

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

APRIL 12, 2022

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
APRIL 12, 2022

**RESOLUTIONS**

Temporarily suspend the open consumption of alcoholic beverages for the Fine Arts Fiesta (Wine Tasting Area).

Authorizing the proper city officials to take any and all necessary actions related to the purchase of a new undercover vehicle from a Costars vendor for a purchase price of \$42,621.47.

Authorizing the proper city officials to take any and all necessary actions related to the purchase of a Law Enforcement Liability insurance policy from Richmond National Insurance Company for the price of \$241,114.00. The policy will be effective from May 4, 2022 to August 14, 2023.

Authorizing the proper city officials to take any and all necessary actions related to opening a new checking account at PNC Bank for the purpose of administering all funds associated with the federally-declared disaster, Hurricane Ida.

Approving Zelenkofske Axelrod LLC as the independent auditor for the City of Wilkes-Barre for the audit years of 2021 and 2022.

Reappointing Donna Reilly and Margaret Lovecchio and appointing Dr. Raymond J. Joseph as members of the Board of Health.

**MINUTES**

Of the Traffic Committee meeting of March 24, 2022.

Of the Planning Commission of March 16, 2022.

Of the Wilkes-Barre Finance Authority of March 9, 2022.

Of the Wyoming Valley Sanitary Authority of February 15, 2022.

Of the Regular Session of City Council of March 24, 2022.

CITY COUNCIL

APRIL 12, 2022

The City Council of the City of Wilkes-Barre met in Regular Session on April 12, 2022, at 6:04 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 organized with Chairperson Beth Gilbert McBride in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

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

Also Present:

George C. Brown, Mayor  
Tim Henry, City Attorney  
Charles McCormick, City Administrator  
Cathy Payne, City Clerk  
Tracy Smith, Assistant City Clerk

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

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

Sam Troy, Wilkes-Barre, PA phoned in relative to the Resolutions regarding the Fine Arts Fiesta and the purchase of an undercover vehicle through COSTARS.

Attorney Henry informed Mr. Troy that the vehicle is being purchased with Asset Forfeiture Funds.

Steve Mocarisky, Citizens Voice, appeared before Council relative to the Resolution approving Zelenkofske Axelrod LLC as the independent auditor (cost the same for all five years).

Mayor Brown told Mr. Mocarsky that the audit is the same price for the full five-year term.

### **CONSENT AGENDA (RESOLUTIONS)**

Resolution No. R0037-22 to and including the minutes were voted on as a Consent Agenda (Resolutions).

#### **RESOLUTION NO. R0037-22**

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:	Fine Arts Fiesta (Wine Tasting Area)
Sponsor:	Blue Mountain Vineyards
Designated Area:	Eastern corner of Public Square
Dates:	May 19, 2022 through May 22, 2022
Time:	3:00 p.m. until close
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.

#### **RESOLUTION NO. R0038-22**

Whereas, the Wilkes-Barre Police Department wishes to purchase a replacement for its current under-cover vehicle to perform department operations;

Whereas, the department will use Asset Forfeiture Funds for the purchase of the vehicle;

Now, Therefore, Be It Resolved that the proper city officials are hereby authorized to take any and all necessary actions related to the purchase of a new under-cover vehicle from a Costars vendor for a purchase price of \$42,621.47.

#### **RESOLUTION NO. R0039-22**

Whereas, the current insurance carrier for the City's Law Enforcement Liability insurance policy, Berkely Assurance Company, has chosen not to renew coverage, effective May 4, 2022, as the company is exiting the marketplace as a carrier for Law Enforcement Liability;

Whereas, the City issued a Request for Proposals (RFP) for a new carrier of Law Enforcement Liability insurance;

Whereas, the City received only one (1) response to the above-referenced RFP:

Now, Therefore, Be It Resolved that the proper city officials are hereby authorized to take any and all necessary actions related to the purchase of a Law Enforcement Liability insurance policy from Richmond National Insurance Company for the price of \$241,114.00. The policy will be effective from May 4, 2022 to August 14, 2023.

**RESOLUTION NO. R0040-22**

That, the proper city officials are hereby authorized to take any and all necessary actions related to opening a new checking account at PNC Bank for the purpose of administering all funds associated with the federally-declared disaster, Hurricane Ida.

**RESOLUTION NO. R0041-22**

Whereas, the City of Wilkes-Barre issued a Request for Proposals (RFP) for auditing services for the 2018 fiscal year audit and beyond;

Whereas, the accounting firm of Zelenkofske Axelrod, LLC was appointed to perform the 2018, 2019, and 2020 fiscal year audits for a fee of \$59,500 each year; and

Whereas, the Charter of the City of Wilkes-Barre permits the performance of up to five (5) consecutive audits by a single Certified Public Accountant or firm of such accountants.

Now, Therefore, Be It Resolved, that the firm of Zelenkofske Axelrod, LLC is hereby approved as the independent auditor for the City of Wilkes-Barre for the audit years of 2021 and 2022.

**RESOLUTION NO. R0042-22**

Whereas, Section 13-6 of the Code of Ordinances of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council, to appoint by resolution members of the Boards of Health of the City of Wilkes-Barre.

Whereas, it is the desire of the City of Wilkes-Barre to reappoint the persons referenced below to the Board of Health of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following persons are hereby reappointed as a member of the Board of Health:

<u>Name</u>	<u>Term Expires</u>
Donna Reilly 61 North Grant Street Wilkes-Barre, PA 18702	January 2027
Margaret Lovecchio 166 Hanover St. Suite 105 Wilkes-Barre, PA 18702	January 2025

### **MINUTES**

Of the Traffic Committee meeting of March 24, 2022.

Of the Planning Commission of March 16, 2022.

Of the Wilkes-Barre Finance Authority of March 9, 2022.

Of the Wyoming Valley Sanitary Authority of February 15, 2022.

Of the Regular Session of City Council of March 24, 2022.

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

Nays none.

### **PRESENTATIONS BY COUNCIL MEMBERS**

Mr. Marconi asked Mr. McCormick if the blacktop plants are open and how he would like Council to report potholes.

Mr. Marconi said he has received several complaints about the condition of North Washington Street. He said he would like to see something done other than patching.

Mayor Brown announced that the Administration will be putting a list together of streets to be paved this year.

Mayor Brown informed Council that the Administration has been testing different mechanisms to patch potholes permanently. After doing several trials, one machine seemed to work best for permanent patching. He said the city is going to lease the machine for about four weeks, and if it works the Administration will look at purchasing it.

Mayor Brown said that the Administration is aware of North Washington Street and we are looking at paving it. All streets have to qualify under low-mod, so there are restrictions.

Mrs. McBride said she is happy to hear that the city is looking at purchasing a pothole patcher.

#### **PUBLIC DISCUSSION**

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to Council violating his rights and Council's healthcare benefits.

Barbara, Plains, PA phoned in relative to wires going through trees in the city (trees are dying).

John Suchoski, Wilkes-Barre, PA appeared before Council relative to Sherman Hills, the purchase of property on Livingston Lane by Wilkes University and using LSA grants to revitalize parts of South Main Street.

Mr. Brooks said he did a walk through of Sherman Hills a few days after the shooting in February. He met with residents and suggested reconstituting the Sherman Hills Task Force and bringing back the Residents Association.

Mrs. McBride agreed with Mr. Suchoski on the use of LSA grants to revitalize portions of the downtown. She said that if Wilkes is going to make a significant investment in the downtown area, there needs to be a strategic plan for that section.

The City Clerk read the following email into the record:

From Jason Carr, Saylorsburg, PA

*Both the financial consultant for the city of Wilkes-Barre, Pennsylvania Financial Management and now Bond Rating Agency, Standard and Poor's have indicated the city operates with a structural deficit somewhere between \$2 to \$3 million dollars. What practices is the Mayor implementing to eliminate the annual budget deficit as the city has had to extract over \$4 million dollars the last 2 years from American Rescue Plan funds to balance the budget?*

*At the last Council meeting, Councilman Tony Brooks indicated the city has spent \$9 million dollars of American Rescue Plan Funds in total – that number is incorrect. Does the Mayor know how much the city has spent in American Rescue Plan funds since receiving the money from the federal government?*

Mayor Brown said the city had to take money from the American Rescue Plan and supplement monies that were lost during the pandemic. He said the whole point of the American Recovery Plan, is to recover some of the lost revenue.

Mayor Brown pointed out that the city made the budget amounts for permit fees and transfer taxes by the end of March. He added that taxes and fees were not raised, and the sewer system was not sold because the residents wouldn't be able to afford it. The Administration did put together a plan and it is starting to work. He said there have been over a hundred million dollars in new investments in the city and revenues are up.

Mayor Brown gave the following update on the allocation of funds from the American Recovery Plan:

The City received \$18,578,114. The city made interest in the amount of \$4,965.04, which went into a bank account.

Funds spent - \$11,074,342.27.

Remaining balance - \$7,508,736.77.

The Mayor said that every Council member received a copy of how the money was spent. Most of it was spent through the nine point plan the Administration put together, which was for new businesses, remodeling homes, start-up businesses, purchasing homes, and the \$300 stimulus checks. He added that walls were also repaired in several districts and a big portion of the remaining funds will be used for sewer replacement and repair.

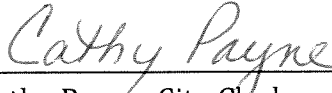
There being no further business to discuss the meeting adjourned at 6:42 p.m.





Beth Gilbert McBride, Chairperson

ATTEST:



Cathy Payne, City Clerk

