

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

APRIL 29, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
APRIL 29, 2021

**CONSENT AGENDA (RESOLUTIONS)**

Designating the Mayor and Controller as authorized signators for state funded city projects and authorizing City Clerk Cathy Payne to Attest to those signatories.

Designating the Mayor and Controller as authorized signators for execution of City contracts/grants with the Pennsylvania Department of Health and authorizing City Clerk Cathy Payne to Attest to those signatories.

Authorizing the proper city officials to enter into an agreement in the amount of \$181,382 with the Pennsylvania Department of Health to provide public health emergency preparedness services.

**MINUTES**

Of the Special Session of City Council of April 5, 2021.

Of the Regular Session of City Council of April 15, 2021.

CITY COUNCIL

APRIL 29, 2021

The City Council of the City of Wilkes-Barre met in Regular Session on April 29, 2021, at 6:26 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.

Ted Wampole, Luzerne County Visitors Bureau, Wilkes-Barre, PA phoned in relative to the Resolution for the Rockin' the River Event to be held in July.

Sam Troy, Wilkes-Barre, PA, phoned in relative to the Resolution regarding the agreement with the Pennsylvania Department of Health (emergency preparedness services).

Mayor Brown explained that the grant will provide the resources for planning, training, exercising and assessment in the event of any hazard event.

## **RESOLUTIONS**

Resolution No. R0025-21 to and including the minutes appeared on the Consent Agenda (Resolutions):

### **RESOLUTION NO. R0025-21**

That, the following Wilkes-Barre City officials are designated as authorized signators for state funded City projects:

Mayor George C. Brown  
Controller Darren Snyder

Be It Further Resolved, that City Clerk Cathy Payne is authorized to Attest to the above-referenced signatories.

### **RESOLUTION NO. R0026-21**

That, the following Wilkes-Barre City officials are designated as authorized signators for execution of City contracts/grants with the Pennsylvania Department of Health:

Mayor George C. Brown  
Controller Darren Snyder

Be It Further Resolved, that City Clerk Cathy Payne is authorized to Attest to the above-referenced signatories.

### **RESOLUTION NO. R0027-21**

Authorizing the proper city officials to enter an agreement in the amount of 181,382 with the Pennsylvania Department of Health to provide public health emergency preparedness services.

## **MINUTES**

Of the Special Session of City Council of April 5, 2021.

Of the Regular Session of City Council of April 15, 2021.

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

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. R0028-21**

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 events:

Event:	Rockin' the River
Sponsor:	Luzerne County Convention & Visitors Bureau
Designated Area:	To be determined and clearly identified by the Luzerne County Convention and Visitors Bureau
Dates:	July 16, July 23, & July 30 of 2021
Time:	5:00 p.m. until 10 p.m.
Limitation:	The suspension shall only apply to the area specifically designated by the Luzerne County Convention and Visitors Bureau.

The within temporary suspension applies only to the above-referenced events and area. All other regulations related to intoxicating beverage 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.

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.

## ORDINANCES

**FILE OF COUNCIL NO. 10 OF 2021** – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING SECTION 19-209 OF CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “OFFENSES, MISCELLANEOUS PROVISIONS.” (Quality of life Regulations)

Mr. Marconi moved to adopt the Ordinance.

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.

## PRESENTATIONS BY COUNCIL MEMBERS

Mr. Barrett asked if the Administration is addressing junk vehicles on private properties.

Mayor Brown said recently the Health Department addressed several in District A. He said that vehicles have been removed from Plymouth Avenue and Old River Road.

Attorney Henry told Mr. Barrett that the Health Department enforces the nuisance vehicle ordinance.

Mr. Barrett asked if the city has physically gone on to a property to remove a vehicle or is the owner of the property just fined.

Mayor Brown said that the city has removed vehicles, but in the cases he mentioned, the owner was given notice and they had them removed.

Mr. Belusko said he thinks the vehicles on Old River Road are still there and asked Mr. McCormick to look into it.

Mr. Barrett said he will be sending some properties to the Administration and hopefully they can be addressed.

Mr. Marconi said he sent several issues relative to cars not having license plates on Chase Lane and they are still there.

Attorney Henry said they have to be considered nuisance vehicles under the city ordinance.

Mr. McCormick said that the Ordinance is fairly specific, and it is not just for unlicensed/untagged vehicle. The courts are very restrictive about entering onto somebody's property and nuisance is not enough. The courts don't want us taking assets off a private property without some type of health driven rather than nuisance value.

Mr. Marconi asked that the Administration take a look at changing the language.

Mr. McCormick said the Ordinance language is consistent with the courts, but then there is a judgement call.

Attorney Henry explained that years ago there was a court case relative to abandoned and nuisance vehicles and a decision was made by the Commonwealth Court. After that decision, a model ordinance was prepared based on that decision for municipalities throughout the state to pass on the local level, so they would be in compliance with that court decision. He said that is why the Ordinance is written exactly the way it is.

Mr. Marconi asked what can be done to get rid of these vehicles.

Attorney Henry said it might be a state level; you would have to lobby the legislature.

Mrs. McBride asked if the city could cite residents under the Quality of Life Ordinance and not necessarily remove the vehicles.

Mr. McCormick replied only if there is a health issue.

Mrs. McBride asked how Quality of Life is determined.

Mr. McCormick said it is a health determination.

Attorney Henry mentioned that it is not the City's Quality of Life Ordinance that allows them to remove a vehicle; they are completely two separate Ordinances.

Mr. Brooks thanked his colleagues for their unanimous support for increasing the illegal dumping/littering fines. He said with the increase in fines and the cameras, it shows we are on record for setting a strong example that the city will not tolerate illegal dumping.

### PUBLIC DISCUSSION

Jim Burden, Wilkes-Barre, PA phoned in relative to a sink hole in front of his home, sink holes going down North Meade Street (from Hillside to Coal Street) and the new recycling program.

Jason Carr, Mt. Bethel, PA phoned in relative to the eight new police officers (how many live in WB), 2021 budget, Hotel Sterling, LCTA and East Northampton Street projects (included in the 2021 budget) and his Wyoming Valley Sanitary Bill.

Mr. Brooks told Mr. Carr out of the eight new hires, one lives in the City of Wilkes-Barre. He added that the collective bargaining agreement allows them to live outside the city.

Mr. Brooks said he sees work going on at all three project sites Mr. Carr mentioned.


Mayor Brown said the projects are on-going and there is a ribbon cutting on May 14<sup>th</sup> for one of the projects. He mentioned that the train station is actively being gutted right now and preparation work is being done at the LCTA site.

Sam Troy, Wilkes-Barre, PA phoned in relative to giving credit to the Mayor for his concern for the firework situation, cleaning the streets and attending Council meetings, the city's financial status (rescind sewer and recycling fee) and the Health Department.

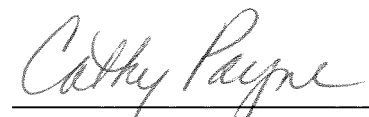
The Mayor said it is too early to determine the financial status; we have to wait until the second quarter.

The Mayor said the police officers and fire fighters that were hired recently are already in the budget.

There being no further business to discuss the meeting adjourned at 7:10 p.m.

  
Tony Brooks, Chairperson

ATTEST:

  
Cathy Payne, City Clerk