

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

APRIL 15, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
APRIL 15, 2021

## **RESOLUTIONS**

Authorizing Bank & Vine Restaurant, 268 South Main Street, Wilkes-Barre, PA, to utilize approximately (6) feet of the City Right-of-way, located in front and alongside its location for outdoor seating provided that pedestrian and emergency vehicles access are not adversely affected.

Authorizing the proper city officials to enter into an agreement with the lowest responsible bidder for the 2021-2022 Line Painting and Pavement Markings Contract. The funds for this purchase will come from the 2021/2022 Liquid Fuels Budget.

## **MINUTES**

Of the Wilkes-Barre City Traffic Committee of March 25, 2021.

Of the Wyoming Valley Sanitary Authority of February 16, 2021.

## **ORDINANCES**

**FILE OF COUNCIL NO. 9 OF 2021** - AN ORDINANCE ENTITLED "AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2021 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-SEVEN AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES." **(SECOND AND FINAL READING)**

CITY COUNCIL

APRIL 15, 2021

The City Council of the City of Wilkes-Barre met in Regular Session on April 15, 2021, at 6:42 p.m. (immediately following the Work Session), in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania. for the purpose of general business. (The meeting was conducted and streamed on YouTube for public viewing due to COVID-19)

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

The Pledge of Allegiance to the Flag was given.

Roll Call:

Barrett	- present
Belusko	- present
Marconi	- present
McBride, Vice Chairperson	- present
Brooks, Chairperson	- present

Also Present:

George Brown, Mayor  
Tim Henry, City Attorney  
Frank Hershberger, IT Director  
Charles McCormick, City Administrator  
Cathy Payne, Assistant City Clerk  
Lisa Sanfilippo, Administrative Assistant

City Clerk Cathy Payne read a statement relative to Council's Rules and Procedures.

Mr. Brooks announced that the phone line was open for anyone wishing to address Council on pending legislation.

*Jason Carr, Mount Bethel, PA phoned in relative to the Assistant City Clerk position.*

Mr. Brooks told Mr. Carr that employees pay 7% to the pension fund from the salary and receive full medical benefits. The salary was determined by Council, which is in line with what most assistants receive in the City. He added that the Union approved the salary as well.

## RESOLUTIONS

### **RESOLUTION NO. R0021-21**

Resolved, that the City Council of Wilkes-Barre hereby authorizes Bank & Vine Restaurant, 268 South Main Street, Wilkes-Barre, to utilize approximately (6) feet of the City Right-of-Way located in front and alongside its location for outdoor seating provided that pedestrian and emergency vehicle access are not adversely affected 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 the amount of one million per occurrence and two million per aggregate.
3. Any and all alcoholic beverages served must be contained in the area designated by The Pennsylvania Liquor Control Board.
4. Any and all successors must follow the same requirements.

Mr. Barrett moved to adopt the Resolution.

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

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

Nays none.

### **RESOLUTION NO. R0022-21**

Authorizing the proper city officials to enter into an agreement with the lowest responsible bidder for the 2021/2022 Line Painting and Pavement Markings Contract.

Further, the funds will come from the 2021/2022 Liquid Fuels Budget.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays none.

**RESOLUTION NO. R0023-21**

Whereas, Section 2-33(b) of the Administrative Code provides the City Clerk may hire such staff as deemed necessary, but only by the consent of Council;

Whereas, the City Clerk has completed interviewing applicants for the position of Assistant City Clerk and has chosen an applicant to fill the position.

Now, Therefore, Be It Resolved, that the City Council of the City of Wilkes-Barre hereby gives its consent to the hiring of Tracy Smith, 38 Cleveland Street, Wilkes-Barre, Pennsylvania as the Assistant City Clerk with an effective date of May 3, 2021 at a starting salary of \$45,000.00.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays none.

**RESOLUTION NO. R0024-21**

That, the proper city officials are hereby authorized to take any and all necessary actions related to the sale of the former Morgan B. Williams softball field located on Wilkes-Barre Boulevard (PIN: H10SW1-011-009) to Alba Properties, LLC for a purchase price of \$50,000.00.

Mr. Barrett moved to adopt the Resolution.

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

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

Nays none.

### **MINUTES**

Of the Wilkes-Barre City Traffic Committee of March 25, 2021.

Of the Wyoming Valley Sanitary Authority of February 16, 2021.

Mr. Marconi moved to adopt the Minutes.

The motion was seconded by Mrs. McBride and adopted by the following yeas and nays vote:

Yeas Barrett, Belusko, Marconi, McBride and Brooks (Chairperson) - 5 - being all of the members elected to City Council.

Nays none.

### **ORDINANCES**

**FILE OF COUNCIL NO. 9 OF 2021** - AN ORDINANCE ENTITLED "AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2021 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-SEVEN AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES." (SECOND AND FINAL READING)

Mrs. McBride moved to adopt the Ordinance.

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

Yeas Barrett, Belusko, Marconi, McBride and Brooks (Chairperson) - 5 - being all of the members elected to City Council.

Nays none.

### **PRESENTATIONS BY COUNCIL MEMBERS**

Mrs. McBride reported that the 300 block did not receive city calendars.

Mr. Brooks said he is glad that Morgan B. Williams Park was sold. He said Morgan B. Williams was a Welsh immigrant who worked in the coal mines of Wilkes-Barre as a breaker boy. He then rose through the ranks and became president of a Coal Company. He was a City Councilman and later became a State Senator and United States Congressman.

### PUBLIC DISCUSSION

Bob Kadluboski, Wilkes-Barre, PA phoned in relative to the salary of the Assistant City Clerk and Mrs. McBride's initiative to pass legislation that would prohibit Council from getting healthcare.

Mrs. McBride responded that she will not be introducing the legislation because there is not enough support to pass it.

Jessica McClay, Wilkes-Barre, PA phoned in relative to the Methadone Clinic that is on the Zoning Hearing Board agenda.

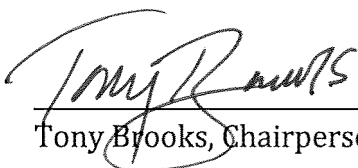
Mr. Barrett told Mrs. McClay that the Zoning Hearing Board is autonomous from Council.

Sam Troy, Wilkes-Barre, PA phoned in relative to the sale of the Morgan B. Williams softball field (KOZ area, appraisal, developer stipulations, start date, federal or state taxpayer money being used), donation of trees to the city (to be planted in the parks), and asking KOZ businesses in the city to make a donation to the city.

Mayor Brown informed Mr. Troy that the Morgan B. Williams is not a KOZ property. The company buying the property will be constructing two buildings on it worth 2.5 million dollars. The purchase price for the property is more than the appraised value. There are some issues with ingress and egress that they will address. This property will go back on the tax rolls and the city will no longer be responsible for the upkeep.

Jason Carr, Mt. Bethel, PA phoned in to thank Mr. Marconi for requesting financial information from the Administration, to discuss the City of Allentown's budget for Council members, the City of Scranton's City Clerk and Assistant City Clerk's salaries, and Mrs. Gilbert's legislation to change Council's compensation in the future.

There being no further business to discuss the meeting adjourned at 6:57 p.m.

  
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Tony Brooks, Chairperson

ATTEST:

  
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Cathy Payne, City Clerk