Artanor, LLC and the need for medical marijuana.

RESOLUTIONS

Resolution No. R0035017 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0035-17

Whereas, Ordinance No. 10 of 2016 of the City of Wilkes-Barre authorizes the establishment of a City Human Relations Commission. All members of the commission shall be appointed by the City Council.

Whereas, it is the desire of City Council to appoint the person referenced below to the Human Relations Commission for a one (1) year term.

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member of the Human Relations Commission:

NAME

TERM BEGINS

TERM EXPIRES

William V. Lewis III
20 Riverside Drive
Wilkes-Barre, PA 18702

March 9, 2017

March 9, 2018

RESOLUTION NO. R0036-17

Whereas, Ordinance No. 10 of 2016 of the City of Wilkes-Barre authorizes the establishment of a City Human Relations Commission. All members of the commission shall be appointed by the City Council.

Whereas, it is the desire of City Council to appoint the person referenced below to the Human Relations Commission for a three (3) year term.

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member of the Human Relations Commission:

<u>NAME</u>	<u>TERM BEGINS</u>	<u>TERM EXPIRES</u>
Liza Prokop 82 Maffett Street Wilkes-Barre, PA 18702	March 9, 2017	March 9, 2020

RESOLUTION NO. R0037-17

That the proper City Officials are hereby authorized to sign any and all necessary documents related to the sale of 773 South Franklin Street, Wilkes-Barre (PIN: I9NE1-020-001) to Artanor, LLC (or its named designee) for a purchase price of \$100.00.

RESOLUTION NO. R0038-17

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 Innovation Squared Project address immediate and urgent issues to improve the quality of life in Downtown Wilkes-Barre.

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, new economic development and entrepreneurial ecosystem will be built; and,

Whereas, the Albert Holdings 1 LLC 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, job retention, and foster working collaborations among the businesses, government, academia, and residential community, this public-private partnership is vital; and,

Whereas, Innovation Squared includes the complete renovation of the Historic Bank Building on Public Square that has been vacant since the early 1970's that'll benefit the City, and the larger community; and,

Whereas, in undertaking this project and contributing to the enhancement of Public Square, the Albert Holdings 1 LLC's commitment to the revitalization efforts of the City is evident; and,

Whereas, the City is supportive of Albert Holdings 1 LLC and the Innovation Squared 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 Innovation Squared Project and,

Be It Further Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials designate Albert Holdings 1 LLC 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 Albert Holdings LLC outlining the responsibilities of each organization; and

Be It Further that the Cooperation Agreement will also stipulate that the City and Albert Holdings 1 LLC are obligated to comply with RACP terms and conditions of the grant agreement.

RESOLUTION NO. R0039-17

Whereas, Section 5:08 of the City Charter of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council to appoint by members of Boards, Commissions and Authorities served by the City;

Whereas, it is the desire of the City of Wilkes-Barre to re-appoint the persons referenced below to the Building Inspection Board of Appeals of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following persons are hereby re-appointed to the Building Inspection Board of Appeals of the City of Wilkes-Barre:

<u>Name</u>	<u>Term Begins</u>	<u>Term Expires</u>
Carl Frank 51 W. Lafayette Street Wilkes-Barre, PA 18702	March 9, 2017	February 8, 2021
Torre Lippi 103 Oak Street Wilkes-Barre, PA 18702	March 9, 2017	February 8, 2021
Ken Thoma 15 Marlboro Avenue Wilkes-Barre, PA 18702	March 9, 2017	February 8, 2021

RESOLUTION NO. R0040-17

WHEREAS, the mission of Big Brothers Big Sisters (“BBBS”) is to provide children facing adversity with strong and enduring, professionally supported one on one relationships that change their lives for the better;

WHEREAS, Big Brothers Big Sisters partners with parents/guardians, volunteers and others in the community to help children achieve higher aspirations, greater confidence, better relationships, avoidance of risk behaviors and educational success;

WHEREAS, BBBS is holding its annual fundraiser on March 25, 2017 and wishes to promote its event to the general public;

WHEREAS, BBBS has requested that the City allow it to temporarily place a promotional sign(s) on City owned property;

NOW, THEREFORE, BE IT RESOLVED, that BBBS is hereby granted permission to temporarily place a promotional sign(s) on City owned property located at the corner of West Market and North River Streets to advertise its fundraiser scheduled for March 25, 2017;

BE IT FURTHER RESOLVED that this permission is contingent upon:

1. BBBS being responsible for the installation and timely removal of the sign(s);
2. BBBS (or its parent organization) providing the City with a Certificate of Insurance naming the City as an additional insured;
3. BBBS (or its parent organization) executing an Indemnity Agreement in favor of the City;
4. BBBS removing sign(s) within five (5) days after the fundraiser;
5. BBBS installing the sign(s) in an area which does not obstruct the view of vehicular traffic; and
6. BBBS returning the City's property to a substantially similar condition to that which existed prior to sign installation.

RESOLUTION NO. R0041-17

That, the proper City officials are hereby authorized to sign any and all necessary documents related to the sale of a vacant lot on Westminster Street, Wilkes-Barre (PIN: I9NE1-020-003) to Artanor, LLC (or its named designee) for a purchase price of \$1,500.00.

MINUTES

Of the Wyoming Valley Sanitary Authority of January 17, 2017.

Of the Regular Session of City Council of February 23, 2017.

Ms. Gilbert moved to adopt the Consent Agenda (Resolutions).

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

Yeas Barrett, Belusko, Merritt, Brooks and Gilbert (Chairperson) – 5 – being all of the member elected to City Council.

Nays none.

RESOLUTION NO. R0042-17

Whereas, Section 5:08 of the City Charter of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council, to appoint by members of Boards, Commissions and Authorities served by the City;

Whereas, it is the desire of the City of Wilkes-Barre to appoint the person referenced below to the General Municipal Authority of the City of Wilkes-Barre to replace Gerard Meehan now that his term has expired;

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member to the General Municipal Authority:

<u>Name</u>	<u>Term Begins</u>	<u>Term Expires</u>
John Livingston 130 Old River Road Wilkes-Barre, PA 18702	March 9, 2017	February 17, 2022

*replacing Gerard Meehan (term expired 2-1-17)

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

Nays Barrett and Merritt – 2.

Mr. Barrett clarified his vote by saying that his vote is no reflection on the candidate whatsoever, it has to do primarily with Council members' request previously for the reappointment of a prior General Municipal Authority member.

ORDINANCES

FILE OF COUNCIL NO. 2 OF 2017 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “OFFENSES, MISCELLANEOUS PROVISIONS” BY ADDING ARTICLE XII ENTITLED “QUALITY OF LIFE REGULATIONS”. (SECOND AND FINAL READING)

Mr. Brooks moved to adopt the Ordinance.

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Miss Rush announced the following on behalf of Junior City Council:

1. They recently completed a drive for Ruth's Place.
2. They will be participating in the Big Brothers Big Sisters Bowling Fundraiser.
3. They will be helping Council Chairman Beth Gilbert with city cleanups in the spring.

Mr. Belusko reported a refrigerator on the porch of 102 Birch Street with the doors on for the last year. He asked the Administration to send Code Enforcement to the property.

Mr. Belusko reminded the public that the St. Patrick's Day parade will take place on Sunday at 2:00 p.m.

Mr. Brooks commended the Diamond City Partnership for producing a wonderful calendar of events for downtown that will be available at restaurants and hotels.

Mr. Brooks also commended Robert Collins (son of Officer Robert Collins) for organizing a North End Residents Association.

Mr. Brooks thanked the Administration for sending department heads to the different neighborhood association meetings.

Ms. Gilbert said that she will be partnering with the Heights/Mayflower Residents Association and Restored Church to do spring cleanups beginning in April. She said she will be releasing the cleanup schedule in a few weeks.

PUBLIC DISCUSSION

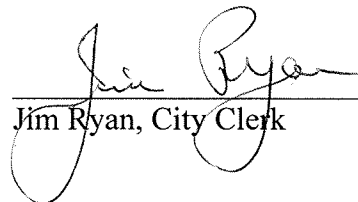
Marilyn Jones, Wilkes-Barre, PA appeared before Council relative to parking tractor trailers on city streets (asking for an exemption for her husband's truck).

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to being removed from the last meeting, Outsiders Café (speaking on owners behalf for a liquor license transfer), debt refinancing, pay cuts and pensions.

There being no further business to discuss the meeting adjourned at 7:00 p.m.


Beth Gilbert, Chairperson

ATTEST:


Jim Ryan, City Clerk