

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

JUNE 13, 2018

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

RESOLUTIONS

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
JUNE 13, 2018

CONSENT AGENDA (RESOLUTIONS)

Approving the transfer of a Restaurant Liquor License into the city from Wet Hazleton Township. (Sheetz, Inc.)

Grant approval to Geoffrey Musti and Joseph O'Connor, co-owners of Pour Coffee House, LLC to install a sign at 53 North Main Street.

Authorizing the Pour Coffee House, 54 North Main Street to utilize approximately four feet of the city right-of-way for outdoor seating.

Temporarily suspending the provisions of Section 20-4 of the Code of Ordinances pertaining to the open consumption of alcoholic beverages. (Thursday's Farmer's Market)

Temporarily suspending the provisions of Section 20-4 of the Code of Ordinances pertaining to the open consumption of alcoholic beverages. (Osterhout Rooftop Party)

Authorizing the proper city officials to satisfy the municipal lien filed against 37-39 Division Street.

Appointing Vaughn Koter to the Housing Authority.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm, Penn Eastern Engineers, LLC, for the Spruce Street Park Project.

Authorizing the proper city officials to enter into a lease agreement with Rockmar, LLC for the property located at 31 South Hancock Street.

Authorizing the proper city officials to enter into the appropriate agreement with The Pennsylvania Department of Education's Keystone Grant Program, along with any or all other project documents, related to the Osterhout Free Library's Roof, Windows and Flooring Improvement Project, if the application is approved.

Authorizing the proper city officials to enter into an agreement in the amount of \$117,791 with the Pennsylvania Department of Health to provide immunization services.

CITY COUNCIL
JUNE 13, 2018

CONSENT AGENDA (RESOLUTIONS) CONTINUED

Authorizing the proper city officials to enter into an agreement in the amount of \$184,694 with the Pennsylvania Department of Health to provide public health preparedness services.

MINUTES

Of the Zoning Hearing Board of May 16, 2018.

Of the Regular Session of City Council of May 24, 2018.

CITY COUNCIL
JUNE 13, 2018

RESOLUTIONS

Authorizing the proper city officials to submit a \$3,000,000.00 Multimodal Transportation Fund grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the King's College West North Street and North Franklin Street Improvement 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 \$1,500,000.00 for assistance with King's College Times Leader Building 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 \$2,000,000.00 for assistance with King's College Spring Brook Engineering Building Project.

CITY COUNCIL
JUNE 13, 2018

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 4 OF 2018 – AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, 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.” (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 5 OF 2018 – AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “ADMINISTRATION”. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 6 OF 2018 – AN ORDINANCE AMENDING ARTICLE V. OF CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “PARKING, STOPPING AND STANDING”. (PARKING TICKETS) (FIRST READING)

FILE OF COUNCIL NO. 7 OF 2018 – AN ORDINANCE AMENDING ARTICLE V. OF CHAPTER 29 OF THE WILKES-BARRE CODE OF ORDINANCES ENTITLED “PARKING, STOPPING AND STANDING.” (PARKING TICKETS) (FIRST READING)

FILE OF COUNCIL NO. 8 OF 2018 – AN ORDINANCE AMENDING SECTION 18-12 OF CHAPTER 18 OF THE WILKES-BARRE CITY CODE OF ORDINANCE ENTITLED “NUISANCES”. (NOTICE PROCEDURE – STORAGE OF MOTOR VEHICLES ON PRIVATE GROUNDS) (FIRST READING)

CITY COUNCIL

JUNE 13, 2018

The City Council of the City of Wilkes-Barre met in Regular Session on June 13, 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
Tim Henry, City Attorney/Deputy City Administrator
Adam Olver, Animal Enforcement Officer
Cathy Payne, Assistant City Clerk
Lisa Sanfilippo, Administrative Assistant
Jim Ryan, City Clerk
Joyce Zaykowski, Director of OCD

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.

Linda Joseph, Wilkes-Barre, PA appeared before Council relative to the King's College Resolutions for grants.

Jim Burden, Wilkes-Barre, PA appeared before Council relative to the King's College Resolutions for grants.

Wico Van Genderen, President of the Greater Wilkes-Barre Chamber of Commerce, appeared before Council relative to the King's College Resolutions for grants.

Larry Newman, Executive Director of Diamond City Partnership, Wilkes-Barre, PA appeared before Council relative to the King's College Resolutions for grants.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the King's College Resolutions for grants.

RESOLUTIONS

Resolution No. R0054-18 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0054-18

A Resolution of the Municipality of Wilkes-Barre County of Luzerne Commonwealth of Pennsylvania, approving transfer of a Restaurant Liquor License #R-17447, LID #18679 into the City of Wilkes-Barre, Luzerne County from West Hazleton Township.

Whereas, Act 131 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 a 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 one 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 June 11, 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 Sheetz, Inc. 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 Sheetz, Inc., 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 #R17447, LID # 18679, from West Hazleton Township, PA to be located at 464 Wilkes-Barre Township Boulevard, 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 the meeting on June 13, 2018.

RESOLUTION NO. R0055-18

Whereas, Geoffrey Musti and Joseph O'Connor, co-owners of Pour Coffee House, LLC, wish to install a sign (see attached), which will overhang the sidewalk right-of-way, onto the building located at 53 North Main Street.

Now, Therefore, Be It Resolved by the Wilkes-Barre City Council that approval is hereby granted contingent upon satisfaction of the following requirements:

File the following with the City Attorney's Office:

1. File liability insurance naming the City as an insured for any liability connected with the said request.
2. File a Release and Save Harmless Agreement.
3. The applicant and a successor shall file current liability insurance naming the city as an insured.

RESOLUTION NO. R0056-18

RESOLVED, that the City Council of the City of Wilkes-Barre hereby authorizes Pour Coffee House, 53 North Main Street, Wilkes-Barre, to utilize approximately four (4) feet of the City right-of-way located in front of its location for outdoor seating provided that pedestrian and emergency vehicle access are not adversely effected and upon the following conditions:

1. A Hold Harmless Agreement in favor of the City of Wilkes-Barre shall be executed and returned to the Office of the City Attorney.

2. Certificates of Insurance naming the City as an additional insured shall be filed with the Office of the City Attorney in an amount of one million per occurrence and two million per aggregate.
3. Any alcoholic beverages served must be contained in the area licensed by the Pennsylvania Liquor Control Board.
4. Any and all successors must follow the same requirements.

RESOLUTION NO. R0057-18

RESOLVED, that the City Council of the City of Wilkes-Barre hereby directs that the provisions of Section 20-4 of the Wilkes-Barre Code of Ordinances pertaining to the open consumption of alcoholic beverages be temporarily suspended and not enforced for the following event:

Event:	Farmers Market (Thursday's)
Sponsor:	Hidden Creek Vineyard and Winery Inc.
Area:	Designated Area on Public Square
Dates:	Thursday's from 6/21/2018-11/15-2018 (detailed dates below)
Time:	10:00 am until 4:00 p.m.
Limitation:	The suspension shall only apply to wine and not malted or brewed beverages or liquors.

The within temporary suspension applies only to the above-referenced event and area. All other regulations related to intoxicating beverages in the City of Wilkes-Barre shall remain in full force and effect. A copy of this resolution shall be provided to the Wilkes-Barre Police Department.

THURSDAYS 2018

June 21, 2018	September 6, 2018
June 28, 2018	September 13, 2018
July 5, 2018	September 20, 2018
July 12, 2018	September 27, 2018
July 19, 2018	October 4, 2018
July 26, 2018	October 11, 2018
August 2, 2018	October 18, 2018
August 9, 2018	October 25, 2018
August 16, 2018	November 1, 2018
August 23, 2018	November 8, 2018
August 30, 2018	November 15, 2018

RESOLUTION NO. R0058-18

RESOLVED, that the City Council of the City of Wilkes-Barre hereby directs that the provisions of Section 20-4 of the Wilkes-Barre Code of Ordinances pertaining to the open consumption of alcoholic beverages be temporarily suspended and not enforced for the following event:

Event:	Osterhout Rooftop Party
Sponsor:	The Osterhout Free Library
Designated Area:	Rooftop and 4 th floor of Inter-modal Parking Garage
Dates:	August 3, 2018
Time:	Duration of Party.
Limitation:	The suspension shall only apply to malted and brewed beverages and not to wine and liquors.

The within temporary suspension applies only to the above-referenced event and area. All other regulations related to intoxicating beverages in the City of Wilkes-Barre shall remain in full force and effect. A copy of this resolution shall be provided to the Wilkes-Barre Police Department.

RESOLUTION NO. R0059-18

Resolved, that the City Attorney's Office is hereby authorized to satisfy the municipal lien filed against 37-29 Division Street, Wilkes-Barre, Pennsylvania (PIN: 19NW3-001-009).

RESOLUTION NO. R0060-18

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 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 Housing Authority of the City of Wilkes-Barre;

NOW, THEREFORE, BE IT RESOLVED, that the following person is hereby appointed as a member of the Housing Authority:

<u>Name</u>	<u>Term Expires</u>
Vaughn Koter 17 Irving Place Wilkes-Barre, PA 18702	June 11, 2023

RESOLUTION NO. R0061-18

Whereas, the City of Wilkes-Barre previously advertised for proposals for engineering services for the Spruce Street Park Project;

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 most qualified firm, Penn Eastern Engineers, LLC, for the Spruce Street Park Project.

Be It Further Resolved that payment for these services shall be made from the OECD Budget.

RESOLUTION NO. R0062-18

Resolved, that the proper city officials are hereby authorized to enter into a lease agreement with Rockmar, LLC for the property located at 31 South Hancock Street.

Be It Further Resolved that the lease term shall cease upon the sale of the property to Rockmar, LLC.

RESOLUTION NO. R0063-18

Whereas, the City of Wilkes-Barre is desirous of sponsoring a grant in the amount of \$120,000.00 from the Pennsylvania Department of Education's Keystone Grant Program to assist the Osterhout Free Library with facility upgrades such as roofing system repairs, energy efficient windows and new flooring to improve conditions for both the library users and the book collection, as well as greatly enhance the energy efficiency of the facility; and

Whereas, the Osterhout Free Library's existing roofing system, windows and flooring have exceeded their useful lifespan and need to be replaced. The Library will realize energy savings, and the ability to provide better maintenance of their facility; and

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are authorized to prepare and submit the necessary grant application to the Pennsylvania Department of Education's Keystone Grant Program for the Osterhout Free Library's Roof, Windows and Flooring Improvement project;

Be It Further Resolved, that the Mayor is hereby authorized to enter into the appropriate agreement with the Pennsylvania Department of Education's Keystone Grant Program, along with any or all other project documents, related to the Osterhout Free Library's Roof, Windows and Flooring Improvement project, if the application is approved.

RESOLUTION NO. R0064-18

Authorizing the proper city officials to enter into an agreement in the amount of \$117,791 with the Pennsylvania Department of Health to provide immunization services.

RESOLUTION NO. R0065-18

Authorizing the proper city officials to enter into an agreement in the amount of \$186,694 with the Pennsylvania Department of Health to provide public health preparedness services.

MINUTES

Of the Zoning Hearing Board of May 16, 2018.

Of the Regular Session of City Council of May 24, 2018.

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

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.

RESOLUTION NO. R0066-18

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby requests a Multimodal Transportation Fund grant of \$3,000,000.00 from the Commonwealth Financing Authority to be used for the King's College West North Street and North Franklin Street Improvement Project.

Be It Further Resolved, that the Applicant does hereby designate Anthony George, Mayor, and Darren Snyder, City Controller, as the officials to execute all documents and agreements between the City of Wilkes-Barre and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

Now, Therefore Be It Further Resolved by the City Council of the City of Wilkes-Barre to authorize the appropriate city officials to submit a \$3,000,000.00 Multimodal Transportation Fund grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the King's College West North Street and North Franklin Street Improvement Project.

I, Jim Ryan, duly qualified City Clerk of the City of Wilkes-Barre, Luzerne County, PA hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Wilkes-Barre City Council at a regular meeting held June 13, 2018 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 attach the seal of the City of Wilkes-Barre, this 13th day of June 2018.

Mr. Barrett moved to adopt the Resolutions.

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

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

Nays Gilbert – 1.

RESOLUTION NO. R0067-18

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 Times Leader Building, located at 15 North Main Street in the City; and,

Whereas, The King's College Times Leader 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 expanding Allied Health 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 Times Leader 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 \$1,500,000.00 for assistance with King's College Times Leader Building Project; and,

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

Be It Further Resolved, that the proper City officials be and are authorized to enter into a Cooperation Agreement with the College outlining the responsibilities of each organization; and,

Be It Further Resolved, that the Cooperation Agreement will also stipulate that the City and College are obligated to comply with RACP terms and conditions of the grant agreement.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays Gilbert – 1.

RESOLUTION NO. R0068-18

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 Times Leader Building Project includes the complete renovation of the facility, demonstrating the College 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.

Whereas, the Commonwealth of Pennsylvania has re-programmed additional Redevelopment Assistance Capital Program Grant Funds in the amount of \$2,000,000.00 for assistance with the King's College Spring Brook Engineering Building Project; and,

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 \$2,000,000.00 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 and Spring Brook Memorial, LLC to be the Sub-Applicant; and,

Be It Further Resolved, that the proper City officials be and are authorized to enter into a Cooperation Agreement with King's College and Spring Brook Memorial, LLC outlining the responsibilities of each organization; and,

Be It Further Resolved, that Resolution NO. R0035-18 dated April 12, 2018 related to the King's College Redevelopment Assistance Capital Program Grant application filing in the amount of \$500,000.00 for assistance with King's College Spring Brook Engineering Building Project is here rescinded.

Mr. Merritt moved to adopt the Resolution.

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

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

Nays Gilbert – 1.

Mr. Brooks applauded King's College for saving three historic landmark structures in the City.

ORDINANCES

FILE OF COUNCIL NO. 4 OF 2018 – AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2018 ACTION

PLAN ENCOMPASSING THE COMMUNITY DEVELOPEMNT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-FOUR AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACITIVITES.” (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 5 OF 2018 – AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “ADMINISTRATION”. (SECOND AND FINAL READING).

FILE OF COUNCIL NO. 6 OF 2018 – AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “PARKING, STOPPING AND STANDING”. (PARKING TICKETS) (FIRST READING)

FILE OF COUNCIL NO. 7 OF 2018 – AN ORDINANCE AMENDING ARTICLE V. OF CHAPTER 29 OF THE WILKES-BARRE CODE OF ORDINANCES ENTITLED “PARKING, STOPPING AND STANDING.” (PARKING TICKETS (FIRST READING)

FILE OF COUNCIL NO. 8 OF 2018 – AN ORDINANCE AMENDING SECTION 18-12 OF CHAPTER 18 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “NUISANCES”. (NOTICE PROCEDURE – STORAGE OF MOTOR VEHICLES ON PRIVATE GROUNDS (FIRST READING)

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

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Barrett thanked the Administration for addressing his complaints in a very timely manner.

Ms. Gilbert reported the following:

1. Dilapidated property on the corner of Reese and Wayne Streets. It has been vacant for a few years and the grass is high.
2. Potholes – block of South Meade between East Northampton and East South Streets.

3. Remodeling work by the Citizens Bank Building on East Market Street.

Ms. Gilbert said that they have been blocking off a lane of traffic, making it difficult for people to get out of the parking garage. She said that Mr. Frati addressed it yesterday, but he wasn't available today when I called.

Officer Merchel informed Ms. Gilbert that the van there today was actually moving people into the building, they were not contractors.

4. Yard Waste Pickup (Status of).

Mr. Wampole replied that DPW is close to being caught up.

Mr. Belusko asked for an update on 126 Carlisle Street.

Mr. Belusko reported a pothole by Firwood Church on Old River Road.

Mr. Brooks wished Ms. Gilbert a Happy 24th Birthday.

Mr. Brooks discussed the article in the newspaper today about working toward some streamline system of classification of buildings. He said he would like to be able to address neighbors' complaints by giving them the status of the property.

PUBLIC DISCUSSION

Bonnie Harris, Wilkes-Barre, PA appeared before Council relative to the open lot at the corner of Grove and McCarragher Streets.

Mr. Brooks said that the lot is part of the Heritage Point project and they will be building a playground there.

Mr. Brooks added that if the lot is overgrown, the city will make sure that Heritage Point knows and cleans it up.

Ms. Harris said the playground was not part of the original plan. She asked if it is zoned.

Attorney Henry informed Ms. Harris that the playground was part of the settlement agreement.

Ms. Harris asked if the neighbors were made aware of those plans.

Attorney Henry replied that they were notified of it and certain neighbors challenged the development.

Ms. Harris said that the development, as it was originally proposed, had no plans for a playground. She said that the surrounding property owners were not notified of a playground being built there.

Attorney Henry said that he was unsure of who was notified, but the playground was part of the settlement agreement reached between the neighbors who filed the action against the development and the developers.

Ms. Harris asked what type of playground it will be (basketball courts, swings, etc.).

Ms. Zaykowski informed Ms. Harris that it is going to be very small and there is going to be some green space. She said she may have the plans in her office and invited Ms. Harris to look at them.

Ms. Harris asked if it will be a public playground.

Ms. Zaykowski replied that it will be public and not just for the development. The city will not be paying for the playground, but will maintain it after.

Joe DeBiase, Wilkes-Barre, PA appeared before Council relative to the services of the Fire Department (city going after his insurance company to pay for the services after a fire at his home).

Ms. Gilbert pointed out that Council (in early 2016) passed a revised version of an Ordinance for an easier way to collect insurance money and that may be why he received a bill. She asked Attorney Henry to look into the matter.

Mr. Wampole asked if Mr. DeBiase submitted the bill to his insurance company.

Mr. DeBiase said he did and told them not to pay it. He said he pays his taxes and he doesn't believe the insurance company should pay for the fire bill.

Mr. Wampole explained that it is how the Ordinance is set up.

Jim Walsh, Wilkes-Barre, PA appeared before Council relative to the American Flag.

Jim Burden, Wilkes-Barre, PA appeared before Council relative to 426-428 East Northampton Street, disbanding the drug task force unit and the cameras in the city not being serviced.

Mr. Wampole said there is an Anti-Crime Unit in the city, which is focused on the drug trade.

Officer Merchel mentioned that the drug task force is now a county-wide task force. It is made up of police from the surrounding areas, as well as federal and state government agencies.

Mr. Wampole explained to Mr. Burden that the funding to maintain the camera system has dried up. Many of the cameras were downtown and in the parkades and the Parking Authority was no longer going to contribute to the city to maintain them. He said the Administration looked at how much it would be to keep them in service and to upgrade them. The Administration made this conscience decision, based upon businesses and individuals having more and more cameras than what existed years ago. The camera system was not set up to go throughout the entire city, so to move cameras was an extraordinary expense that the city couldn't afford. He said the system does primarily operate, but the city is not putting any money into it to upgrade it at this point. He said one in six cameras are now operating.

Ms. Gilbert asked if the Administration is actively looking into new camera systems.

Mr. Wampole responded that the cost for cameras right now is an extraordinary expense. It's not only to acquire cameras, but it is to maintain them as well.

Mr. Burden asked if the city would be able to get state funding for a camera system.

Mr. Wampole said we could get funding to purchase it, but we would still need money to maintain it.

Ms. Gilbert asked if the Administration thinks the cameras should be a priority under the "Law and Order". She said she thinks it is one of the things that we could do to help reduce crime in the city.

Mr. Wampole agreed with Ms. Gilbert but said that funding is the key to acquiring it, upgrading and maintaining it. He added that he doesn't think that the police would say that they are hampered right now because the camera systems have not been upgraded.

Dr. Gerald Reisinger, Kingston, PA appeared before Council relative to safety at Kirby Park, bringing back the rowing program and high grass/weeds at Kirby Park/Nesbitt Park.

Tom Dombroski, Wilkes-Barre, PA appeared before Council for an update on 37, 46 and 48 Murray Street (dilapidated properties).

Ms. Zaykowski informed Mr. Dombroski that the owner of 46 Murray Street was cited.

Ms. Zaykoski added that they went through the demolition process with HUD. She said she will check with Mr. Rodano and see how many citations are required and she will send the engineer to the property to see if it is deemed unsafe and then take it from there.

Ms. Gilbert thanked Mr. Dombroski for bringing this matter forward.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the city's splash pad, grants for King's college, increase college's PILOT programs, hire more police and the old theater on East Thomas and St. Claire Streets (over run with cats).

Mr. Wampole mentioned that Dave Lewis has been working on the splash pad for about a week. He said he is not sure if it will be open by Monday.

Ms. Gilbert agreed with Mr. Suchoski's comments regarding the colleges paying more when it comes to local services. She said she would like to petition the state to enact a fee on tuition for college students, so they can contribute towards these services.

Donna Fountain, Whisker World, Wilkes-Barre, PA appeared before Council relative to stray cats in the city (being trapped) (TNR – trap, neuter and release).

Brenda Buckler, Whisker World, Wilkes-Barre, PA appeared before Council relative to stray cats in the city (being trapped) (TNR).

Dawn Mendygral, Happy Hearts & Tails, Wilkes-Barre, PA appeared before Council relative to stray cats in the city (being trapped) (TNR).

Mary Chalipko, Jenkins Township, PA appeared before Council relative to stray cats in the city (being trapped) (TNR).

Adam Olver, Animal Enforcement Officer for the City of Wilkes-Barre, responded by saying that one cat that was trapped has been euthanized because it had a broken leg. All of the other cats taken to the SPCA have either been rehomed, rehabilitated or pulled. The SPCA sent cats to Illinois and Indiana. He said that it is not the city's goal to euthanize cats. He said he only traps cats where private property owners request them. The city has eight traps. He said he was on vacation for five days and when he came back yesterday he had 74 requests for traps. He said currently he has 3 traps in service, one on Carey Avenue, one on Dagobert Street and one on Hillside Street.


Mr. Olver also said that he needs a good reason to set a trap. He goes to the property, inspects the property and sees the damage first before allowing them to have a trap. He added that most of the time he will visit a property two or three times before setting a trap.

Mr. Olver read the section of the Code of Ordinances relating to "Running at Large".

Mr. Wampole said that the city is just following/enforcing the Ordinances; it would be up to Council to amend them.

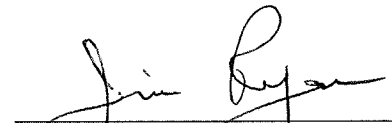
Mr. Brooks asked the City Attorney to get him a copy of the Ordinances that refer to cats and he will meet with the ladies to discuss it.

There being no further business to discuss the meeting adjourned at 7:35 p.m.



Tony Brooks, Chairperson

ATTEST:



Jim Ryan, City Clerk