

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

AUGUST 15, 2019

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

RESOLUTIONS

CONSENT AGENDA (ORDINANCES)

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
AUGUST 15, 2019
CONSENT AGENDA (RESOLUTIONS)

Commending Representative Pashinski and other co-sponsors of House Bill 1687 and urging our state legislators to support the passage of this important legislation which will protect city residents and their property from the dangers of commercial grade fireworks.

Authorizing the proper city officials to prepare and submit the Edward Byrne Memorial Justice Assistance Grant (JAG) application and to authorize the Mayor 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.

Authorizing the proper city officials to enter into an agreement with the Pennsylvania Department of Health for \$113,041.00 for the City to provide immunization services.

Authorizing the proper city officials to enter into an agreement with the Pennsylvania Department of Health for \$181,382.00 for the City to provide public health preparedness services.

Authorizing Operations Director, Butch Frati to be the City's signatory for any and all documents related to the Multimodal Transportation Fund Grant (Agreement No. 04R251) for the repair of the Strauss Lane Bridge.

MINUTES

Of the Wyoming Valley Sanitary Authority Board of May 28, 2019.

Of the Wilkes-Barre Zoning Hearing Board of June 19, 2019.

Of the Wilkes-Barre City Traffic Committee of July 25, 2019.

Of the Wilkes-Barre Planning Commission of July 17, 2019.

Of the Regular Session of City Council of July 18, 2019.

CITY COUNCIL
AUGUST 15, 2019

RESOLUTIONS

Authorizing the proper city officials to accept the proposal of the Joyce Insurance Group for an insurance package in the amount of \$426,849.00 (Professional Services, and Property & Casualty and Professional Liability).

Reappointing Frank Majikes to the Police Civil Service Commission.

Reappointing Phillip Latinski to the Police Civil Service Commission.

Reappointing Joseph Moran to the Police Civil Service Commission.

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 10 OF 2019 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES”. (WRIGHT STREET A ONE-WAY WITH TRAFFIC FLOWING OUT TO WEST ROSS STREET) (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 11 OF 2019 – AN ORDINANCE AMENDING CHAPTER 5 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “ANIMALS AND FOWL”. (RESPONSIBILITIES OF OWNER/KEEPER REGARDING THE TREATMENT OF ANIMALS DURING INCLEMENT WEATHER WITHIN THE CITY) (FIRST READING)

CITY COUNCIL

August 15, 2019

The City Council of the City of Wilkes-Barre met in Regular Session on August 15, 2019, 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.

Roll Call:

Brooks	- present
Gilbert	- present
Merritt	- present
Barrett, Vice Chairperson	- present
Belusko, Chairperson	- present

Also Present:

Rick Gazenski, City Administrator
Maureen Collins, Assistant City Attorney
Adam Olver, Animal Enforcement Officer
Cathy Payne, Assistant City Clerk
Lisa Sanfilippo, Administrative Assistant

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

Ms. Payne asked if there was anyone wishing to address Council on pending legislation.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Resolution authorizing the proper city officials to prepare and submit the JAG application.

Jason Carr, Saylorsburg, PA appeared before Council relative to the following Resolutions:

1. *Resolution authorizing the proper city officials to accept proposal from Joyce Insurance.*
2. *Resolutions authorizing the proper city officials to enter into an agreement with the Pennsylvania Department of Health to provide immunization service.*

3. *Resolution authorizing the proper city officials to enter into an agreement with the Pennsylvania Department of Health to provide public health preparedness services.*

RESOLUTIONS

Resolution No. R0061-19 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0061-19

Whereas, a few years ago, Pennsylvania legalized the use of aerial fireworks by non-professionals;

Whereas, since then, Municipal officials and employees have dealt with numerous complaints from residents about danger and noise;

Whereas, in June of 2019, House Bill 1687 was introduced by State Representative Eddie Day Pashinski (and others) which would beef up regulations on the sale and use of fireworks in Pennsylvania, particularly the aerial fireworks which can be purchased by non-professionals.

Now, Therefore, Be It Resolved, that the City Council of the City of Wilkes-Barre hereby commends Representative Pashinski and other co-sponsors of the bill and urges our state legislators to support the passage of this important legislation which will protect city residents and their property from the dangers of commercial grade fireworks.

RESOLUTION NO. R0062-19

Whereas, the City of Wilkes-Barre Police Department requests authorization to apply for / obtain the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG); and

Whereas, the amount of the grant is \$21,519; and

Whereas, the purpose areas of the grant are funding for firearms/taser instructors' re-certifications, tactical and non-tactical police trainings 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. R0063-19

That the proper city officials are hereby authorized to enter an agreement with the Pennsylvania Department of Health for \$113,041.00 for the City to provide immunization services.

RESOLUTION NO. R0064-19

That, the proper city officials are hereby authorized to enter an agreement with the Pennsylvania Department of Health for \$181,382.00 for the City to provide public health preparedness services.

RESOLUTION NO. R0065-19

That, Operations Director Butch Frati shall be the City's authorized signatory for any and all documents related to the Multimodal Transportation Fund Grant (Agreement No. 04R251) for the repair of the Strauss Lane Bridge.

MINUTES

Of the Wyoming Valley Sanitary Authority Board of May 28, 2019.

Of the Wilkes-Barre Zoning Hearing Board of June 19, 2019.

Of the Wilkes-Barre City Traffic Committee of July 25, 2019.

Of the Wilkes-Barre Planning Commission of July 17, 2019.

Of the Regular Session of City Council of July 18, 2019.

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

Nays none.

RESOLUTION NO. R0066-19

Whereas, the City of Wilkes-Barre has publicly solicited proposals for Insurance Professional Services, and Property & Casualty and Professional Liability Insurance; and

Whereas, the City of Wilkes-Barre is prepared to renew the said services declared above.

Now, Therefore Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to accept the proposal of the Joyce Insurance Group for an insurance package in the amount of \$426,849.00 and to sign any and all necessary documents related to securing the same.

Mr. Brooks moved to adopt the Resolution.

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

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

Nays Gilbert – 1.

RESOLUTION NO. R0067-19

Whereas, Section 5:08 of the City Charter of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council, to appoint by members of Boards, Commissions and Authorities served by the City;

Whereas, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Police Civil Service Commission of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby re-appointed as a member of the Police Civil Service Commission of the City of Wilkes-Barre:

<u>Name</u>	<u>Term Expires</u>
Frank Majikes 52 Gordon Avenue Wilkes-Barre, PA 18702	December 31, 2021

Mr. Majikes has been serving on an expired term since 1-1-18

Mr. Belusko moved to adopt the Resolution.

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

Yeas Brooks, Barrett and Belusko (Chairperson) – 3 – being a majority of the members elected to City Council.

Nays – Gilbert and Merritt – 2

RESOLUTION NO. R0068-19

Whereas, Section 5:08 of the City Charter of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council, to appoint by members of Boards, Commissions and Authorities served by the City;

Whereas, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Police Civil Service Commission of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby reappointed as a member of the Police Civil Service Commission of the City of Wilkes-Barre:

<u>Name</u>	<u>Term Expires</u>
Phillip Latinski 20 Brazil Street Wilkes-Barre, PA 18705	December 31, 2021

Mr. Latinski has been serving on an expired term since 1-1-18.

Mr. Barrett moved to adopt the Resolution.

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

Yeas Brooks, Barrett and Belusko (Chairperson) – 3 – being a majority of the members elected to City Council.

Nays Gilbert and Merritt – 2.

RESOLUTION NO. R0069-19

Whereas, Section 5:08 of the City Charter of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council, to appoint by members of Boards, Commissions and Authorities served by the City;

Whereas, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Police Civil Service Commission of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved that the following person is hereby re-appointed as a member of the Police Civil Service Commission of the City of Wilkes-Barre:

<u>Name</u>	<u>Term Expires</u>
Joseph Moran 18 Brogan Avenue Wilkes-Barre, PA 18702	December 31, 2021

Mr. Moran has been serving on an expired term since 1-1-18.

Mr. Brooks moved to adopt the Resolution.

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

Yeas Brooks, Barrett and Belusko – 3 – being a majority of the members elected to City Council.

Nays Gilbert and Merritt – 2.

ORDINANCES

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

FILE OF COUNCIL NO. 10 OF 2019 – AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP PURSUANT TO CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “TRAFFIC AND MOTOR VEHICLES”. (WRIGHT STREET A ONE-WAY WITH TRAFFIC FLOWING OUT TO WEST ROSS STREET) (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 11 OF 2019 – AN ORDINANCE AMENDING CHAPTER 5 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “ANIMALS AND FOWL”. (RESPONSIBILITIES OF OWNER/KEEPER REGARDING THE TREATMENT OF ANIMALS DURING INCLEMENT WEATHER WITHIN THE CITY). (FIRST READING)

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

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Ms. Gilbert announced the rededication of Mayflower Park in honor of Brian Grohowski will take place this weekend.

Ms. Gilbert reported blue garbage bags out at the Park Place Building on the corner of Park Avenue and East South Street and pick up isn't until Wednesday.

Mr. Merritt reported a huge pothole on Scott Street, by EPSCO.

Mr. Barrett asked the Administration to follow up on 120 Custer Street. He said he received a second complaint about it. It is a property in disrepair and has high grass and weeds.

Mr. Barrett talked about Council's recent discussion about persons being able to carry firearms in Council Chambers. He said he sent information to everyone that he received from the Pennsylvania Municipal League that talks about legislation that limits Council's ability to restrict persons from coming on to government property with firearms; however there is another piece of legislation out there called Senate Bill 625, which was proposed by Senator Marie Collett, and it would amend that to allow municipalities to regulate firearms on municipal properties. Mr. Barrett said he reached out to Senator Yudichak's office and they are going to brief the Senator on our concerns to see if he would be receptive to getting behind this piece of legislation and moving it forward for a vote.

Mr. Barrett mentioned that the Pennsylvania League said they have received numerous inquiries across the state and a lot of municipalities are interested in this particular piece of legislation.

Mr. Belusko reported a sinkhole at Gordon Ave Soccer Field (by the baseball field), on the playing surface.

PUBLIC DISCUSSION

David Yonki, representing the NAACP, appeared before Council relative to the Multi-Cultural Parade scheduled for 9/14/19 and the Freedom Fund Banquet scheduled for October 25, 2019.

Mary Ellen Jones, Wilkes-Barre, PA appeared before Council relative to aggressive dogs in the city (Ordinance stating that they have to be contained by a fence and/or leash).

Ms. Gilbert said there is an aggressive dog Ordinance on the books, so it might just be a matter of amending it.

John Marconi, Wilkes-Barre, PA appeared before Council to ask for an update on the new ladder truck for the Fire Department.

Mr. Gazenski said it has been ordered, but he didn't know when the city will take delivery.

Gene Stilp appeared before Council relative to the beehive monument removed from Public Square (looking for a donation of land (from private landowners) to put up a new monument).

Greg Griffen, Swoyersville, PA appeared before Council to give an update on the Opioid Committee.

Jason Carr, Saylorsburg, PA appeared before Council relative to Resolutions regarding agreements with the Pennsylvania Department of Health (Council not having answers to his questions), violence in the city and the status of the South Main / East Northampton Street property.

Ms. Gilbert told Mr. Carr that several months ago she spoke with Chief Coffay about the violence in the city. She said Chief Coffay has great leadership qualities and he is doing his best to take control of the city and the violence; however, the police need more funding. More funding needs to be allocated for public safety. She said the city needs more foot patrols and substations.

Linda Joseph, Wilkes-Barre, PA appeared before Council relative to false comments on social media about Councilmen Tony Brooks and Mike Belusko.

There being no further business to discuss the meeting adjourned at 6:49 p.m.

Handwritten signature of Mike Belusko in blue ink, written over a horizontal line.

Mike Belusko, Chairperson

ATTEST:

Handwritten signature of Cathy Payne in blue ink, written over a horizontal line.

Cathy Payne, Assistant City Clerk

