

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

MARCH 14, 2023

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

**CITY COUNCIL
MARCH 14, 2023**

RESOLUTIONS

Approving the Transfer of a Liquor License #R-7707, into the City of Wilkes-Barre, Luzerne County from Foster Township. (165 Wilkes-Barre Blvd, Suite 2, Wilkes-Barre, PA).

Authorizing the proper city officials to purchase the rock salt necessary for the 2023-2024 winter season pursuant to the terms of a previously bid contract through the COSTARS Program.

Reappointing Tom Harfman to the City of Wilkes-Barre Board of Health.

Authorizing the proper city officials to enter into a Cooperation Agreement with The Wright Center for Community Health (TWCCCH) for the project that enables the nonprofit community health center to expand opportunities for regional residents to receive integrated, whole-person primary health care at one convenient location. The TWCCCH will file a business plan and application with the Commonwealth of Pennsylvania for a Redevelopment Assistance Capital Program Grant in the amount of \$2,000,000.00

Authorizing the proper city officials to enter into a Cooperation Agreement with the Domestic Violence Service Center (DVSC) for the project that will provide decent housing and suitable living environment through an improved emergency shelter facility to benefit the community. The DVSC filed a business plan and application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$1,100,000.00.

Authorizing the proper city officials to enter into a Cooperative Agreement with the Wyoming Valley Art League (WVAL) for the project that will complete a comprehensive renovation project for WVAL's Circle Center for the Arts building on South Franklin Street, in Wilkes-Barre. The Wyoming Valley Art League will file a business plan and application with the Commonwealth of Pennsylvania for a Redevelopment Assistance Capital Program Grant in the amount of \$750,000.00.

Authorizing the submission of an application for funding to the Commonwealth of Pennsylvania for the redevelopment Assistance Capital Program (RACP) Grant in the amount of two million five hundred thousand dollars (\$2,500,000.00) for the purpose of constructing the Dorothy Dickson Date Center ADA Accessibility Upgrades Project, located in the City of Wilkes-Barre and to execute the Grant

application and the Grant Agreement on behalf of the Sub-Applicant and to execute any other documents necessary to effectuate receipt of the Grant for the Project.

Authorizing the proper city officials to file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$500,000.00, for assistance with King's College Student Access Center Project.

Authorizing the proper city officials to file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$1,000,000.00 for assistance with the MRI Recycling Facility Expansion Project.

MINUTES

Of the Wilkes-Barre City Zoning Hearing Board of February 15, 2023

Of the Wilkes-Barre City Planning Commission of February 15, 2023

Of the Parking Authority of the City of Wilkes-Barre January 17, 2023

Of the Wyoming Valley Sanitary Authority Meeting January 17, 2023

Of the Wilkes-Barre Traffic Committee Meeting February 23, 2023

Of the Regular Session of City Council of February 23, 2023

CITY COUNCIL

March 14, 2023

The City Council of the City of Wilkes-Barre met in Regular Session on March 14, 2023, at 5:45 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 Mike Belusko in the Chair.

The Pledge of Allegiance to the Flag was given.

Councilman Barrett read the opening prayer.

Roll Call:

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

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 Liquor License Transfer and the RACP grants.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the RACP grants (Wyoming Valley Art League and Wilkes University).

RESOLUTIONS

Resolution No. R0013-23 to R0018-23 and the minutes were voted on as a Consent Agenda (Resolutions).

RESOLUTION NO. R0013-23

A Resolution of the Municipality of Wilkes-Barre County of Luzerne Commonwealth of Pennsylvania, approving transfer of Restaurant Liquor License #R-7707, LID #64800 into the City of Wilkes-Barre, Luzerne County from Foster Township.

Whereas, Act 141 of 2000 ("the Act") which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

Whereas, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

Whereas, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a restaurant liquor license into the receiving municipality; and

Whereas, on March 14, 2023, the City of Wilkes-Barre conducted a public hearing for the purpose of comments and/or recommendations of interested individuals residing within the municipality with respect to the request for transfer.

Whereas, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a restaurant liquor license in the municipality.

Now, Therefore, Be It Resolved that Tapas on the Boulevard LLC has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of a Pennsylvania Restaurant Liquor License to its facilities within Wilkes-Barre City with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

Be It Further Resolved that City Council of Wilkes-Barre finds that the transfer of a restaurant liquor license into Wilkes-Barre City by Tapas on the Boulevard, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

Be It further Resolved, that Wilkes-Barre City approves, by adoption of this Resolution, the proposed transfer of License #R-7707, LID #64800, from Foster Township, Luzerne County, PA to be located at 165 Wilkes-Barre Boulevard, Wilkes-Barre, PA.

Be It Further Resolved, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I hereby Certify that this Resolution was approved by the Wilkes-Barre City Council at its meeting on March 14, 2023.

RESOLUTION NO. R0014-23

Authorizing the proper city officials to purchase the rock salt necessary for the 2023-2024 winter season pursuant to the terms of a previously bid contract through the COSTARS Program.

RESOLUTION NO. R0015-23

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 Board of Health of the City of Wilkes-Barre;

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

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

<u>Name</u>	<u>Term Expires</u>
Thomas Harfman 76 Hanover Street Wilkes-Barre, PA 18702	January 1, 2028

RESOLUTION NO. R0016-23

Whereas, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

Whereas, the Wright Center for Community Health (TWCCCH) serves as a resource for Downtown Wilkes-Barre; and,

Whereas, TWCCCH is dedicated to providing comprehensive, fully integrated primary health services without regard for insurance status or ability to pay; and

Whereas, in an effort to advance TWCCCH's mission, this Project enables the nonprofit community health center to expand opportunities for regional residents to receive integrated, whole-person primary health care at one convenient location; and

Whereas, the City is supportive of TWCCCH's Project; and,

Whereas, one necessary component of the successful implementation of said project is the securing of adequate funding; and,

Whereas, the Commonwealth of Pennsylvania has established a Redevelopment Assistance Capital Program designed specifically for this type of project; and

Now, Therefore Be It Resolved, that TWCCCH will file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$2,000,000; and

Be It Further Resolved, that the proper City officials be and are authorized to enter into a Cooperation Agreement with TWCCCH outlining the responsibilities of each organization; and

Be It Further Resolved, that the Cooperation Agreement will also stipulate that the City and TWCCCH are obligated to comply with RACP terms and conditions of the grant agreement.

RESOLUTION NO. R0017-23

Whereas, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

Whereas, Domestic Violence Service Center (DVSC) was established in 1976 and serves as a resource for Downtown Wilkes-Barre; and,

Whereas, the mission of DVSC is to work toward the elimination of domestic violence; and,

Whereas, in an effort to advance DVSC's mission, this Project will provide decent housing and suitable living environments through an improved emergency shelter facility to benefit the community.

Whereas, the City is supportive of DVSC's Project; and,

Whereas, one necessary component of the successful implementation of said project is the securing of adequate funding; and,

Whereas, the Commonwealth of Pennsylvania has established a Redevelopment Assistance Capital Program designed specifically for this type of project; and,

Now, Therefore Be It Resolved, that DVSC file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$1,100,000.00.

Be It Further Resolved, that the proper City officials be and are authorized to enter into a Cooperation Agreement with DVSC outlining the responsibilities of each organization; and

Be It Further Resolved, that the Cooperation Agreement will also stipulate that the City and DVSC are obligated to comply with RACP terms and conditions of the grant agreement.

RESOLUTION NO. R0018-23

Whereas, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

Whereas, Municipal Recovery Inc. (MRI serves as a resource for the City of Wilkes-Barre; and,

Whereas, MRI is a community asset and regional leader in recycling services; and

Whereas, MRI is committed to improving the recycling process to reduce the amount of waste going into landfills, decrease disposal costs, and save natural resources; and,

Whereas, the MRI Recycling Facility Expansion Project includes constructing a new pre-engineered building over the facility's recycling equipment and open-air recycling yard, installing glass pulverizing equipment, and adding a 30-cubic-yard metering bin system/infeed conveyor and optical sorter; and,

Whereas, the City is supportive of the MRI Project; and

Whereas, one necessary component of the successful implementation of said project is the securing of adequate funding; and,

Whereas, the Commonwealth of Pennsylvania has established a Redevelopment Assistance Capital Program designed specifically for this type of project; and

Now, Therefore Be It Resolved, that the proper City officials be and are authorized to file a Business Plan and Application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$1,000,000.00 for assistance with MRI Project; and,

Be it Further Resolved, that the proper City officials designate MRI to be the administrator/Sub-Applicant; and

Be It Further Resolved, that the proper City officials be and are authorized to enter into a Cooperation Agreement with the MRI outlining the responsibilities of each organization; and

Be It Further Resolved, that the Cooperation Agreement will also stipulate that the City and MRI are obligated to comply with RACP terms and conditions of the grant agreement.

MINUTES

Of the Wilkes-Barre City Zoning Hearing Board of February 15, 2023.

Of the Wilkes-Barre City Planning Commission of February 15, 2023.

Of the Parking Authority of the City of Wilkes-Barre of January 17, 2023.

Of the Wyoming Valley Sanitary Authority Meeting of January 17, 2023.

Of the Wilkes-Barre Traffic Committee Meeting of February 23, 2023.

Of the Regular Session of City Council of February 23, 2023.

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

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

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

Nays none.

The following Resolutions were voted on separately:

RESOLUTION NO. R0019-23

Whereas, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large on an energetic and dynamic City of Wilkes-Barre; and,

Whereas, Wyoming Valley Art League (WVAL) serves as a resource for Downtown Wilkes-Barre; and

Whereas, WVAL is committed to advancing the arts, arts education and cultural exchange within the Wyoming Valley; and,

Whereas, in an effort to advance WVAL's mission, this Project will complete a comprehensive renovation project for WVAL's Circle Centre for the Arts building on S. Franklin St. in Wilkes-Barre; and

Whereas, the City is supportive of WVAL's Project; and,

Whereas, one necessary component of the successful implementation of said project is the securing of adequate funding; and

Whereas, the Commonwealth of Pennsylvania has established a Redevelopment Assistance Capital Program designed specifically for this type of project; and,

Now, Therefore Be It Resolved, that WVAL will file a Business Plan and Application with the Commonwealth of Pennsylvania, for A Redevelopment Assistance Capital Program Grant in the amount of \$750,000.00; and

Be It Further Resolved, that the proper City officials be and are authorized to enter into a Cooperation Agreement with WVAL outlining the responsibilities of each organization; and,

Be It Further Resolved that the Cooperation Agreement will also stipulate that the City and WVAL are obligated to comply with RACP terms and conditions of the grant agreement.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays none.

Abstain – Brooks – 1.

RESOLUTION NO. ROO20-23

Resolution of the City of Wilkes-Barre ("City") authorizing the submission of an application for funding to the Commonwealth of Pennsylvania for the Redevelopment Assistance Capital Program ("RACP") Grant in the amount of two million five hundred thousand dollars (\$2,500,000.00) for the purpose of constructing the Dorothy Dickson Darte Center ADA Accessibility Upgrades Project, located in the City of Wilkes-Barre, Luzerne County; and further authorizing the City to execute a cooperation agreement and certain other documents as required.

Whereas, the Pennsylvania Governor's Office of the Budget notified Wilkes University that the governor of the Commonwealth of Pennsylvania has authorized the release of two million five hundred thousand dollars (\$2,500,000.00) in RACP funds (the "Grant") for certain site preparation and construction activities associated with the Dorothy Dickson Darte Center ADA Accessibility Project (the "Project"), located in the City of Wilkes-Barre, Luzerne County, Pennsylvania, and has requested that an eligible public applicant prepare and submit a formal and complete RACP Application & Business Plan (A&BP) on behalf of the sub-applicant, Wilkes University (the "Sub-Applicant"), to the Office of the Budget; and

Whereas, the Project will benefit the City and the community and, therefore, the City supports the Project; and

Whereas, the City has agreed to act as the public applicant as part of the Grant approval process and administration; and

Whereas, the City and Sub-Applicant have agreed to enter into a Cooperation Agreement; and

Now, Therefore Be It Resolved, that the City supports the Grant to the Sub-Applicant in the amount of two million five hundred thousand dollars (\$2,500,000.00) for the purpose of completing the Project and agrees to serve as the public applicant for the Grant and to administer the Grant funds, in accordance with all statutory and program requirements to effectuate the constructions of the Project.

Be It Further Resolved, that the City is hereby authorized to execute the Grant application and the Grant Agreement on behalf of the Sub-Applicant and to execute any other documents necessary to effectuate receipt of the Grant for the Project.

Be It Further Resolved, that the City is hereby authorized to execute a Cooperation Agreement, outlining the responsibilities of each organization, and stipulating the City and Wilkes University are obligated to comply with the RACP terms and conditions of the grant agreement.

Be It Further Resolved, that the City Clerk is hereby authorized to execute a certificate attesting to the adoption of this Resolution No. R0020-23.

Mr. Brooks moved to adopt the Resolution.

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

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

Nays none.

Abstain – McBride – 1.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Brooks commended the city and Special Events Coordinator Mike Slusser on a great St. Patrick’s Day parade.

PUBLIC DISCUSSION

Bob Kadluboski asked to address Council during the public comment but was informed that it was too late to sign up.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to allowing people to speak if they come in late, and how much the city paid contractors to cut grass and plow snow last year.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to Nesbitt Park (people there after dusk), employees’ overtime, energy audit and a taxpayer relief fund.

After a disruption by Mr. Kadluboski, Council moved to recess the meeting (at 6:06 p.m.) until a police officer was present.

Council reconvened the meeting at 6:09 p.m.

Tony Thomas, Wilkes-Barre, PA appeared before Council relative to the St. Patrick’s Day Parade and Narcan.

There being no further business to discuss the meeting adjourned at 6:12 p.m.



Mike Belusko, Chairperson

ATTEST:



Cathy Payne, City Clerk

