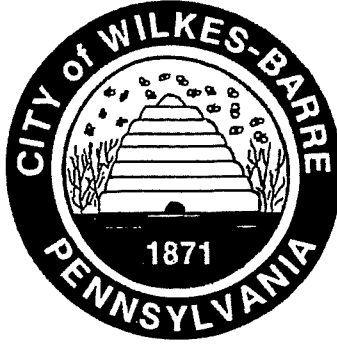


CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

AUGUST 10, 2023

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
AUGUST 10, 2023

CONSENT AGENDA (RESOLUTIONS)

Authorizing the Mayor to accept and sign the 2023-2024 Winter Services Agreement and Exhibits on the City's behalf for Year 2 of 10.

Authorizing the proper city officials to take any and all necessary actions related to accepting the insurance package submitted by Risk Strategies which includes, but is not limited to, Property, Inland Marine, Boiler & Machinery, General Liability, Business Auto, Fidelity Bond, Crime, Public Officials/EPLI, Law Enforcement, Firefighters Professional, Fiduciary Liability, GL & Prof. Health Depart., and Cyber Liability for a total annual premium of \$889,840.00.

Authorizing the proper city officials to take any and all necessary actions related to awarding a contract for the Solomon Creek Emergency Wall Repairs Project, to the lowest responsible bidder, Pioneer Construction Company, Inc.

Authorizing the proper city officials to enter into an agreement with the Pennsylvania Department of Transportation and Alfred Benesch and Company to conduct supplemental design services for the North Washington Street Bridge. Alfred Benesch and Company was selected during the PennDOT ECMS Program. The allocation of funds for this program are 80% Federal, 15% State and 5% local with the local share coming from the Liquid Fuels account. The local share amount will be \$5,000.00.

Authorizing the proper city officials to prepare and submit the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$28,820.00. The purpose areas of the grant are funding for community-based and non-community based trainings, re-certification trainings, community policing and saturation patrols for violent crime areas.

Authorizing the proper city officials to enter into an agreement with the lowest, responsible bidder, Mountain Stream Construction, in the amount of \$920,000 for the design, build, and construction, along with any or all other project documents, related to the Kirby Park Facility Building project. The allocation of funding for this project is proportionately distributed between the City of Wilkes-Barre and the Luzerne County Flood Protection Authority.

CITY COUNCIL
AUGUST 10, 2023
CONSENT AGENDA (RESOLUTIONS) CONTINUED

MINUTES

Of the Traffic Committee Meeting of June 22, 2023.

Of the Parking Authority of the City of Wilkes-Barre of June 20, 2023.

Of the Parking Authority of the City of Wilkes-Barre of July 18, 2023.

Of the Planning Commission Meeting of June 21, 2023.

Of the Zoning Hearing Board of June 21, 2023.

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



CITY COUNCIL

August 10, 2023

The City Council of the City of Wilkes-Barre met in Regular Session on August 10, 2023, 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 Mike Belusko in the Chair.

The Pledge of Allegiance to the Flag was given.

Council member Bill Barrett read the opening prayer.

Roll Call:

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

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

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the JAG grant and the Kirby Park recreation maintenance building.

Mayor Brown said the current maintenance building is in bad shape. The city secured a \$250,000 grant for a new building that will house the flood walls and equipment that is used when there is a flood scare.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the increase in the insurance package submitted by Risk Strategies, the Kirby Park recreation maintenance building, and the Solomon Creek Emergency Wall Repairs Project.

Mayor Brown informed Mr. Troy that the city's portion of the maintenance building at Kirby Park is being paid by a grant the city received from the Kirby Foundation.

The Mayor explained that the city took a tour of Solomon's Creek with four different companies, and they were asked to put a bid in on the wall restorations and Pioneer was the lowest bidder (approximately \$750,000).

Mayor Brown answered Mr. Troy's questions regarding the insurance package. He said the reason for the increase was due to some new additions, including the new elevator/stairway (1.7 million dollars) and thirteen new vehicles.

RESOLUTIONS

Resolution No. R0053-23 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0053-23

Be It Resolved by authority of Wilkes-Barre City Council of the City of Wilkes-Barre, Luzerne County, and it is hereby resolved by authority of the same, that the Mayor of said Municipality is authorized and directed to accept and sign the attached 2023-2024 Winter Services Agreement and Exhibits on its behalf (Contract #3900039817, Year 2 of 10).

RESOLUTION NO. R0054-23

That, the proper city officials are hereby authorized to take any and all necessary actions related to accepting the insurance package submitted by Risk Strategies which includes, but is not limited to, Property, Inland Marine, Boiler & Machinery, General Liability, Business Auto, Fidelity Bond, Crime, Public Officials/EPLI, Law Enforcement, Firefighters Professional, Fiduciary Liability, GL & Prof. Health Dept. and Cyber Liability for a total annual premium of \$889,840.00.

RESOLUTION NO. R0055-23

Resolved, that the proper city officials are hereby authorized to take any and all necessary actions related to awarding the contract for the Solomon Creek Emergency Wall Repairs Project to the lowest responsible bidder, Pioneer Construction Co., Inc.

RESOLUTION NO. R0056-23

Be It Resolved, by the City Council of the City of Wilkes-Barre:

To hereby authorize the proper city officials to enter into an agreement with the Pennsylvania Department of Transportation and Alfred Benesch and Company to conduct supplemental design services for the North Washington Street Bridge. Alfred Benesch and Company were selected using the PennDOT ECMS Program. This contract also allows the city to use Alfred Benesch and Company in other engineering capacities as needed by the City of Wilkes-Barre.

Be It Further Resolved, the allocation of funds for this program are 80% Federal, 15% State and 5% local with the local share coming from the Liquid Fuels account. The local share amount will be \$5,000.00.

RESOLUTION NO. R0057-23

Whereas, the City of Wilkes-Barre Police Department requests authorization to apply for/obtain the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG); and

Whereas, the amount of the grant is \$28,820.00; and

Whereas, the purpose areas of the grant are funding for community-based and non-community-based trainings, re-certification trainings, community policing and saturation patrols for violent crime areas; 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 Edward Byrne Memorial Justice Assistance Grant (JAG) application; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement, along with any or all other project documents, related to the Edward Byrne Memorial Justice Assistance Grant (JAG) application, if the application is approved.

RESOLUTION NO. R0058-23

Whereas, the City of Wilkes-Barre has actively engaged in flood mitigation measures throughout the city, such as creek retaining walls repair or replacement, stormwater pump station installation, and floodgates over bridges to prevent flooding; and

Whereas, an opportunity to further strengthen our flood mitigation efforts along with improve the city's Kirby Park's recreation maintenance building has arisen with the Luzerne County Flood Protection Authority (LCFPA); and

Whereas, the City of Wilkes-Barre desires to partner with the Luzerne County Flood Protection Authority (LCFPA) to construct a multi-use facility building in Kirby Park. The new facility will serve as the city's Kirby Park's recreation maintenance building and also serve as a secure facility to house the LCFPA's trailers that contain the Market Street Bridge Flood closure structure components. The design of the building will mimic a hangar-like facility which will allow for a direct enter and exit of vehicles and equipment through the

building. The location of the facility in Kirby Park, only a quarter mile from the Market Street Bridge, would further reduce the Authority's flood fighting response time; 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 enter into an agreement with the lowest, responsible bidder, Mountain Stream Construction, in the amount of \$920,000.00 for the design, build, and construction, along with any or all other project documents, related to the Kirby Park Facility Building project; and

Be It Further Resolved, that the allocation of funding for this project is proportionately distributed between the City of Wilkes-Barre and the Luzerne County Flood Protection Authority (LCFPA). The City's portion of \$250,000.00 will be funded by and in accordance with the Ann K. Kirby Foundation request.

MINUTES

Of the Traffic Committee Meeting of June 22, 2023.

Of the Parking Authority of the City of Wilkes-Barre of June 20, 2023.

Of the Parking Authority of the City of Wilkes-Barre of July 18, 2023.

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

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

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Brooks thanked the Administration for getting the \$250,000 grant from the Kirby Foundation.

Mr. Brooks discussed the lack of communication from the utility companies. He said he would like to see them talk to people when they are working on a street and explain what they are doing.

Mr. Brooks said he was at a funeral this morning for one of his constituents who had lost his wife and was so emotionally distraught. Mr. Brooks said he thought about the number of elderly people who have lost their spouse and are alone now. He asked how we reach out and check on them. He urged people to be good neighbors and check on the elderly.

Mr. Marconi reported poor patch work on River Street by Antonios Restaurant (near the hospital). He asked if it is just a temporary patch.

Mr. McCormick replied that it is temporary patch.

Mr. Marconi discussed the newly opened Hollenback Skate Park. He asked the Administration to think about the following ideas:

1. Having a food truck on weekends.
2. Add another rules and regulations sign.
3. Putting an American flag up.

Ms. Gilbert reported that VEGA is still using South Empire Street for their trucks.

Mr. McCormick said the Administration will reach out to them again.

Ms. Gilbert mentioned the passing of Ron Felton last week and took a moment to recognize him and thank him for his years of service to the city.

Mr. Barrett said he has received a lot of complaints about shopping carts being left all over his district. He said he did some research on it and some ordinances came up regarding this issue. He said they are a nuisance, and they end up getting filled with trash. He said he will continue looking at the ordinances to see what the city can do to get a handle on it.

Mayor Brown appeared to answer Mr. Marconi's questions about the skate park. He said the skate park is a work in progress. There was some damage to the clubhouse, which was repaired. The city will be fixing the road going to the park and possibly opening the clubhouse if someone wants to lease it as a concession stand. The Administration is also thinking about renting skateboards, scooters, and BMX bikes out of the clubhouse.

The Mayor added that he too was approached about putting an American flag up and the Administration will be doing that.

PUBLIC DISCUSSION

Jacob Brown, Kingston, PA, appeared before Council to speak out against abortions.

Susan Kinsman Taylor, Hanover Township, PA, appeared before Council relative to the death of her son Joshua Taylor and the handling of the case by the Wilkes-Barre Police Department.

Mayor Brown informed the Taylor family that he did look into the detective's on-going investigation of their son's death and was told that it is now with the Attorney General for review.

Ms. Gilbert said that after talking to the Taylor family, she found that the establishment where the incident took place has had an expired liquor license since last August. She said she called the Liquor Control Board about the expired license and asked how they are allowed to operate and was told that they are registered under the state's Nuisance Bar Program. They are allowed to operate under the expired license until a legal agreement is reached under that program. The agreement can be that they must close at a certain time, or they can't have entertainment on certain days. Ms. Gilbert said she is interested in how we as a city can work harder to get nuisance properties like this shut down. She mentioned that legally many of the city ordinances do not hold up. She said she is looking at what other municipalities do in circumstances like this.

Mr. Barrett said it is hard to imagine that a business can operate without a license.

Angel Mathis, Wilkes-Barre, PA, appeared before Council regarding charging seniors (on a fixed income) for police reports (\$25), Istanbul Grille (blocking the sidewalk), and city bulletin boards (who to contact).

Sam Troy, Wilkes-Barre, PA, appeared before Council relative to the hiring of Brian Swetz as the Finance Officer, the former Coughlin High School property (condition of) and the city's pension fund.

Attorney Henry told Mr. Troy that hiring a Finance Officer is the Mayor's responsibility.

Mayor Brown explained that the salary for the Finance Officer position was set on market data. The Administration has been trying to fill the job for approximately seven months and Mr. Swetz was the most qualified candidate. He has extensive experience in finance, budgets, and audits along with the educational background required for the position.

Mayor Brown told Mr. Troy that the Code Enforcement office visited the former Council High School last week. Mr. McCormick said that citations have been issued that precipitated the work that is going on to clear the sidewalks in the front and to board up the facility.

Mayor Brown pointed out that the balance in the pension fund (eighty-three million) is the highest that has been even before he was Mayor. He said when he took over as Mayor

the funding was at 52%; it is much healthier now. The actuary is coming in to give the city some recommendations.

There being no further business to discuss the meeting adjourned at 7:01 p.m.

Mike Belusko
Mike Belusko, Chairperson

Attest: Cathy Payne
Cathy Payne, City Clerk

