

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

NOVEMBER 7, 2019

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

CONSENT AGENDA (ORDINANCES)

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
NOVEMBER 7, 2019

RESOLUTIONS

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 \$2,000,000.00 for the purpose of constructing the Wilkes University Pharmacy Initiative Project located in the City of Wilkes-Barre and further authorizing the city to execute a Cooperation Agreement and other documents needed to enable RACP compliance and facilitate the receipt of the RACP Grant funding.

Appointing Jean Brodie-Druby to the Shade Tree Commission.

MINUTES

Of the Public Hearing of City Council of October 8, 2019.

Of the Regular Session of City Council of October 10, 2019.

Of the Regular Session of City Council of October 24, 2019.

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 12 OF 2019 – AN ORDINANCE AMENDING SECTION 18-12 CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "STORAGE OF MOTOR VEHICLES ON PRIVATE GROUNDS. (FIRST READING)

FILE OF COUNCIL NO. 13 OF 2019 – AN ORDINANCE VACATING PORTIONS OF EAST ROSS STREET AND SOUTH PENNSYLVANIA AVENUE IN THE CITY OF WILKES-BARRE. (FIRST READING)

CITY COUNCIL

November 7, 2019

The City Council of the City of Wilkes-Barre met in Regular Session on November 7, 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	- excused
Barrett, Vice Chairperson	- present
Belusko, Chairperson	- present

Also Present:

Darren Snyder, City Controller
Rick Gazenski, City Administrator
Timothy 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 appointing a member to the Shade Tree Commission, the RACP Grant for Wilkes University and the Ordinance vacating streets for the LCTA.

Tony Thomas, Wilkes-Barre, PA appeared before Council relative to the RACP Grant for Wilkes University and the Ordinance vacating streets for the LCTA.

Jessica McClay, Wilkes-Barre, PA appeared before Council relative to the RACP Grant for Wilkes University and the Ordinance relative to the storage of motor vehicles on private grounds.

Mark Shaffer, Wilkes-Barre, PA appeared before Council relative to the RACP Grant for Wilkes University.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the RACP Grant for Wilkes University.

Mr. Barrett asked that the Resolution appointing Jean Brodie-Druby to the Shade Tree Commission be removed from the agenda.

Mr. Ryan said by unanimous consent of Council the Resolution appointing Jean Brodie-Druby was removed from the agenda.

RESOLUTIONS

RESOLUTION NO. R0081-19

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 dollars (\$2,000,000.00) for the purpose of constructing the Wilkes University Pharmacy Initiative Project located in the City of Wilkes-Barre, Luzerne County; and further authorizing the city to execute a Cooperation Agreement and other documents needed to enable RACP compliance and facilitate the receipt of RACP Grant Funding.

Whereas, the Office of the Budget notified Wilkes University (the "University") that the Governor of the Commonwealth of Pennsylvania has authorized the release of Two Million Dollars (\$2,000,000.00) in RACP funds (the "Grant") for certain site preparation and construction activities associated with the Wilkes University Pharmacy Initiative Project ("the Project"), located in the City of Wilkes-Barre, Luzerne County, Pennsylvania; and

Whereas, the Office of the Budget issued a RACP grant agreement, ME 300-1674 (the "Grant Agreement") to the City in the amount of Five Million Five Hundred Thousand Dollars (\$5,500,000.00) for the King's College Spring Brook-Wilkes University Pharmacy capital project, in which the Project is referenced as Phase II Wilkes University Pharmacy Initiative; and

Whereas, the City has agreed to act as the public applicant and grantee as part of the Grant approval process and administration, as the City supports the Project based on its significant social and economic benefits; and

Whereas, the University has requested, and the City has obliged to serve as the eligible public applicant and grantee, which included the preparation and submission of a

formal and complete RACP application on behalf of University, to the Office of the Budget;
and

Whereas, as a Special Condition of the Grant Agreement, the City is required to submit an enacted resolution authorizing the filing of the RACP application and designating officials to sign any documentation necessary to meet RACP compliance requirements and to effectuate the receipt of RACP funds; and

Whereas, as an additional Special Condition of the Grant Agreement, the University must enter into a Cooperation Agreement with the City that obligates the university to comply with all RACP terms and conditions of the Grant Agreement and the RACP program.

Now, Therefore, Be It Resolved, that the City, in its role as applicant and grantee, supports the Project and its RACP award in the amount of Two Million Dollars (\$2,000,000.00) and agrees to administer the Grant funds, in accordance with all statutory and program requirements, to effectuate the construction of the Project.

Be It Further Resolved, that in addition to the RACP application and Grant Agreement, which have already been executed, the City is hereby authorized 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, provided said Cooperation Agreement has been reviewed and deemed to be satisfactory to the City and the City Solicitor.

Be It Further Resolved, that the Mayor and City Controller are hereby authorized to execute all future documents necessary to maintain RACP compliance and effectuate the receipt of RACP grant funds.

Be It Further Resolved, that the City Clerk is hereby authorized to execute a certificate attesting to the adoption of this Resolution No. R0081-19.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays none.

Abstain – Brooks and Gilbert McBride – 2.

MINUTES

Of the Public Hearing of City Council of October 8, 2019.

Of the Regular Session of City Council of October 10, 2019.

Of the Regular Session of City Council of October 24, 2019.

Mr. Brooks moved to approve the minutes.

The motion was seconded by Mrs. Gilbert McBride 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.

ORDINANCES

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

FILE OF COUNCIL NO. 12 OF 2019 – AN ORDINANCE AMENDING SECTION 18-12 OF CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “STORAGE OF MOTOR VEHICLES ON PRIVATE GROUNDS.” (FIRST READING)

FILE OF COUNCIL NO. 13 OF 2019 - AN ORDINANCE VACATING PORTIONS OF EAST ROSS STREET AND SOUTH PENNSYLVANIA AVENUE IN THE CITY OF WILKES-BARRE. (FIRST READING).

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

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Mrs. Gilbert McBride asked that South Sheridan Street be paved or patched before the cold weather comes.

PUBLIC DISCUSSION

David Saxton, Wilkes-Barre, PA appeared before Council relative to the sale of the sewer system.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to a police car parked by the Jewelcor building, and the sale of the sewer.

Mrs. Gilbert McBride said that before Council makes a decision regarding the sale of the sewer system, they need to think of the younger generation and young homeowners that will have to deal with this for years to come. They may not raise the fees initially; they will raise them eventually and that needs to be considered before moving forward.

Mr. Ryan said that at the end of Mayor Leighton's term Council passed an Ordinance forming a Sewer Authority, but nothing ever happened with it. He said he thinks that it is still a possibility to have an authority and they would charge neighboring municipalities to use the system.

Mr. Gazenski explained that if a decision is made somewhere down the line to sell it, the money that would come in would shore up the pension funds and there would be money in the general fund to handle things that may come up.

Tony Thomas, Wilkes-Barre, PA appeared before Council relative to the sale of the sewer system.

Lisa Sliker, Wilkes-Barre, PA appeared before Council relative to a nuisance property at 182-184 Carey Avenue.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to city streetscape projects (set guidelines for planting/cutting down trees) and the sale of the sewer system (referendum).

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to college students not using crosswalks, King's College employees blowing leaves into the street, and trees damaging sidewalks (responsibility of the homeowner).

Mark Shaffer, Wilkes-Barre, PA appeared before Council relative to the sale of the sewer system.


Mr. Snyder said that the city is following the Early Intervention Plan that the State has given the city. In the end it's going to come to either we decide who and how we sell the sewer system or the state decides who they sell it to. Mr. Snyder said he would rather stick to the early intervention plan and avoid Act 47 and choose our own path as opposed to having the state come in and choose it for us.

There being no further business to discuss the meeting adjourned at 7:14 p.m.



Mike Belusko, Chairperson

ATTEST:



Jim Ryan, City Clerk