

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

AUGUST 9, 2018

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTION – Awarding the contract for the Solomon Creek Wall Project

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
AUGUST 9, 2018

RESOLUTIONS

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract for the Solomon Creek Wall Project to Don E. Bower, Inc., for the amount of \$2,017,954.60.

CITY COUNCIL
AUGUST 9, 2018

CONSENT AGENDA (RESOLUTIONS)

Authorizing the Mayor to accept and sign the 2018-2019 Winter Services Agreement.

Designating Mayor George and Controller Snyder as the officials to execute all documents and agreements between the City and the Pennsylvania Department of Community and Economic Development to facilitate and assist in obtaining the Keystone Communities Program Grant, along with any or all other project documents, related to the Carey Avenue Streetscape Project.

Designating Mayor George and Controller Snyder, as the officials to execute all documents and agreements between the City and the Pennsylvania Department of Community and Economic Development to facilitate and assist in obtaining the Keystone communities Program Grant, along with any or all other project documents, related to the Scott Street Streetscape Project.

Prepare and submit the Edward Byrne Memorial Justice Assistance Grant (JAG) application.

Authorizing the proper city officials to sign any and all necessary document related to the sale of 30 Hickory Street to Doroteo Martinez Pineda and Silviana Vergara Tlatenchit for \$500.00.

Accept the proposal of the Joyce Insurance Group for an insurance package and to sign any And all necessary documents related to securing the same.

MINUTES

Of the Zoning Hearing Board of July 18, 2018.

Of the Planning Commission of July 18, 2018.

Of the Wyoming Valley Sanitary Authority of June 26, 2018.

Of the Traffic Committee of July 26, 2018.

Of the Regular Session of City Council of July 12, 2018.

CITY COUNCIL
AUGUST 9, 2018

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 9 OF 2018 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA ADOPTING THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDING AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES WITHIN THE CITY OF WILKES-BARRE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 10 OF 2018 – AN ORDINANCE AMENDING CHAPTER 10 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “FIRE PREVENTION AND PROTECTION”. (FIREWORKS) (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 11 OF 2018 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (STOP SIGN – EMPIRE AND STANTON STREETS) (FIRST READING)

FILE OF COUNCIL NO. 12 OF 2018 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (STOP SIGN – McHALE STREET AND KELLY AVENUE) (FIRST READING)

FILE OF COUNCIL NO. 13 OF 2018 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (STOP SIGN – SOUTH MEADE AND NEW MARKET STREETS) (FIRST READING)

FILE OF COUNCIL NO. 14 OF 2018 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (STOP SIGN – OLD RIVER ROAD AND NEW ALEXANDER STREET) (FIRST READING)

CITY COUNCIL
AUGUST 9, 2018

CONSENT AGENDA (ORDINANCES) (CONTINUED)

FILE OF COUNCIL NO. 15 OF 2018 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (STOP SIGN – OLD RIVER ROAD AND BEEKMAN STREET) (FIRST READING).

FILE OF COUNCIL NO. 16 OF 2018 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (STOP SIGN- SOUTH RIVER, SOUTH FRANKLIN AND GARFIELD STREETS) (FIRST READING).

CITY COUNCIL

AUGUST 9, 2018

The City Council of the City of Wilkes-Barre met in Regular Session on August 9, 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:

Darren Snyder, City Controller
Ted Wampole, Administrator
Butch Frati, Director of Operations
Tim Henry, Deputy City Administrator/City Attorney
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.

Tom Dombroski, Wilkes-Barre, PA appeared before Council relative to the Resolution awarding the contract for the Solomon Creek Wall Project to Don E. Bower.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Resolution awarding the contract for the Solomon Creek Wall Project to Don E. Bower.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Resolution regarding the Edward Byrne Memorial Justice Assistance Grant.

RESOLUTIONS

RESOLUTION NO. R0074-18

Whereas, the City of Wilkes-Barre has publicly advertised for bidders to perform part one of the Solomon Creek Wall Project. This part will include wall reconstruction of the wall from Waller Street to Franklin Street and along Brook Street; and

Whereas, the City terminated its contract with the initial company hired for the project and now desires to hire the second lowest responsible bidder;

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 for the above referenced project to Don E. Bower, Inc. for the amount of \$2,017,954.60.

Mr. Belusko moved to adopt the Resolution.

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 none.

Abstain – Gilbert – 1.

RESOLUTIONS

Resolution No. R0076-18 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0076-18

Be It Resolved, that the City of Wilkes-Barre, Luzerne County hereby requests a Keystone Communities Program grant of \$500,000.00 from the Pennsylvania Department of Community and Economic Development to be used for the Carey Avenue Streetscape project; and

Be It Further Resolved by the City Council of the City of Wilkes-Barre to authorize the appropriate city officials to submit a \$500,000.00 Keystone Communities Program grant application funded by the Pennsylvania Department of Community and Economic Development to be used for the Carey Avenue Streetscape project. The project scope of work will improve pedestrian safety by replacing the deteriorating sidewalks, sidewalk connections, crosswalks and pedestrian signage that are deteriorating and creating an increased hazardous walking area for residents and visitors. Also, ADA accessibility improvements such as curb cuts and sidewalk detectable warning surfaces for the ADA ramps will be installed. In addition, new street lighting upgrades will be installed, and trees planted to improve the overall quality of the district; and

Now, Therefore, Be It Resolved, that the Applicant does hereby designate Anthony G. George, 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 Carey Avenue Streetscape project, if the application is approved; and

Further, 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 August 9, 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 Whereof, I affix my hand and attached the seal of the City of Wilkes-Barre, this 9th day of August 2018.

RESOLUTION NO. R0077-18

Be It Resolved, that the City of Wilkes-Barre, Luzerne County hereby requests a Keystone Communities Program grant of \$500,000.00 from the Pennsylvania Department of Community and Economic Development to be used for the Scott Street Streetscape project; and

Be It Further Resolved by the City Council of the City of Wilkes-Barre to authorize the appropriate city officials to submit a \$500,000.00 Keystone Communities Program grant application funded by the Pennsylvania Department of Community and Economic Development to be used for the Scott Street Streetscape project. The project scope of work will improve pedestrian safety by replacing the deteriorating sidewalks, sidewalk connections, crosswalks and pedestrian signage that are deteriorating and creating an increased hazardous walking area for residents and visitors. Also, ADA accessibility improvements such as curb cuts and sidewalk detectable warning surfaces for the ADA ramps will be installed. In addition, new street lighting upgrades will be installed, and trees planted to improve the overall quality of the district; and

Now, Therefore, Be It Resolved, that the Applicant does hereby designate Anthony G. George, 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 Scott Street Streetscape project, if the application is approved; and

Further, 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 August 9, 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 Whereof, I affix my hand and attached the seal of the City of Wilkes-Barre, this 9th day of August 2018.

RESOLUTION NO. R0078-18

Whereas, the City of Wilkes-Barre Police Department requests authorization to apply for / obtain the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG): and

Whereas, the amount of the grant is \$19,733; and

Whereas, the purpose areas of the grant are funding for firearms/taser instructors re-certifications, tactical and non-tactical police trainings and saturation patrols for violent crime areas; and

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to prepare and submit the Edward Byrne Memorial Justice Assistance Grant (JAG) application; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement, along with any or all other project documents, related to the Edward Byrne Memorial Justice Assistance Grant (JAG) application, if the application is approved.

RESOLUTION NO. R0079-18

That, the proper city officials are hereby authorized to sign any and all necessary documents related to the sale of 30 Hickory Street, Wilkes-Barre, PA (PIN: I9NE2-022-039) to Doroteo Martinez Pineda and Silviana Vergara Tlatenchi (or their designee) for a purchase price of \$500.00.

RESOLUTION NO. R0080-18

That, the proper City officials are hereby authorized to accept the attached proposal of the Joyce Insurance Group for an insurance package and to sign any and all necessary documents related to securing the same.

MINUTES

Of the Zoning Hearing Board of July 18, 2018.

Of the Planning Commission of July 18, 2018.

Of the Wyoming Valley Sanitary Authority of June 26, 2018.

Of the Traffic Committee of July 26, 2018.

Of the Regular Session of City Council of July 12, 2018.

Mr. Merritt 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.

ORDINANCES

The following Ordinances appeared on the Consent Agenda (Ordinances):

FILE OF COUNCIL NO. 9 OF 2018 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA ADOPTING THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDING AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES WITHIN THE CITY OF WILKES-BARRE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR. (SECOND AND FINAL READING)

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

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.

PRESENTATION BY COUNCIL MEMBERS

Mr. Barrett explained to the other members of Council how the Pine Ridge Estates Development began. He said that back in 2004 an Ordinance was passed to sell 41 acres to a developer to develop a large tract of mine scarred land in the Miners Mills section of Wilkes-Barre. The developer was going to build in 3 phases and there would be 100 homes on the lots. He said Phase 1 started and roads were put in. There are approximately 40 homes there now. The agreement was that the city sell it to the developer, the developer started the project and for one reason or another the project stopped. He said there isn't even a sign on the property now to tell you where to buy a lot if someone was inclined to do it. He said there looks to be about 25 acres plus that are undeveloped that the city literally gave away for a dollar at that time. He pointed out that there isn't a lot of land in the city, especially land that is in a good location. Mr. Barrett said that the developer obviously expended money in the Phase 1 by putting in the infrastructure, the lighting, the roads, etc., but there are still those 25 acres of land that the developer holds the deed to. Mr. Barrett said the city needs to make the developer continue to market this and if he is not interested in doing that, the city should take some action to get back the undeveloped land. Mr. Barrett said maybe the city could find another developer who would be interested or find another use for it.

Mr. Barrett said he is going to email Council and the City Attorney the original Ordinance along with the sales agreement for review. He pointed out that there is a revert clause in there. He said he thinks the city needs to reach out to the current developer to see what his plans are and give him a chance to do something with it. If he doesn't want to do anything with it, then we should take action to recover the land.

Mr. Brooks asked if there is any type of expiration date in the Ordinance.

Mr. Barrett replied that there doesn't appear to be, it is contingent upon the developer moving forward through the 3 phases.

Mr. Belusko asked Mr. Barrett if he has spoken with the developer.

Mr. Barrett said the city has been in communication with the developer about maintaining the property (high grass and overgrown lots). He mentioned that there has been some minor trimming that has taken place, but there has been no interest in moving this project forward. Nothing has been built in years.

Ms. Gilbert reported the following streets that need paving:

1. South Empire Street.
2. South Meade Street between East Northampton and East South Streets.

Ms. Gilbert thanked Mr. Frati for his help with the Cosmos (maintaining the fields).

Mr. Belusko thanked Council for voting to approve the Resolution relative to Solomon Creek and awarding the contract to Don E. Bower.

Mr. Belusko also thanked Mr. Frati, Ms. Zaykowski and Borton-Lawson for all their hard work on Solomon Creek.

PUBLIC DISCUSSION

Jeanne Magda, Wilkes-Barre, PA appeared before Council relative to water being diverted to her property causing damage.

Jane Lasecki, Wilkes-Barre, PA appeared before Council relative to stray cats.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to feeding the pigeons at the Intermodal Center, traffic lights on Public Square (people running the light on North Main Street), green light out at North Main and Jackson Streets, street lights out on North Main between Jackson Street and Public Square, parking for City Council meetings.

Angel Jirau, Wilkes-Barre, PA appeared before Council relative to having a "Day to Remember Dr. John Moses" in the city and commending Officer Merchel.


Jim Burden, Wilkes-Barre, PA appeared before Council relative to trash and recycling pickup, city's budget (where is taxpayers' money being spent) and requesting the Mayor's attendance at meetings.

Jason Carr, Wilkes-Barre, PA appeared before Council relative to pension reform and privatizing services.

John Rushton, Wilkes-Barre, PA appeared before Council relative to Scott Street and high grass on Chapel & Sherman Streets.

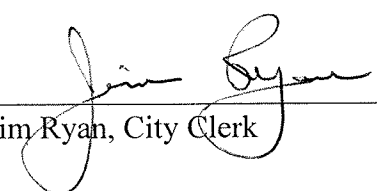
Mr. Frati responded that the city is only patching the worst areas on Scott Street with additional funds received from PennDot. He added that the city will do this on K-Routes that are in deplorable condition.

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



Tony Brooks, Chairperson

ATTEST:



Jim Ryan, City Clerk