

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

SEPTEMBER 8, 2022

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
SEPTEMBER 8, 2022

CONSENT AGENDA (RESOLUTIONS)

Approving, in accordance with Section 47 (f) of the Internal Revenue Code of 1986, as amended, a plan of financing of the City of Wilkes-Barre Finance Authority and declaring that it is desirable for the Health, Safety and Welfare of the people of the City of Wilkes-Barre for the City of Wilkes-Barre Finance Authority to undertake a project for Allied Services Personal Care, Inc. (The issuance of Notes by the Authority in an aggregate principal amount not in excess of \$17,500,000).

Approving the disposition of records from the OCD Office.

Authorizing the proper city officials to execute any and all project documents related to awarding a contract to American Ramp Company, a Sourcewell Vendor, in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) for the City Skate Park Project. Payment to be made from the American Rescue Plan money.

Authorizing the proper City officials to sign any and all necessary documents related to awarding the contract to Panzitta Enterprises as the General Contractor in the amount of \$1,992,000 and Brennan as the electrical contractor in the amount of \$301,913.00 for the renovations to the Wilkes-Barre Intermodal Facility. Payment for the renovations shall be made from American Rescue Plan money and the City's general fund.

Enter into an agreement with Medico Industries for a Cummins 150 KW Generator, Natural Gas powered three phase function for Police Headquarters at a cost of \$139,619.49. American Recover Act funds will be used for the purchase.

Authorizing the proper City officials to apply for a \$281,480.50 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used by the Luzerne County Flood Protection Authority for their Flood Protection Equipment project.

Authorizing the proper City officials to apply for a \$250,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used by the Greater Wyoming Valley Area YMCA to renovate underutilized space in the Wilkes-Barre Family YMCA facility into two multi-purpose rooms to be used for community and childcare center programming.

CITY COUNCIL
SEPTEMBER 8, 2022

CONSENT AGENDA (RESOLUTIONS)

Authorizing the proper City officials to apply for a \$250,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The grant will be used by Volunteers of America Pennsylvania (VOAPA) to fill a funding gap to rehabilitate a deteriorating building on the 100 block of East Divisions Street in Wilkes-Bare. The project will convert the vacant and blighted property into 6 units of one-bedroom and efficiency style independent living spaces for low income individuals.

Authorizing the proper city officials to execute any and all necessary documents related to the purchase and implementation of a new Point of Sale (POS) System in the Tax/Code Offices at a price not to exceed \$35,000.00.

Authorizing the proper City officials to apply for a \$78,561.75 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used to purchase a new skid steer for the Department of Public Works.

Authorizing the proper City officials to apply for a \$157,075.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used to purchase a new bucket truck for the Department of Public Works.

Temporarily suspend the Ordinance pertaining to the open consumption of alcoholic beverages for the Osterhout Rooftop Party on October 7th at the Intermodal.

Temporarily suspend the Ordinance pertaining to the open consumption of alcoholic beverages for the City's OKTOBERFEST on October 1st on Public Square.

MINUTES

Of the Regular Session of City Council of August 11, 2022.

Of the Planning Commission of July 20, 2022.

Of the Zoning Hearing Board of July 20, 2022.

CITY COUNCIL
SEPTEMBER 8, 2022

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 8 OF 2022 – AN ORDINANCE AMENDING SEC. 29-204 OF ARTICLE IV. OF CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “DESIGNATION OF STREETS FOR RESIDENTIAL PERMIT PARKING.” (STERLING AVENUE) (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 9 OF 2022 – AN ORDINANCE ADDING CHAPTER 34 TO THE CITY OF WILKES-BARRE CODE OF ORDINANCES ENTITLED “STORMWATER MANAGEMENT”. (FIRST READING)

CITY COUNCIL

SEPTEMBER 8, 2022

The City Council of the City of Wilkes-Barre met in Regular Session on September 8, 2022, 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 Beth Gilbert McBride in the Chair.

The Pledge of Allegiance to the Flag was given.

Councilperson Tony Brooks read the prayer.

Roll Call:

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

Also Present:

George C. Brown, Mayor
Maureen Collins, Assistant City Attorney
Charles McCormick, City Administrator
Cathy Payne, City Clerk
Lisa Sanfilippo, Administrative Assistant
Tracy Smith, Assistant City Clerk

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

Randy Robertson, Luzerne County Manager, Andy Riley, Executive Director of Luzerne County Office of Community Development/Redevelopment Authority, Angela Gavlick, Director of Human Resources and Alan Stout, Executive Director of the Luzerne County Visitors Bureau, appeared before Council to introduce themselves.

Ms. Payne announced that the Administration brought a Resolution to Council for their consideration, which did not appear on the original agenda. The Resolution is regarding the City's Octoberfest to be held October 1st on Public Square. They are

looking to temporarily suspend the Ordinance pertaining to the open consumption of alcoholic beverages for the event. In accordance with the new Sunshine rules, Council can add a new item by a majority vote.

Mrs. McBride moved to add the Resolution to the Consent Agenda (Resolutions).

The motion was seconded by Mr. Brooks and the Resolution was added to the Consent Agenda (Resolutions) by the following yea and nay vote:

Yeas Barrett, Brooks, Marconi and McBride (Chairperson) - 4 - being a majority of the members elected to City Council.

Nays none.

Absent - Belusko - 1.

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

Christopher Pons, Kingston, PA appeared before Council to support the Resolution to award a contract to American Ramp Company for the City of Wilkes-Barre Skate Park Project.

Kevin Czekalski, Wilkes-Barre Skate Park Committee Chairman, Plains, PA appeared before Council to support the Resolution to award a contract to American Ramp Company for the City of Wilkes-Barre Skate Park Project.

Mr. Czekalski introduced members of the Skate Park Committee (Joey Script, Chris Koviack and Nick Donavan).

Steven Weber, Dallas, PA appeared before Council to support the Resolution to award a contract to American Ramp Company for the City of Wilkes-Barre Skate Park Project.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Resolutions regarding the Skate Park Project, the Allied Services Project and putting City Council Work Sessions on YouTube.

Mrs. McBride said that City Council is still actively looking at putting the Work Session on YouTube.

Mrs. McBride addressed the Allied Services Project. She said they are going to completely renovate the property on East Northampton Street and do more renovations to the property on South Meade Street.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolutions regarding the Skate Park Project (RFP and liability), the Allied Services Project, the purchase of a generator for the Police Department, the Intermodal Facility renovations and the suspension of the open container Ordinance for two events downtown.

Mayor Brown responded to Mr. Troy's concerns about the Skate Park Project. The Mayor said he checked with the insurance broker and because it is being put in an established park, there is no additional liability.

The Mayor told Mr. Troy that the City had an engineer do a study of the Intermodal facility, and the things that are being proposed in the Resolution are necessary upgrades.

Mayor Brown said the alcohol at the OKTOBERFEST event will be controlled in a fenced area, and a contingent of police officers will be on patrol.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the Resolutions regarding the Skate Park Project and the LSA Grants (overall plan).

RESOLUTIONS

Resolution No. R0071-22 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0071-22

Approving, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, a plan of financing of the City of Wilkes-Barre Finance Authority and declaring that it is desirable for the Health, Safety and Welfare of the people of the City of Wilkes-Barre for the City of Wilkes-Barre Finance Authority to undertake a project for Allied Services Personal Care, Inc.

Whereas, the City of Wilkes-Barre Finance Authority (the "Authority") is a municipality authority incorporated pursuant to a resolution of the City of Wilkes-Barre, Luzerne County, Pennsylvania (the "City"), and is existing under and governed by the provisions of the Municipality Authorities Act of the Commonwealth of Pennsylvania, 53 Pa. C.S. §5601, et. seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, amended and supplemented (the "Act"); and

Whereas, the Act permits the Authority to assist in the financing and/or refinancing of buildings and facilities constituting “health centers”; and

Whereas, Allied Services Personal Care, Inc. (the “Borrower”) has represented to the Authority that it operates or will operate a “health center” within the meaning of the Authorities Act and is a nonprofit corporation existing under laws of the Commonwealth of Pennsylvania (the “Commonwealth”); and

Whereas, the Borrower has requested the Authority to issue its revenue notes (the “Notes”) in one or more series in an aggregate principal amount not to exceed \$17,500,000 to finance, refinance and/or reimburse a project (the “Project”) for the benefit of the Borrower consisting of all or any of the following: (a) designing, acquiring, constructing, renovating, improving, furnishing and equipping of the Borrower’s existing facilities, including but not limited to the Borrower’s Allied Services Center City and Meade Street facilities located in Wilkes-Barre, Pennsylvania; (b) designing, acquiring, constructing and equipping of site, infrastructure and parking improvements and various other capital improvements to the Borrower’s facilities and acquiring various capital equipment for use in or in connection with the facilities of the Borrower; (c) funding, if applicable, necessary reserves for the Notes; (d) refunding the Authority’s taxable note to be issued as one of the series of Notes authorized as part of the financing described in this Resolution to finance a portion of the costs of the Project described herein; and € funding contingencies and paying all or a portion of the costs and expenses of issuance of the Notes; and

Whereas, the Authority has authorized the issuance of the Notes pursuant to a Resolution adopted by the Authority on August 19, 2022, subject to approval of the Project by the City; and

Whereas, the approval by this Council, as evidenced by this Resolution, will enable the Authority to finance the Project without imposing any liability on the City or its citizens or taxpayers with respect to the Notes; and

Whereas, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) requires that the applicable elected representative of the governmental unit on behalf of which bonds or notes are issued and of each governmental unit having jurisdiction over the area in which any facility with respect to which financing is to be provided from the net proceeds of such bonds or notes is located, approve such Notes after a public hearing in order for a private activity bond to be a qualified bond under the Code; and

Whereas, this Council is the “applicable elected representative” of the City within the meaning of the Code; and

Whereas, in accordance with Section 147(f) of the Code , a public hearing was held by the Authority at 10:00 a.m. local time on August 18, 2022, in connection with the issuance of the Notes and a report of such hearing has been provided to this Council; and

Whereas, the Act provides that none of the powers granted thereby shall be exercise in the construction, financing, improvement, maintenance, extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises service substantially the same purposes, but that such limitation does not apply to certain projects, including the financing and and/or refinancing of building and facilities constituting "health centers" within the meaning of the Act, if the municipality organizing the authority for such project shall declare by resolution or ordinance that it is desirable for the health, safety and welfare of the people in the area served by such facilities to have such facilities provided by or finance through an authority;

Now Therefore, The Council of the City of Wilkes-Barre, Pennsylvania hereby resolves that:

Section 1. The issuance of the Notes by the Authority in an aggregate principal amount not in excess of \$175,000,000 and the use of the proceeds of the Notes to finance the Project is hereby approved.

Section 2. It is hereby declared desirable for the health, safety and welfare of the people in the City to have the Authority issue the Notes for the purpose of financing the Project. The City acknowledges that the Authority is entitled to rely upon, and will rely upon, the findings and determinations of the City as set forth in this Section 2.

Section 3. The foregoing action of this Council shall not in any way pledge or obligate the credit or taxing power of the City, nor shall the City be liable for the payment of the principal of, premium, if any, or interest of the Notes or any other cost related thereto.

Section 4. In the event that any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence or clause of this Resolution, it being the intent of the City has such remainder shall be and remain in full force and effect.

Section 5. All resolutions or parts of resolutions inconsistent herewith are hereby repealed.

Section 6. This Resolution shall become effective immediately upon approval.

Adopted this 8th day of September, 2022, by the Council of the City of Wilkes-Barre, Luzerne County, Pennsylvania, in lawful session duly assembled.

RESOLUTION NO. R0072-22

A Resolution of the City Council, of the City of Wilkes-Barre, Luzerne County, Pennsylvania declaring its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 (as amended March 28, 2019).

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said committee on December 16, 2008; and

Whereas, the City of Wilkes-Barre desires to dispose of records according to statutory requirements;

Now, Therefore, Be it Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 (as amended March 28, 2019).

Office/Department: OCD Office

<u>Box Number, Records Title, Dates</u>	<u>Cubic Feet</u>
CD-29 Home Rehab 05-10	1.26
CD-30 Home Rehab 05-10	1.26
CD-31 2011 CDBG Subrecipient Agreement	1.26
CD-32 CDBG EM Rehab Files	1.26
CD-33 Home Rehab Files	1.26
CD-34 Home Rehab Files	1.26
CD-35 2010 CDBG Subrecipient Agreement	<u>1.26</u>
Total	<u>3.78</u>

RESOLUTION NO. R0073-22

Whereas, the City of Wilkes-Barre researched qualified Sport Development Companies for the Wilkes-Barre Skate Park Project.

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to execute any and all project documents

related to awarding a contract to American Ramp Company, a Sourcewell Vendor (Contract #112420-ARC), in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) for the City of Wilkes-Barre Skate Park Project.

Payment to be made from the American Rescue Plan money.

RESOLUTION NO. R0074-22

Whereas, the City of Wilkes-Barre advertised for bid on June 1, 2022, and rebid on July 15, 2022, for certain renovations to the Wilkes-Barre Intermodal Facility.

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 to the lowest responsible bidders for the renovations to the Wilkes-Barre Intermodal Facility:

- Panzitta Enterprises as the General Contractor in the amount of \$1,992,000.00.
- Brennan as the electrical contractor in the amount of \$301,913.00.

Be It Further Resolved that payment for the renovations shall be made from American Rescue Plan money and the City's general Fund.

RESOLUTION NO. R0075-22

Be It Resolved that the City Council of the City of Wilkes-Barre hereby authorizes the proper city officials to enter into an agreement with Medico Industries for a Cummins 150 KW Generator, Natural Gas powered three phase function. This Generator will replace the current generator at Police Headquarters. The cost of the generator package is \$139,619.49.

Further, American Recovery Act funds will be used for this purchase.

RESOLUTION NO. R0076-22

Whereas, the establishment of the Mohegan Sun Casino at Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account-Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$281,480.50 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds. The funding will be used by the Luzerne County Flood Protection Authority (LCFAP) for their Flood Protection Equipment project. The LCFPA operates and maintains the levee system that protects hundreds of properties in Wilkes-Barre City and throughout the Wyoming Valley from the Susquehanna River flooding. To reduce the burden on the levee fee rate payers, the Authority actively seeks to offset their operation costs by applying for grant funds; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the Luzerne County Flood Protection Authority (LCFPA) Flood Protection Equipment project, if the application is approved.

RESOLUTION NO. R0077-22

Whereas, the establishment of the Mohegan Sun Casino at Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account-Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$250,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds. The funding will be used by the Greater Wyoming Valley Area YMCA to renovate underutilized space in the Wilkes-Barre Family YMCA facility into two multi-purpose rooms to be used for community and childcare center programming. The multi-purpose rooms will provide flexible meeting and activity rooms to enhance YMCA program offerings and maximize efficient utilization of existing space; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the Wilkes-Barre Family YMCA Multi-Purpose Room Transformation project, if the application is approved.

RESOLUTION NO. R0078-22

Whereas, the establishment of the Mohegan Sun Casino at Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$250,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The grant will be used by Volunteers of America Pennsylvania (VOAPA) to fill a funding gap to rehabilitate a deteriorating building on the 100 block of East Division Street in Wilkes-Barre. The project will convert the vacant and blighted property into 6 units of one-bedroom and efficiency style independent living spaces for low income individuals. The VOAPA, as a social service provider, will provide in home and community support services as needed to the residents. Also, the VOAPA has employed a similar and successful housing model to serve the community at another location within the City of Wilkes-Barre.

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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds; and

Be It Further Resolved, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related

to the Volunteers of America Pennsylvania (VOAPA) Housing-Phase II project, if the application is approved.

RESOLUTION NO. R0079-22

Resolved, that the proper city officials are hereby authorized to execute any and all necessary documents related to the purchase and implementation of a new Point of Sale (POS) System in the Tax/Code Offices at a price not to exceed \$35,000.00.

RESOLUTION NO. R0080-22

Whereas, the establishment of the Mohegan Sun Casino at Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account – Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$78,561.75 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used to purchase a new skid steer for the Department of Public Works. The skid steer will be used at the DPW facility and throughout the city for various types of projects; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the Department of Public Works Skid Steer project, if the application is approved.

RESOLUTION NO. R0081-22

Whereas, the establishment of the Mohegan Sun Casino at Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$157,075 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used to purchase a new bucket truck for the Department of Public Works. The truck will be used to perform various types of repairs and maintenance throughout the city; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the Department of Public Works Bucket Truck project, if the application is approved.

RESOLUTION NO. R0082-22

Whereas, 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:	Osterhout Rooftop Party
Sponsor:	The Osterhout Free Library
Designated Area:	Rooftop and 4 th Floor of Inter-modal Parking Garage
Dates:	October 7, 2022
Time:	Duration of Party
Limitation:	The suspension shall only apply to malted and brewed beverages and not to wine and liquors.

The temporary suspension applies only to the above-referenced events 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. R0083-22

Whereas, 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: OKTOBERFEST
Sponsor: City of Wilkes-Barre
Designated Area: Designated area on Public Square
Dates: Saturday, October 1, 2022
Time: 2:00 p.m. until 8:00 p.m.
Limitation: The suspension shall only apply to malted and brewed beverages sold as part of the festival.

The within temporary suspension applies only to the above-referenced events 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.

MINUTES

Of the Regular Session of City Council of August 11, 2022.

Of the Planning Commission of July 20, 2022.

Of the Zoning Hearing Board of July 20, 2022.

Mrs. McBride 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 and McBride (Chairperson) – 4 – being a majority of the members elected to City Council.

Nays none

Absent – Belusko – 1.

ORDINANCES

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

FILE OF COUNCIL NO. 8 OF 2022 – AN ORDINANCE AMENDING SEC. 29-204 OF ARTICLE IV. OF CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE

ENTITLED "DESIGNATION OF STREETS FOR RESIDENTIAL PERMIT PARKING." (STERLING AVENUE) (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 9 OF 2022 - AN ORDINANCE ADDING CHAPTER 34 TO THE CITY OF WILKES-BARRE CODE OF ORDINANCES ENTITLED "STORMWATER MANAGEMENT". (FIRST READING).

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

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

Yeas Barrett, Brooks, Marconi, and McBride (Chairperson) - 4 - being a majority of the members elected to City Council.

Nays none.

Absent - Belusko - 1.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Barrett asked the Administration for an update on the property at the corner of George Avenue and Scott Street.

Mayor Brown said he will send an inspector out tomorrow and report back to him.

Mr. Brooks thanked everyone for all their support with the Skate Park project. He asked everyone to stay involved and keep it clean.

Mr. Brooks discussed the city's noise ordinance. He said he had a long conversation with one of his constituents about what he goes through on a daily basis. The gentleman said he always calls 9-1-1 to report it but asked if there is something that can be done during the day. Mr. Brooks asked if Council could change the ordinance to add daytime hours. Mr. Brooks added that more and more people are working from home and the noise is interfering with that. He asked Council to give it some thought and hopefully we can address it in the future.

Mrs. McBride said that it is her understanding that the current noise ordinance says that if the noise is loud enough to be deemed a nuisance, the resident can call 9-1-1 at any time. She said she doesn't think there is anything legislatively to do, it is more of an enforcement issue.

Mr. Brooks stressed that it is important to always call 9-1-1 for a noise complaint or any issue a resident has in the City so that there is a record of it.

Mr. Marconi congratulated the Skate Park Committee.

Mr. Marconi said Council has received many requests to video tape the Work Sessions and put them on YouTube. He thinks Council should consider this request, so the public is more informed.

Mrs. McBride also congratulated all the skate boarders in attendance.

Mrs. McBride asked for an update on the property at the corner of Park Avenue and East Northampton Street.

Mayor Brown said he will try and get someone out there tomorrow to look at it.

PUBLIC DISCUSSION

John Suchoski, Wilkes-Barre, PA appeared before Council relative to videotaping the Work Sessions and how the Land Bank will work (Ordinance passed at the last meeting).

Mr. McCormick explained that the State wants communities to cooperate and join to together in order to apply for blight grants. The purpose is to get available funding and then each community can pick and choose how aggressive they want to be. It is not broken out by percentages, but there is a board and each community gets a vote.

Mayor Brown informed Mr. Suchoski that the Land Bank is in addition to the city's blight remediation plan.

Jessica McClay, Wilkes-Barre, PA appeared before Council relative to having presenters come to Regular Sessions, contract negotiations (employees should live in the city) and using ARP money to do a city-wide garbage clean up.

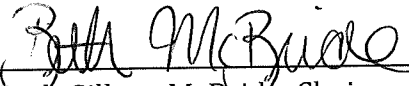
Mr. Marconi agreed with Mrs. McClay that city employees should live in the city.

Mrs. McBride said that Council has been very vocal about residency requirements in the contracts.

The Mayor said that a city-wide cleanup would cost over five million dollars and American Rescue Plan money cannot be used for it.

Mayor Brown announced that the city is currently doing a white good pick up, electronic recycling and shredding.

There being no further business to discuss the meeting adjourned at 6:50 p.m.


Beth Gilbert McBride, Chairperson

ATTEST:


Cathy Payne, City Clerk

