

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

MARCH 10, 2022
(REVISED AGENDA)

5:30 P.M. City Clerk Cathy Payne

1. Resolution strongly condemning the Russian invasion of Ukraine, denouncing Vladimir Putin's years-long aggression against the sovereign country, supporting Ukraine and the Ukrainian people, and encouraging the US and its partners to continue the exceptionally strong sanctions against Russia.
2. An Ordinance amending Chapter 22 of the Wilkes-Barre City Code of Ordinances entitled "Planning". (Planning Commission, Composition, appointment) First Reading
3. An Ordinance amending Appendix "A" of the Code of Ordinances of the City of Wilkes-Barre Entitled "Administrative Code." (Personnel – Residency) First Reading

5:40 P.M. Mayor George Brown (See Attached)

WILKES-BARRE CITY COUNCIL
WORK SESSION – MARCH 10, 2022
MAYOR'S AGENDA

RESOLUTIONS:

Authorizing the proper city officials to take any and all necessary actions related to the sale of 38-46 Carey Avenue to Gaurang Patel, Twinkle Desai and Vishal Patel (or their named designee) for a purchase price of \$54,000.00

Authorizing the proper city officials to purchase seventy (70) Self-Contained Breathing Apparatus Face Pieces, Quantitative Fit Testing for the masks, and eleven (11) SCBA Cylinders from the Witmer Public Safety Group, a CoStars Vendor, for a purchase price of \$35,087.00

Authorizing the proper city officials to enter into an agreement with Hadley Construction Company, Inc. for the installation of a new Bulk Road Salt Storage Facility at a cost of \$265,000.00. Payment for the Salt Storage Facility will be paid through the Liquid Fuels Account.

Authorizing the proper city officials to submit a \$1,000,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Citywide Street Paving Improvements Project.

Authorizing the proper city officials to submit a \$400,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the purchase of 2 Dump Trucks and 2 Snow Plows Project.

Authorizing the proper city officials to submit a \$500,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Hazle Street and Madison Street Retaining Walls Repair Project.

Authorizing the proper city officials to submit a \$310,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Wyoming Valley Art League Building Capital Improvements Project.

Authorizing the proper city officials to submit a \$130,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Family Restroom for the Osterhout Free Library Project.

Appointing Mark Shaffer to the Planning Commission.

CITY COUNCIL

MARCH 10, 2022

The City Council of the City of Wilkes-Barre met in Regular Session on March 10, 2022, at 6:00 p.m. (Following the Work Session), in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania, for the purpose of general business.

The meeting was organized with Chairperson Beth Gilbert McBride in the Chair.

The Pledge of Allegiance to the Flag was given.

The opening prayer was given by Michael Belusko.

Roll Call:

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

Also Present:

George Brown, Mayor
Charles McCormick, Administrator
Tim Henry, City Attorney
Cathy Payne, City Clerk
Tracy Smith, Assistant City Clerk
Lisa Sanfilippo, Administrative Assistant

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

Chairperson Beth Gilbert McBride asked if there was anyone wishing to address Council on pending legislation.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Ordinance amending appendix "A" of the Code of Ordinances entitled "Administrative Code", he stated he thought this was amending the city employees having to reside in the city.

Mrs. McBride explained to Mr. Kadluboski that this was an amendment to the Boards and Authorities appointment requirements.

Mark Shaffer, Wilkes-Barre, PA appeared before Council relative to his nomination for the Planning Commission.

Linda Joseph, Wilkes-Barre, PA appeared before Council relative to the Resolution for the Osterhout Library family bathroom addition, the Hazle Street wall project, the appointment of Mark Shaffer to the Planning Commission (she provided a picture of vandalism he had on his social media).

Brian Ferri, Wilkes-Barre, PA appeared before the Council relative to the Ordinance for the Boards and Authorities, the sale of 38-46 Carey Avenue (asking if there are any design guidelines) and recommending a mixed-use building (residential/commercial).

Mr. Belusko asked Mr. Ferri what he feels would be good for that location.

Mr. Ferri replied he can see that being a commercial area. Possibly a 2 or 3 story building with mixed uses, like a work-live unit.

Mr. Marconi asked Mr. Ferri to be more specific.

Mr. Ferri said a commercial first floor, either a restaurant or offices and then residential units above, at least two or three stories. Mr. Ferri stated that he could draw up some ideas and send them to Council.

Mr. Belusko stated that since this location is in his district, he will be glad to see anything be built there to generate revenue for the city.

Amber Loomis, Director of Development, Osterhout Free Library, appeared before Council relative to the Resolution for the Family bathroom addition.

Liz Caputo, Adult Services Coordinator, Osterhout Free Library, appeared before Council relative to the Resolution for the Family Bathroom addition.

Mr. Marconi wanted to confirm which library branch was this addition for.

Ms. Caputo stated it is for their main branch located on S. Franklin Street.

Lois (last name unclear), Wilkes-Barre, PA appeared before Council relative to the sale of 38-46 Carey Ave (she does not feel a strip mall would be beneficial), would like to see more pedestrian and bicycle lane access.

Mr. Brooks said she might want to attend the Zoning meeting regarding this property.

Mrs. McBride added that she has a family member that lives by the Pantry Quick on Carey Avenue, which is owned by the same potential buyers, and there was no negative feedback given.

Tony Thomas, Wilkes-Barre, PA appeared before Council relative to the appointment of Mark Shaffer to the Planning Commission.

CONSENT AGENDA (RESOLUTIONS)

Resolution No. R0025-22 to and including the minutes appeared on the Consent Agenda (Resolution).

RESOLUTION NO. R0017-22

That, the proper city officials are hereby authorized to take any and all necessary actions related to the sale of 38-46 Carey Avenue (PIN's: H9SE4-022-13, H9SE4-022-014, and H9SE4-022-015) to Gaurang Patel, Twinkle Desai, and Vishal Patel (or their named designee) for a purchase price of \$54,000.00

RESOLUTION NO. R0018-22

Whereas, the City of Wilkes-Barre wishes to purchase seventy (70) Self Contained Breathing Apparatus Face Pieces, Quantitative Fit Testing for the masks, and eleven (11) SCBA Cylinders through the Commonwealth of Pennsylvania's Cooperative Purchasing Program ("COSTARS);

Whereas, the above-referenced equipment and testing will increase safety for fire fighters during fire operations by replacing the current, aging face pieces;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper city officials are hereby authorized to purchase seventy (70) Self Contained Breathing Apparatus Face Pieces, Quantitative Fit Testing for the masks, and eleven (11) SCBA Cylinders from the Witmer Public Safety Group, a Costars Vendor, for a purchase price of \$35,087.00.

RESOLUTION NO. R0019-22

Authorizing the proper city officials to enter into an agreement with Hadley Construction Company, Inc. for the installation of a new Bulk Road Salt Storage Facility at a cost of \$265,000.00. Payment for the Salt Storage Facility will be paid through the Liquid Fuels Account.

RESOLUTION NO. R0020-22

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby request a Statewide Local Share Assessment grant of \$1,000,000.00 from the Commonwealth Financing Authority to be used for the Citywide Street Paving Improvement Project.

Be It Further Resolved, that the Applicant does hereby designate George C. Brown, 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 along with any or all project documents if the application is approved.

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 \$1,000,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Citywide Street Paving Improvement Project.

RESOLUTION NO. R0021-22

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby request a Statewide Local Share Assessment grant of \$450,000.00 from the Commonwealth Financing Authority to be used for the purchase of 2 Dump Trucks and 2 Snow Plows Project.

Be It Further Resolved, that the Applicant does hereby designate George C. Brown, 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 along with any or all project documents if the application is approved.

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 \$400,000.00 Statewide local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the purchase of 2 Dump Trucks and 2 Snow Plows Project.

RESOLUTION NO. R0022-22

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby request a Statewide Local Share Assessment of \$500,000.00 from the Commonwealth Financing Authority to be used for the Hazle Street and Madison Street Retaining Walls Repair Project.

Be It Further Resolved, that the Applicant does hereby designate George C. Brown, 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 along with any or all project documents if the application is approved.

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 \$500,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Hazle Street and Madison Street Retaining Walls Repair Project.

RESOLUTION NO. R0023-22

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby request a Statewide Local Share Assessment grant of \$310,000.00 from the Commonwealth Financing Authority to be used for the Wyoming Valley Art League Building Capital Improvement Project.

Be It Further Resolved, that the Applicant does hereby designate George C. Brown, 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 along with any or all project documents if the application is approved.

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 \$310,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Wyoming Valley Art League Building Capital Improvement Project.

RESOLUTION NO. R0024-22

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby request a Statewide Local Share Assessment grant of \$130,000.00 from the Commonwealth Financing Authority to be used for the Family Restroom for the Osterhout Free Library Project.

Be It Further Resolved, that the Applicant does hereby designate George C. Brown, 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 along with any or all project documents if the application is approved.

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 \$130,000.00 Statewide Local Share Assessment grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Family Restroom for the Osterhout Free Library Project.

RESOLUTION NO. R0025-22

Whereas, on February 24, 2022, after months of troop and tank buildups, Russia began shelling and rocket attacks on several major cities in Ukraine, including its capital, Kyiv; and

Whereas, these Russian troops have met with strong and courageous opposition from the Ukrainian military and citizen resistance; and

Whereas, Russian President Vladimir Putin has long sought to control Ukraine after the fall of the Soviet Union and more currently after many countries in Eastern and Central Europe, once part of the Soviet bloc, proceeded toward democratic governments and joined alliances with western European nations; and

Whereas, Ukraine has been at war with Russia since 2014, when Putin invaded the Crimea region of Ukraine after it's pro-Russian president was ousted; several other regions in Ukraine are controlled by separatist forces backed by Putin who have waged protracted fighting against the Ukrainian military; Putin refuses to acknowledge Ukraine as a sovereign nation; and

Whereas, Wilkes-Barre City Council stands with President Volodymyr Zelenskyy who has stated "I am pleased even more allies have come forward with defensive and humanitarian aid. We must stand with the Ukrainian people as they defend their country and democracies everywhere"; and

Be It Resolved By The Council of the City of Wilkes-Barre:

That the City Council strongly condemns the Russian invasion of Ukraine, denounces Vladimir Putin's years-long aggression against this sovereign country, supporting Ukraine and the Ukrainian people, and encourages the US and its partners to continue the exceptionally strong sanctions against Russia.

That the City Clerk of Council is directed to transmit copies of this resolution to President Joseph R. Biden and the Ukrainian and Russian Embassies in Washington, D.C.

And requests the Mayor of the City of Wilkes-Barre to use blue and yellow lights on the front door of City Hall to show solidarity with the people of Ukraine.

MINUTES

Of the Wyoming Valley Sanitary Authority of January 18, 2022.

Of the Regular Session of City Council of February 24, 2022

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

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

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

Nays none.

RESOLUTION

RESOLUTION NO. R0026-22

Whereas, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre authorizing the Mayor, with the approval of City Council, to appoint members of the Planning Commission of the City of Wilkes-Barre;

Whereas, it is the desire of the City of Wilkes-Barre to appoint the person referenced below to the Planning Commission of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member to the Planning Commission of the City of Wilkes-Barre:

Name

Mark Shaffer
72 West River Street, Apt 2
Wilkes-Barre, PA 18702

Term Expires

December 31, 2025

This Resolution failed for lack of a motion.

ORDINANCES

FILE OF COUNCIL NO. 1 OF 2022- AN ORDINANCE AMENDING CHAPTER 22 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED 'PLANNING'. (PLANNING COMMISSION, COMPOSITION, APPOINTMENT) FIRST READING.

FILE OF COUNCIL NO. 2 OF 2022- AN ORDINANCE AMENDING APPENDIX "A" OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "ADMINISTRATIVE CODE." (PERSONNEL-RESIDENCY) FIRST READING.

Mr. Brooks moved to adopt the Ordinances.

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMEBERS

Mr. Brooks stated he received a call from Justin Behrens, Director of the Keystone Mission located by the Sherman Hills Apartment Complex. He asked Mr. Brooks to stop by and view the bullet holes that have damaged the new shelter that is currently being built. Mr. Brooks stopped by and viewed the damage, he also spoke with various tenants of Sherman Hills to discuss their concerns about their living environment. Mr. Brooks then read an email from a resident expressing her concerns about the unsafe and unsanitary living conditions.

Mr. Brooks asked about his previous request for a reconstitution of the Sherman Hills Task Force and the Sherman Hills Tenants Association. He further stated that the tenants he spoke to were very interested in getting these committees reformed and being members of them. Mr. Brooks said he would be willing to help them set up a Tenant's Association. He said that he thinks the new owners could do more. The residents said the new owners plan for finishing a fence located in the property complex and having a gate/lock system along with a key fob will instantly get broken and they will put a brick or cinderblocks to keep the gate open. Mr. Brooks suggested they have security guard on duty twenty-four hours a day. He said that they are a multi-million-dollar corporation and can afford full-time security guards.

Mr. Marconi thanked the Mayor for going to Sherman Hills and meeting with management to discuss the issues and ideas for complex improvements.

Mr. Marconi thanked Police Chief Coffay and the police department for the arrests in the current shootings.

Mr. Marconi referenced a newspaper article from the Times Leader dated March 9th. He said it speaks of the recent shooting at Sherman Hills and says that Code Enforcement condemned one of the residences (17 Beaumont Street) involved. Mr. Marconi said the residence is in his district and he has turned it in to the Administration several times. He said the property hasn't been inspected, but Mr. McCormick has sent him some emails relative to the Administration looking into it. Mr. Marconi said he wonders had it been inspected if things would have turned out differently.

Mr. Marconi asked for an update on the American Rescue Plan finances (spending). He also asked if the Administration knows when the city will be receiving more money.

Mr. McCormick stated the second disbursement of money is expected to be released in June of this year. He continued by stating that he has heard there may be a hold up on the National level, it may not be released.

Mr. Marconi asked if Council can be given a monthly report on the American Rescue Plan finances, including payments being made out and monies coming in.

Mr. Marconi mentioned his concern over the potholes and the need for a pothole machine and the benefit it would be for the City.

Mr. Brooks asked if Council can receive monthly reports on inspections of properties.

Mr. Marconi spoke on the need for home inspections. The inspections would determine if the property is up to code, if there are any health violations, and create revenue for the city.

Mayor Brown addressed Mr. Marconi's comments on the shooting and the inspection of 17 Beaumont Street. He said the shootings were not the result of the property not being inspected.

Mr. Marconi apologized and said it wasn't his intention to make it sound like that. He said his thought was that maybe if the property was inspected earlier, some of these people would not have been in that property.

Mrs. McBride said she asked for access to the database where inspection reports are kept, but never received it.

Mrs. McBride agreed with Mr. Brooks that Council should receive regular reports on inspections.

Mr. Belusko said he received a call regarding the parking on North Meade Street. He stated Mr. Harris in Zoning is aware of it. A vacant home has a handicap parking in the front, and he is asking for that to be removed.

Mrs. McBride said that an Executive Order was issued on December 7, 2021, regarding a Parking Enforcement Employee, whose salary was \$30,129, being moved to the position of Fire Department Manager for a salary of \$52,500.00 She said the same position was recently advertised for \$32,000.00. She asked what constituted a \$22,000.00 raise.

Mayor Brown explained that it was a temporary movement and when a temporary movement takes place the person being transferred has to be paid the current salary of that position. The position now has been bid because the Administration received a resignation from that employee. Once the resignation was received, the job description was updated and reposted it at the true salary. The Mayor pointed out that it is the way it is set up through the Collective Bargaining Agreement.

Mrs. McBride asked how the temporary person is selected.

Mayor Brown said he selects the person based on the requirements of the job and the recommendations from the department heads.

Mrs. McBride asked if the person was also receiving overtime compensation.

Mayor Brown stated all employees that work over 40 hours receive overtime.

Mrs. McBride asked her question again, to which the Mayor gave the same response.

Mrs. McBride stated she agrees with Mr. Brooks that there is a need for another employee in the Planning & Zoning Department.

PUBLIC DISCUSSION

Linda Joseph, Wilkes-Barre, PA appeared before Council relative to a discussion at the Luzerne County Council meeting on Tuesday regarding Wilkes-Barre City giving a tax refund to King's College from two buildings (the Spring Brooks Water Company and the Chapel on North Street) they now own.

Tim Henry, City Attorney, stated he was not aware of any agreement between Kings College and the City.

Rhonda Martini, Bowman Street, Wilkes-Barre, PA appeared before Council relative to yard getting flooded after it rains (since the alley behind her property was repaved).

Mr. McCormick stated he will notify Mr. Frati, Director of Operations regarding this issue.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the agreement between Kings College and the City, the meetings not being run correctly, city clerk's salary, Council's pensions and healthcare.

Mark Shaffer, Wilkes-Barre, appeared before Council relative to not being appointed to the Planning Commission, searchable address database open to the public is needed, and the need for Council to better review the yearly budget to better serve the City.

Mrs. McBride stated that she does review the budget every year and states her concerns where needed.

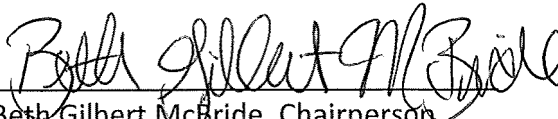
Brian Ferri, Wilkes-Barre, PA appeared before Council relative to the City working together with the new management of Sherman Hills, working with other housing developments on their safety protocols, and having public access to a citywide database.

Mr. Brooks said he spoke to Mr. Ferri regarding some ideas for the City that he had submitted and asked him to please forward those to Mayor Brown.

Mr. Brooks asked if Mr. Ferri could create a map of parking lots, including service parking and garage parking. He is interested in seeing how much of City land is designated to parking.

Tony Thomas, Wilkes-Barre, PA appeared before Council relative to the Shade Tree Commission and the need for more members.

There being no further business to discuss the meeting adjourned at 7:38 p.m.


Beth Gilbert McBride, Chairperson

ATTEST:


Cathy Payne, City Clerk