

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

---

CITY COUNCIL

APRIL 27, 2023

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

ORDINANCE

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
APRIL 27, 2023

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing Istanbul Grill, LLC, 34 South Main Street, Suite 5, Wilkes-Barre to utilize approximately fifteen feet of thirty-five feet of the city right-of-way for outdoor seating.

Authorizing the proper city officials to take any and all necessary actions related to the purchase of an Exmark (2023) Lazer Z DS-Series Lawnmower for a purchase price of \$43,122.80. (Pennsylvania Cooperative Purchasing Program)

Authorizing the proper city officials to take any and all necessary actions related to the purchase of a 2023 Chevrolet 2500HD Silverado for a purchase price of \$63,800. (Pennsylvania Cooperative Purchasing Program)

Authorizing the proper city officials to enter an agreement in the amount of \$122,599 with the Pennsylvania Department of Health to provide immunization services.

Authorizing the proper city officials to take any and all necessary actions related to selling 773 South Franklin Street (The Old Silk Mill) to Vincent Balint, Owner of Bulldog BBQ for \$65,000.

Authorizing the disposition of public records for the Fire Department.

**MINUTES**

Of the Wyoming Valley Sanitary Authority of March 21, 2023.

Of the Wyoming Valley Sanitary Authority Operations and Infrastructure Meeting of April 3, 2023.

Of the Regular Session of City Council of April 13, 2023.

**ORDINANCE**

**FILE OF COUNCIL NO. 2 OF 2023** – AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2023 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-EIGHT AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES.” (SECOND AND FINAL READING).

CITY COUNCIL

April 27, 2023

The City Council of the City of Wilkes-Barre met in Regular Session on April 27, 2023, at 6:00, 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 Chairman asked if there was anyone wishing to address Council on pending legislation.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the purchase of the lawnmower and the 2023 Chevrolet Silverado, the agreement with the PA Department of Health (immunizations) and the sale of 773 South Franklin Street (former Silk Mill).

Mr. Belusko explained that the lawnmower is a commercial grade/high volume lawnmower, which is why the cost is \$43,000.

Mr. Belusko told Mr. Troy that the p-up truck will be used in the Health Department for setting up stands and towing the trailer.

Mayor Brown mentioned that the former Silk Mill lot has been for sale for some time. He said he met with Mr. Balint (the buyer) last week and was very impressed with his plans for building a restaurant on the property. The Mayor added that the \$65,000 purchase price is fair because it is an empty lot that has to be developed.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to giving permission to Istanbul Grill to utilize fifteen feet of the right-of-way for outdoor seating and the purchase of the lawnmower and pickup truck.

Mr. Belusko explained that the outdoor seating for Istanbul Grill is not on the sidewalk, it is on the side of the building.

Mark Shaffer, Wilkes-Barre, PA appeared before Council relative to the Resolution granting permission to Istanbul Grill to utilize fifteen feet of the right-of way for outdoor seating, changing the Zoning Ordinance to allow restaurants to utilize the sidewalks in front of their establishments without needing Council's permission and the sale of the former Silk Mill (financing in place/remediations).

Tony Thomas, Wilkes-Barre, PA appeared before Council to support the sale of the former Silk Mill to Vincent Balint.

Mrs. McBride said some residents asked her if the new lawnmower can be transported with vehicles the city currently owns.

Mayor Brown replied that it can be transported with city owned vehicles.

Mrs. McBride asked Mr. Balint (purchaser of the former Silk Mill) if he has financing in place for the development of the lot.

Vince Balint, appeared before Council to answer questions about his financing for the project.

*Mr. Balint said he had plans to build in Plains that fell through because of the lot itself. He said he has been working with the SBA to get financing. He explained that the project size is approximately the same amount as the Plains project, so there isn't much change from what he was originally asking for.*

Mr. Marconi asked Mr. Balint if he has a start/finish date for the restaurant.

*Mr. Balint said the building will start approximately two to three months after it is under contract. He said he can't do much until he has a contract for the property, because the financing will require that. He said he is hoping to be open by the end of summer.*

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

Resolution No. R0027-23 to and including the minutes appeared on the Consent Agenda (Resolutions),

#### **RESOLUTION NO. R0027-23**

Resolved, that the City Council of the City of Wilkes-Barre hereby authorizes Istanbul Grill, LLC, 34 South Main Street, Suite 5, Wilkes-Barre, to utilize approximately fifteen (15) feet of thirty-five (35) feet of the City right-of-way located in front of its location for outdoor seating provided that pedestrian and emergency vehicles access are not adversely effected and upon the following conditions:

1. A Hold Harmless Agreement in favor of the City of Wilkes-Barre shall be executed and returned to the Office of the City Attorney.
2. Certificates of Insurance naming the City as an additional insured shall be filed with the Office of the City Attorney in an amount of one million per occurrence and two million per aggregate.
3. Any alcoholic beverages served must be contained in the area licensed by the Pennsylvania Liquor Control Board.
4. Any and all successors must follow the same requirements.

#### **RESOLUTION NO. R0028-23**

Resolved, that the proper city officials are hereby authorized to take any and all necessary actions related to the purchase of an Exmark (2023) Lazer Z DS-Series Lawnmower for a purchase price of \$43,122.80. This purchase is being made through a Pennsylvania Cooperative Purchasing Program (PA Contract #4400020097).

#### **RESOLUTION NO. R0029-23**

Resolved, that the proper city officials are hereby authorized to take any and all necessary actions related to the purchase of a 2023 Chevrolet 2500HD Silverado (VIN: 2GC4YNEY9P1731353) for a purchase price of \$63,800.00. this purchase is being made through a Pennsylvania Cooperative Purchasing Program (PA Contract #025E22527).

#### **RESOLUTION NO. R0030-23**

Authorizing the proper city officials to enter an agreement in the amount of \$122,599 with the Pennsylvania Department of Health to provide immunization services.

**RESOLUTION NO. R0031-23**

That, the proper City officials are hereby authorized to take any and all necessary actions related to selling 773 South Franklin Street, 73-I9NE1-020-001-000 (The Old Silk Mill) to Vincent Balint, Owner of Bulldog BBQ for \$65,000.

**RESOLUTION NO. R0032-23**

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, The City of Wilkes-Barre declared its intent to follow the schedules and procedures for the Disposition of records set forth in the Municipal Records Manual approved December 16, 2018, and,

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department: Fire Department  
Wilkes-Barre City Records (Ambulance Insurance & Signature Sheets, Payroll, Vendor Bills)

**Medic 3-Insurance/Signature Sheets:**

Year	Month	Size (cubic feet)
2017	January 1-July 31	1.25
2013	July 1-December 31	1.25
2017		1.25
2016 x 2		2.50
2016	March 1-December 31	1.25
2014-2015	July 1 - April 30	1.25
2015 x 2		2.50
2014 x 3		3.75
2012	July 1-December 31	1.25
2013		1.25
2017 x 2		2.50
2012	June 1-December 31	1.25
2012	January 1-May 30	1.25

**Medic 5 - Insurance/Signature Sheets:**

2016-2017	November 1-March 30	1.25
2017 x 3		3.75
2017	August 1-December 31	1.25
2016	January 1-May 31	1.25
2017	April-July 31	1.25
2016	June 1-October 31	1.25
2013-2014	October 1-May 31	1.25
2015 x 3		3.75
2016 x 2		2.50
2014	June 1-December 31	1.25
2012	January 1-June 30	1.25
2014		1.25
2012	January 1-June 30	1.25
2013	March 1-September 30	1.25
2013		1.25
2015	January.1-July 31	1.25
2012	July 1-December 31	1.25
2012	January 1-June 30	1.25
2013	July 1-December 31	1.25
2012-2013	July 1-February 28	1.25
2015	July 1-December 31	1.25

Vendor Bills:

2019	1.25
2014-2016	1.25
2017	1.25
2016	1.25

Payroll Sheets:

2017 x 2	2.50
2019	1.25
2018 x 2	2.50
2016 x 2	2.50
2015 x 2	2.50

Attendance/Monthly Reports:

2017	1.25
2019	1.25
2016/2017	1.25
2012	1.25
2018	1.25
2015	1.25

2013-2014

1.25

Fire Report & Ambulance Receipts:

1999-2013

1.25

**MINUTES**

Of the Wyoming Valley Sanitary Authority of March 21, 2023.

Of the Wyoming Valley Sanitary Authority Operations and Infrastructure Meeting of April 3, 2023.

Of the Regular Session of City Council of April 13, 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.

**ORDINANCE**

**FILE OF COUNCIL NO. 2 OF 2023 – AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2023 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-EIGHT AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES.” (SECOND AND FINAL READING).**

Mr. Belusko moved to adopt the Ordinance.

The motion was seconded by Mr. Marconi 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.

**PRESENTATIONS BY COUNCIL MEMBERS**



Mr. Brooks thanked Fire Chief Delaney and Assistant Director of the Health Department Katie McGlynn for attending last night's neighborhood associations meeting and giving a presentation of all the things that the city is doing regarding the opioid epidemic. He added that Ms. McGlynn also gave an overview of everything the Health Department does.

Mr. Brooks reported light switches not working at several crosswalks throughout the city. He said he will send a list to Mr. McCormick.

Mr. McCormick said there is currently a survey going on by the State and they will be investigating and redoing a lot of the timing at the crosswalks. He said there isn't much the city can do until this is completed.

Mr. Brooks said that line painting is needed at the intersection of Hazle Street and Wilkes-Barre Boulevard.

Mr. Marconi thanked the Administration for paving Austin Avenue and taking care of the graffiti he reported.

Mrs. McBride also thanked the Administration for having East South and Sherman Streets paved.

Mrs. McBride reported graffiti on a stop sign on the corner of East Northampton and South Meade Streets.

Mr. Barrett gave an update on the Pine Ridge Development. He said it stalled about three years ago. He said now there are several homes going up in the development. He thanked the Mayor and the Administration for meeting with the residents and getting the development back on track.

Mr. Barrett reported two pave cuts made by Pennsylvania American Water on Scott Street (between Brazil and Laird Street) that were done on a newly paved street over the winter. Mr. Barrett said they are a mess and need to be added to the list to be repaired.

## **PUBLIC DISCUSSION**

*Tony Thomas, Wilkes-Barre, PA appeared before Council relative to the NAACP Wellness/Health Fair today on Public Square, the Health Department (services they provide) and the Controller's office (needing an appointment).*

*Brian Ferry, Wilkes-Barre, PA appeared before Council relative to living streets, and the former Dana Street School (developing it).*

Mr. Marconi said his concern with the living streets would be emergency vehicles getting through.

Mr. Ferry said the street would not be shut down and emergency vehicles would be able to pass through.

Mrs. McBride said she has concerns about the lack of marketing for vacant properties in the City of Wilkes-Barre. She said she thinks the city would benefit from a marketing and development coordinator as a full-time position, not only for vacant properties, but for everything that goes on in the city.

Mrs. McBride asked Mr. Ferry, if the city was to pursue a living street, is there any grant funding available.

Mr. Ferry replied that there are standard grants out there, but if the city had a park and recreation plan it would open up opportunities for other grants.

Mrs. McBride asked if Mr. Ferry knew of any cities that have done living streets.

Mr. Ferry said there has been a precedence in the Pacific Northwest.

Mrs. McBride asked Mr. Ferry to send Council an email with some examples of living streets.

Mr. Brooks asked if the renovations to River Street would be an example of a living street.

Mr. Ferry said it is part of it, but this would be more residential streets.

Mark Shaffer, Wilkes-Barre, PA appeared before Council relative to Strodes (street/road), Wilkes-Barre Boulevard and Pennsylvania Avenue.

Mrs. McBride mentioned that people drive on Coal Street like it's a highway because of the way it was designed.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the quality of life of the residents and uses for remaining ARP money (bicycle study, another stimulus check, historical preservation, and purchasing trees).

Mayor Brown explained how the city helped the citizens/businesses owners with the ARP money.

There being no further business to discuss the meeting adjourned at 6:52 p.m.

Mike Belusko

Mike Belusko, Chairperson

ATTEST:

Cathy Payne

Cathy Payne, City Clerk

