

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

REGULAR SESSION

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
OCTOBER 10, 2019

CONSENT AGENDA (RESOLUTIONS)

Approving the transfer of a Restaurant Liquor License from Duryea Borough to 389 North River Street, Wilkes-Barre. (SCL Investment Company, Inc.)

Authorizing the proper city officials to work with representatives from the Department of Transportation on the modification of the traffic signal mast arms to accommodate a small cell project at the intersection of Spring Street and Pine/Sherman Streets. (The cost of this work will be paid by others with no financial burden to the City of Wilkes-Barre)

MINUTES

Of the Wyoming Valley Sanitary Authority of July 23, 2019.

Of the Wyoming Valley Sanitary Authority of September 3, 2019.

Of the Parking Authority of August 20, 2019.

Of the Zoning Hearing Board of August 21, 2019.

Of the Regular Session of City Council of September 12, 2019.

CITY COUNCIL

October 10, 2019

The City Council of the City of Wilkes-Barre met in Regular Session on October 10, 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 McBride	- present
Merritt	- present
Barrett, Vice Chairperson	- present
Belusko, Chairperson	- present

Also Present:

Rick Gazenski, City Administrator
Tim Henry, City Attorney/Deputy Administrator
Cathy Payne, Assistant City Clerk
Lisa Sanfilippo, Administrative Assistant
Jim Ryan, City Clerk

City Clerk Jim Ryan read a statement relative to Council's Rules and Procedures.

Mr. Ryan asked if there was anyone wishing to address Council on pending legislation.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolution approving the Liquor License Transfer for 389 North River Street.

RESOLUTIONS

Resolution No. R0074-19 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0074-19

A Resolution of Municipality of Wilkes-Barre, County of Luzerne, Commonwealth of Pennsylvania, Approving transfer of Restaurant Liquor License #R-4595, LID #61950 Into the City of Wilkes-Barre, Luzerne County from Duryea Borough.

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 retail liquor license into the receiving municipality; and

Whereas, on October 8, 2019 the City of Wilkes-Barre conducted a public hearing for the purpose of receiving 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 retail liquor license in the municipality.

Now, Therefore, Be It Resolved that SCL Investment Company, Inc., has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of a Pennsylvania Retail 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 retail liquor license into Wilkes-Barre City by SCL Investment Company, Inc., 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-4595, LID # 61950, from Duryea Borough, PA to be located at 389 North River Street, 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 October 10, 2019.

RESOLUTION NO. R0075-19

To hereby authorize the proper city officials to work with representatives from the Department of Transportation on the modification of the traffic signal mast arms to accommodate a small cell project at the intersection of Spring Street and Pine/Sherman Streets.

And further, that the cost of this work will be paid by others with no financial burden to the City of Wilkes-Barre.

MINUTES

Of the Wyoming Valley Sanitary Authority of July 23, 2019.

Of the Wyoming Valley Sanitary Authority of September 3, 2019.

Of the Parking Authority of August 20, 2019.

Of the Zoning Hearing Board of August 21, 2019.

Of the Regular Session of City Council of September 12, 2019.

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

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

Yeas Brooks, Gilbert McBride, Merritt, Barrett and Belusko – 5 – being all the members elected to City Council.

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Brooks shared his thoughts about the new Shade Tree Commission. He said he sees the Commission helping with places that need trees. He does not want to see them

require anybody to have a tree or to interfere with their private property. He said that he would also like to see the Commission help lower income senior citizens with taking down dead trees and replacing them with proper urban trees. He said that he spoke with the Director of OCD about finding money/a program that would be available to help senior citizens with this.

Mr. Brooks said the stop sign at the corner of High and Parrish Streets is too far back. He asked the Administration if they could paint a white line that says stop (that people should pull up to).

Mr. Brooks asked the Administration to have the "No Parking Here To Corner" sign replaced on Stanton and Brown Streets.

Ms. Gilbert discussed the following:

1. 122 South Sherman Street. The resident applied for a parking permit months ago and was approved, but they never got their permit.
2. Paving Rose Lane.
3. Reiterate to Parking Enforcement the situation after school at Heights Murray Elementary and GAR High School relative to cars being parked illegally.

Mr. Belusko reported a pothole on Amherst Street near Locust Street.

Mr. Gazenski said DPW is waiting for more patch.

PUBLIC DISCUSSION

Ron Felton, President, NAACP, appeared before Council relative to banning guns in municipal buildings.

John Marconi, Wilkes-Barre, PA appeared before Council relative to the city's dog park (talk of it becoming a miniature golf course and high grass at the smaller section of the park).

John Suchoski, Wilkes-Barre, PA appeared before Council relative to King's College's Environmental Grant, increasing PILOT payments and the pothole patcher.

Ms. Gilbert McBride said she has suggested a PILOT program similar to Boston. They have a comprehensive program that makes it fair for non-profits of all sizes. She is hoping the next Administration will revisit it.

Mr. Gazenski told Mr. Suchoski that the Mayor has been fighting with the colleges to pay more.

Jason Carr, Saylorsburg, PA appeared before Council relative to the volunteer efforts of the Greater W-B Taxpayer Coalition (cleanup of streets and parks), putting garbage cans on heavily traveled streets, updates on the construction of the Sterling Hotel Site, the Sphere International Site and Market Street Square, grant for street cleaner, Solomon Creek construction (difference between money funded and the money needed to complete the project) and city-wide clean up (charge residents for service, but not seniors).

Mr. Belusko told Mr. Carr that the hotel on Northampton and South Main Street is moving forward.

Mr. Gazenski said that he saw the plans this past week for the hotel project. Demolition will be completed before Christmas. The permits are in the process of being issued. They are looking at a 2020 opening date.

Mr. Gazenski added that the Sterling property is going to take between 16 and 18 months to be started.

Mrs. Gilbert McBride thanked Mr. Carr and the Greater W-B Taxpayer Coalition for helping clean parts of her district.

Mrs. Gilbert McBride said that she has asked for garbage cans to be placed on East Northampton Street some time ago and the concern was that residents would use it to dump their household trash. She said there are garbage cans with small enough opening so that it wouldn't happen. She said she hopes the next Administration will look into it.

Mr. Belusko thanked Mr. Carr and the Taxpayer Coalition for their cleanup efforts.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Shade Tree Commission, allowing public comment at Work Sessions and Sphere International (have they been paying taxes on property).

Attorney Henry said if Sphere International hadn't paid taxes in two years then the property would be put up for sale by the County Tax Claim Bureau. He said he hasn't seen that property up for sale, so he assumes they are at least compliant with that two-year rule.

Phillip Holena, Wilkes-Barre, PA appeared before Council relative to the Shade Tree Commission and the Ordinance they would like to pass (against it).

Mark Shaffer, Wilkes-Barre, PA appeared before Council relative to Council members taking city pensions and the city's pension fund.

Ms. Gilbert McBride said she plans on introducing an Ordinance so that future Council members do not have the opportunity to get a pension.

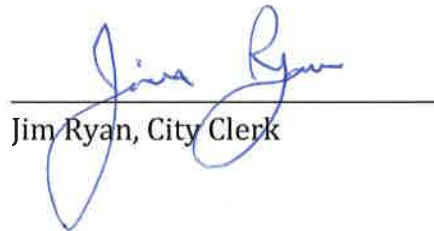
Mr. Barrett said the fairest way to do it would be to set a date and move forward and a good time to do it might be when the new Administration and Council are seated next year.

There being no further business to discuss the meeting adjourned at 6:50 p.m.



Mike Belusko, Chairperson

ATTEST:



Jim Ryan, City Clerk