

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

OCTOBER 13, 2022

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTION

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
OCTOBER 13, 2022

**RESOLUTION**

Authorizing the proper city officials to take any and all necessary actions related to entering an agreement with Highmark to provide health insurance services to the City of Wilkes-Barre for calendar year 2023 for a contract price of \$7,808,919.68.

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing the proper city officials to take all necessary actions related to the sale of a vacant lot located at 110-112 Prospect Street (PIN's: I9NE1-010-015 and I9NE1-010-015A) to Milagros Corporan for a purchase price of \$1,900.00.

Authorizing the proper city officials to hire Borton-Lawson to provide engineering services for the Downtown Wilkes-Barre Streetscape Project for a contract price of \$49,065.00.

Authorizing the proper city officials to sign all necessary documents related to awarding the contract to the lowest responsible bidder, Richard Mellow Corporation and Delta Electrical Systems, Inc. as the second lowest bidder for the City of Wilkes-Barre Street Light Maintenance. Contract to start as of January 1, 2023.

Authorizing the proper city officials to sign all necessary documents related to awarding the contract to the most qualified service, Richard Mellow Corporation, for the Traffic Signalization Maintenance. Contract to start as of January 1, 2023.

Authorizing the proper city officials to sign all necessary documents related to awarding the contract to the most qualified service for the Ground Maintenance Services under the solicitation for the City of Wilkes-Barre Landscape and Ground Maintenance Services. Contract to start as of January 1, 2023.

Authorizing the proper city officials to take all necessary actions related to the donation of a 2006 KME Fire Engine (VIN: 1K9AF42847N058209) to the Irem Shriners.

Designating the city Operations Director (or other designee appointed by the Mayor) as the authorized signatory for execution of documents, notices, contracts, and management projects through PennDOT's Reimbursement Agreement System (RAS).

CITY COUNCIL  
OCTOBER 13, 2022  
**CONSENT AGENDA (RESOLUTIONS)**

Authorizing the proper city officials to prepare and submit the necessary grant application along with any or all other project documents, related to the Pennsylvania Department of Education's Keystone Grant Program for the Osterhout Library's Roof, Windows and Flooring Improvement project, if the application is approved.

**MINUTES**

Of the Board of Revision of Taxes and Appeals of September 6, 2022.

Of the Regular Session of City Council of September 8, 2022.

Of the City Planning Commission of August 17, 2022.

Of the Zoning Hearing Board of August 17, 2022.

Of the Wyoming Valley Sanitary Authority of July 26, 2022.

**CONSENT AGENDA (ORDINANCES)**

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

**FILE OF COUNCIL NO. 10 OF 2022** - AN ORDINANCE AMENDING CHAPTER 30 BY REPEALING SEC. 30-18 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "TAPPAGE FEES." (FIRST READING)

**FILE OF COUNCIL NO. 11 OF 2022** – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE, ENTITLED "FIRE PREVENTION AND PROTECTION" BY REPEALING ARTICLE V. ENTITLED "CONSUMER FIREWORKS" AND REPLACING IT WITH A NEW ARTICLE V. ENTITLED "CONSUMER FIREWORKS." (FIRST READING)



CITY COUNCIL

OCTOBER 13, 2022

The City Council of the City of Wilkes-Barre met in Regular Session on October 13, 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.

Councilman Mike Belusko read the prayer.

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  
Lisa Sanfilippo, Administrative Assistant  
Tracy Smith, Assistant City Clerk

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

**Ms. Payne announced that the following Resolutions were being pulled from the agenda:**

- Authorizing the proper city officials to take any and all necessary actions related to entering an agreement with Highmark to provide health insurance services to the City of Wilkes-Barre for calendar year 2023 for a contract price of \$7,808.919.68

- Authorizing the proper city officials to sign all necessary documents related to awarding the contract to the most qualified service, Richard Mellow Corporation, for the Traffic Signalization Maintenance. Contract to start as of January 1, 2023.

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

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Streetscape Project, Street Light Maintenance (cost), the Landscape and Ground Maintenance Services (what does it involve/cost) and why the health insurance Resolution was pulled.

Attorney Henry informed Mr. Troy that the Streetscape Project Resolution only pertains to the engineering services.

Attorney Henry explained that the services for the street light maintenance and the landscape and ground maintenance are performed hourly, so we just have an hourly rate. Attorney Henry added that these are all services that the city has and has had for years. He said the city put out RFP's and these Resolutions are to renew the contracts.

Mrs. McBride said the Highmark Resolution was pulled from the agenda because a majority of Council asked for it to be.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Stormwater Ordinance.

Attorney Henry explained that because of the new stormwater regulations, the state sent all municipalities a model ordinance, prepared by an agency on behalf of the state, to pass.

## **RESOLUTIONS**

Resolution No. R0084-22 to and including the minutes appeared on the Consent Agenda (Resolutions).

### **RESOLUTION NO. R0084-22**

Resolved, that the proper city officials are hereby authorized to take any and all necessary actions related to the sale of a vacant lot located at 110-112 Prospect Street (PIN's: I9NE1-010-015 and I9NE1-010-015A) to Milagros Corporan for a purchase price of \$1,900.00.

### **RESOLUTION NO. R0085-22**

Resolved, that the proper city officials are hereby authorized to hire Borton-Lawson to provide engineering services for the Downtown Wilkes-Barre Streetscape Project for a contract price of \$49,065.00.

**RESOLUTION NO. R0086-22**

Whereas, the City of Wilkes-Barre advertised for proposals for the City of Wilkes-Barre Street Light Maintenance for street light maintenance within the boundaries of the City of Wilkes-Barre on August 22, 2022.

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 bidder for the City of Wilkes-Barre Street Light Maintenance. Contract to start as of January 1, 2023.

**RESOLUTION NO. R0087-22**

Whereas, the City of Wilkes-Barre advertised for proposals for Ground Maintenance Services under the solicitation for The City of Wilkes-Barre Landscape and Ground Maintenance Services within the boundaries of the City of Wilkes-Barre on August 22, 2022.

**RESOLUTION NO. R0088-22**

Whereas, the City is the owner of a 2006 KME Fire Engine with a broken fire pump; and

Whereas, due to the age of the vehicle and the repairs needed, it is cost prohibitive for the City to repair the Fire Engine; and

Whereas, the Administration wishes to donate the fire engine to the Irem Shriners so it can be used for its philanthropy efforts, parades, and children's events.

Now, Therefore, Be It Resolved that the proper city officials are hereby authorized to take any and all necessary actions related to the donation of a 2006 KME Fire Engine (VIN: 1K9AF42847N058209) to the Irem Shriners.

**RESOLUTION NO. R0089-22**

A Resolution of the City Council of the City of Wilkes-Barre designating the City Operations Director (or other designee appointed by the Mayor) as the authorized

signatory for execution of documents, notices, contracts and management projects through PennDOT's Reimbursement Agreement System (RAS).

Whereas, the Pennsylvania Department of Transportation (PennDOT) has implemented and requires the use of its Reimbursement Agreement System (RAS) via the Electronic Contract Management System (ECMS) for all agreements; and

Whereas, the City of Wilkes-Barre currently is party to such agreements and anticipates continued participation in such agreements as owner of bridges throughout Wilkes-Barre; and

Whereas, all statements of interest, bids, notifications, awards, contracts, and agreements to be entered and authorized electronically in RAS via ECMS require with no signature but only an electronic acknowledgement of acceptance; and

Whereas, there will be no physical agreements and documents presented before the City Council for execution; and

Whereas, all notifications, selections, awards, agreements, and contract executions requiring approval by City Council will be presented as a Resolution to be approved during a regular public meeting; and

Whereas, any and all requirements of the City Charter or Administrative Code relating to City Council's role in City contracts will be met; and

Whereas, City Council desires to authorize the City Operations Director (or other designee appointed by the Mayor) to give all necessary approvals required by the City;

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes as follows:

Upon approval by the City Council of Wilkes-Barre of any action or expenditure pertaining to the management of Wilkes-Barre bridges, the City Operations Director (or other designee appointed by the Mayor) is authorized to approve, as the City's agent, any and all notices, awards, and contracts the City must undertake as owner of City bridges through PennDOT's RAS system via PennDOT's ECMS system. The City Clerk is hereby authorized to attest to the signature of the person authorized to give approval on behalf of the City.

**RESOLUTION NO. R0090-22**

Whereas, the City of Wilkes-Barre is desirous of sponsoring a grant in the amount of \$157,500.00 from the Pennsylvania Department of Education's Keystone Grant Program to



assist the Osterhout Free Library with facility upgrades such as roofing system repairs, energy efficient windows and new flooring to improve conditions for both the library users and the book collection, as well as greatly enhance the energy efficiency of the facility; and

Whereas, the Osterhout Free Library's existing roofing system, windows and flooring have exceeded their useful lifespan and need to be replaced. The Library will realize energy savings, and the ability to provide better maintenance of their facility; and

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the actions of the proper City officials in preparing and submitting the necessary grant application to the Pennsylvania Department of Education's Keystone Grant Program for the Osterhout Free Library's Roof, Windows and Flooring Improvement project be, and hereby are ratified; and

Be It Further Resolved, that the Mayor is hereby authorized to enter into the appropriate agreement with the Pennsylvania Department of Education's Keystone Grant Program, along with any or all other project documents, related to the Osterhout Free Library's Roof, Windows and Flooring Improvement project, if the application is approved.

### **MINUTES**

Of the Board of Revision of Taxes and Appeals of September 6, 2022.

Of the Regular Session of City Council of September 8, 2022.

Of the City Planning Commission of August 17, 2022.

Of the Zoning Hearing Board of August 17, 2022.

Of the Wyoming Valley Sanitary Authority of July 26, 2022.

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

The motion was seconded by Mr. Brooks 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.

### **ORDINANCES**

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

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

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

The motion was seconded by Mr. Belusko 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 MEMBERS**

Mr. Barrett commented on the health insurance coverage and Risk Strategies. He said he did some research over the last couple days on Risk Strategies and found out that they are a large organization that works for a lot of municipalities. They work on behalf of the city to obtain the best rates. He said that he knows that some Council members are concerned because it has not been done like this in the past, but he thinks the 3% increase obtained by the organization seems fair.

Mayor Brown clarified that Risk Strategies worked as the city's broker and put out a Request for Proposals for the city's health insurance. Two companies responded to the RFP. The first bid that the city received from Highmark was about 7% increase in healthcare cost from last year. Risk Strategies went back and was able to negotiate a 3% increase. The City of Wilkes-Barre is not paying Risk Strategies, they will be paid by

Highmark. He added that Risk Strategies also provides other services that may be utilized in the Human Resource Department.

Mr. Brooks said the reason he asked for the Resolution to be pulled was because he got questions from City Hall employees and retirees and he didn't have answers. Mr. Brooks said that he did pass the questions on to Mr. Joyce and Attorney Henry.

Mr. Brooks thanked Mayor Brown for the City Cemetery Committee. They had a wonderful fundraiser with the DAR and raised money for a headstone for Henry Brown, a leader of the underground railroad.

Mr. Brooks said he received calls about the County Council raising their taxes and the cost of living increase for senior citizens. He urged the public to contact their State Senator and the Legislature to increase the Pennsylvania Property Tax Rebate Program for low-income senior citizens.

Mr. Marconi said that a few residents reached out to him about the Highmark healthcare Resolution. He asked that it be pulled from the agenda so that he can get some more information on it.

Mr. Marconi asked if the city will be hiring an Animal Enforcement Officer.

Mayor Brown replied that the Animal Enforcement Officer is still an open position; an offer was made to someone, but they turned it down. The city is currently recruiting.

Mr. Marconi asked for an update on the Washington Street Bridge.

The Mayor informed Council that he has been working with PennDOT regarding the bridge. The Mayor gave the following updates (processes that have been completed to date):

- preliminary design
- right-of-way plans
- structure type in size and location
- design filed plans
- erosion and sedimentation control plans filed
- maintenance and protection of pedestrian and vehicular traffic plans filed

Mayor Brown said they are currently waiting for PennDOT, the central office, who is working on the Memorandum of Understanding that will finally clear up the historic mitigation efforts required to fulfill the environmental clearing process. Once this is

complete the project will move into the final design stage (6-9 months). Bidding and construction will start shortly after.

Mr. Belusko provided Council members with a monthly report from the Wyoming Valley Sanitary Authority, which list the catch basins that have been cleaned and replaced and the streets that have been swept.

Mrs. McBride clarified her position on the Highmark health insurance Resolution. She said that she was in favor of pulling it because it is a large sum of money and she does have some outstanding concerns that she would like to have addressed before a final decision is made. Mrs. McBride said she would like to hear Human Resources position on it and some more transparency surrounding the process. She is hopeful that Council can move forward with a plan in the next few weeks or month.

### **PUBLIC DISCUSSION**

*Linda Joseph, Wilkes-Barre, PA appeared before Council relative to the health insurance contract.*

Mayor Brown mentioned that the city is currently negotiating with the four unions and part of that is the cost of healthcare.

Attorney Henry pointed out that it is an eight-million-dollar expenditure out of an approximately fifty-three-million-dollar budget for the city. No one in City Hall has the expertise that Risk Strategies has. He said he thinks the Administration was correct to have an expert oversee a purchase this substantial.

The Mayor said that the reason the Administration is asking Council to approve the expenditure is because it should have been done in the past and it wasn't.

The Mayor said he is not opposed to Council pulling the healthcare Resolution tonight. He wants Council members to get their questions asked, but he did ask that it be put it on the next agenda because the city will be holding open enrollment for the employees.

Mrs. McBride remarked that there has been a lot of confusion around the healthcare topic. She said on Tuesday, the Administration said they wanted to give Council enough time vote on it and not wait until the last minute in December (because the contract starts in January) and tonight we are being told to vote on it as soon as possible because of open enrollment. She said she needs more clarity before she votes on it. She also asked why this Administration has never brought this to Council in the past.

Mayor Brown explained that open enrollment is scheduled for next week. It was moved back because Council was pulling this from the agenda. He stressed that it needs to be done by the end of the year, but the Administration has to have it in place for open enrollment.

Mayor Brown added that this item has not been brought before Council in the last twenty years. He said his Administration is correcting that mistake.

*Pam Keefe appeared before Council relative to homeless encampments.*

Mayor Brown said that there was a meeting last week to discuss a plan to reconstruct a building to house homeless people. The place will open at 8:00 a.m. They will be given breakfast, lunch and dinner and access to a hot shower. At 6:00 p.m. they will be given a place to sleep.

Ms. Keefe asked how long it will take to be up and running.

The Mayor responded that it will take approximately four months to build it. The City of Wilkes-Barre received a grant and will be taking on some of the costs.

*Delmar Guziewicz, Wilkes-Barre, PA appeared before Council relative to the anti-homeless devices on LCTA bus benches and rail transit (Laurel Line).*

Mayor Brown said he doesn't have the authority to mandate that the LCTA remove the devices.

Attorney Henry said he needs more information before he can give an opinion.

Mrs. McBride said she would be in favor of having the devices removed and will contact the LCTA directly to discuss it.

Mr. Brooks agreed with Mr. Guziewicz's comments on rail transit. He recommended that he attend a Metropolitan Planning Organization meeting where this is discussed.

The Mayor said there was a meeting with a representative of PennDOT and they agreed to do a feasibility study of the different rail lines.

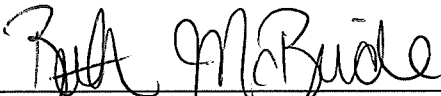
*Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to Council's healthcare, pensions and the homeless.*

Mrs. McBride said that she will not be taking healthcare next year.

Mr. Belusko said that he will continue to take healthcare.

Mr. Marconi told Mr. Kadluboski that he is not sure what he will be doing next with regard to healthcare.

There being no further business to discuss the meeting adjourned at 6:53 p.m.

  
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Beth Gilbert McBride, Chairperson

ATTEST:

  
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Cathy Payne, City Clerk