

CITY COUNCIL

FEBRUARY 20, 2018

The City Council of the City of Wilkes-Barre met in Regular Session on February 20, 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	- present
Gilbert	- present
Merritt	- present
Belusko, Vice Chairperson	- present
Brooks, Chairperson	- present

Also Present:

Ted Wampole, Administrator
Maureen Collins, Assistant City Attorney
Ron Foy, Police Commander
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. There being no one the meeting continued with general business.

RESOLUTIONS

Resolution No. R0014-18 to and including R0018-18 were voted on as a Consent Agenda (Resolutions).

RESOLUTION NO. R0014-18

Be It Resolved, by authority of Wilkes-Barre City Council of the City of Wilkes-Barre, Luzerne County, and it is hereby resolved by authority of the same, that the Mayor of said Municipality is authorized and directed to accept and sign the attached Street Sweeping Agreement and Exhibits on its behalf.

RESOLUTION NO. R0015-18

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, the City of Wilkes-Barre declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department: Health Department

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
No Box Numbers; 4 boxes – 2007, 2008, 2009, 2010 STD Records	5.04
No Box Numbers; 2 boxes – 2006, 2007, 2008, 2009, 2010 TB Records	<u>2.52</u>
Total	7.56

RESOLUTION NO. R0016-18

Whereas, Section 1401 of the Zoning Ordinance of the City of Wilkes-Barre allows the Mayor, with the advice and consent of City Council, to appoint by resolution residents of the City of Wilkes-Barre to serve as members of the Zoning Hearing Board;

Whereas, it is the desire of the City of Wilkes-Barre to appoint the person referenced below to the Zoning Hearing Board to fill a current vacancy;

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member of the Zoning Hearing Board:

<u>Name</u>	<u>Term Expires</u>
Jerry Altavilla 13 Anthracite Street Wilkes-Barre, PA 18702	January 24, 2023

Mr. Altavilla is replacing Vaughn Koter whose term has expired.

RESOLUTION NO. R0017-18

Whereas, the City of Wilkes-Barre has publicly advertised for bidders for the demolition of 3 Auburn Street, Wilkes-Barre; and

Whereas, it is the desire and intention of Wilkes-Barre City Council that this demolition be completed as soon as possible for the safety and general welfare of City residents;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to enter into a contract and sign any and all necessary documents with the lowest responsible bidder for the Demolition of 3 Auburn Street.

Payment to be made from OECD Budget.

RESOLUTION NO. R0018-18

Whereas, the City of Wilkes-Barre has publicly advertised for bidders for the demolition of 39 South Fulton Street, Wilkes-Barre; and

Whereas, it is the desire and intention of Wilkes-Barre City Council that this demolition be completed as soon as possible for the safety and general welfare of City residents;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to enter into a contract and sign any and all necessary documents with the lowest responsible bidder for the Demolition of 39 South Fulton Street.

Payment to be made from OECD Budget.

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

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

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

Nays none.

ORDINANCE

FILE OF COUNCIL NO. 1 OF 2018 – AN ORDINANCE ADOPTING THE 2018 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-FOUR AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE

REQUIRED TO COMPLETE PROGRAM ACTIVITIES. (FIRST READING – ON TITLE).

Mr. Merritt moved to adopt the Ordinance.

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

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

Nays none.

COUNCIL PRESENTATIONS

Ms. Gilbert discussed the barbershop on Stanton Street. She said there was a shooting there in early February and many other issues. She asked at what point a property become a nuisance property according to the city.

Mr. Wampole said that he will discuss it with City Attorney Tim Henry.

Mr. Brooks informed Ms. Gilbert that the property has been shut down and is posted.

PUBLIC DISCUSSION

Kevin Elmy, Wilkes-Barre, PA appeared before Council for an update on the sober house on Austin Avenue.

Mr. Wampole said the Administration has spoken with Wayne Nichol and Pastor Joe Roach from the church. A tentative meeting was set up for Wednesday, February 21, 2018 with them and representatives of Council and the Administration to discuss the sober house. Mr. Wampole said that he received a phone call that the Pastor and some Council members couldn't make it that day. The meeting has been rescheduled for Friday, March 2, 2018 at City Hall.

Mr. Barrett mentioned that the city has been trying to gather as much information as possible from other sources as well that have these types of situations. He said he has been in contact with Assistant City Attorney Collins for her help to review all of it. He said there is a lot to this including the Fair Housing Act and all the other legislation that come into play. The city is researching it aggressively to determine what the course of action should be.

Mr. Elmy asked if this is the only sober house in the City of Wilkes-Barre.

Mr. Barrett replied that there are other ones throughout the city.

Mr. Elmy asked if any of those were addressed.

Mr. Barrett said they are actually falling under the City's Rental Ordinance, which allows no more than four unrelated individuals to live in a house. They are licensed rental properties; however we have concerns because they are technically a business.

Dr. Gene Reisinger, Advisor to Seneca Nation, Kingston, PA appeared before to give an update on the riverfront and forming a committee to address the issue of overgrowth at Kirby Park.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to Academy Street Market (demolition), Police Department issues, appointing Joyce Zaykowski to OCD Director (residency), Tom Unvarsky working for the city and collecting his police pension, Council's pensions (part time work/full time pension) and to request to be put on the Work Session agenda to make a presentation.


Mr. Wampole mentioned that Academy Street Market is being bid to be demolished. It will be done through the Office of Community Development. A lien will be placed on the property for the cost of the demolition. If the property sells, the lien has to be settled with the city first.

Ms. Gilbert informed Mr. Kadluboski that City Council's pensions are state mandated. She said that former Council members have tried to opt out of the pension and they received letters saying that they do have to contribute.

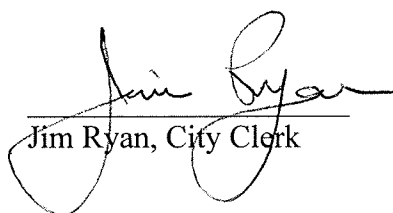
Mr. Ryan made the following statement:

Bob, you bring this up numerous times every year and you ask the same question, you get the same answers. You have been told why it can be done. You have been given an explanation by the City Attorney's Office many times. You also got an explanation from the Attorney for the Pension Board. You keep getting answers Bob and you just don't like the answers.

There being no further business to discuss the meeting adjourned at 6:40 p.m.


Tony Brooks, Chairperson

ATTEST:


Jim Ryan, City Clerk