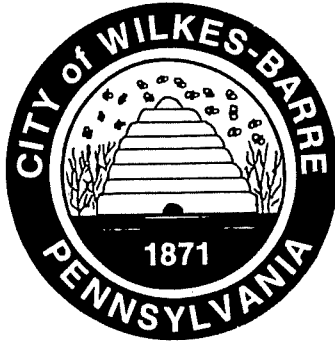


CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

MARCH 21, 2024

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS/MINUTES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
MARCH 21, 2024

CONSENT AGENDA (RESOLUTIONS/MINUTES)

RESOLUTIONS

Authorizing the proper city officials to sign all necessary documents related to awarding the contract for the Kirby Park ADA Walkway and Pier Project to the lowest responsible bidder, Stell Enterprises, Inc. in the amount of \$170,578.00.

Authorizing the proper city officials to sign all necessary documents related to hiring Kavulich Construction Company to replace the floor at the Hollenback Fire Station For the purchase price of \$35,500.00. (\$31,951.99 from the Commonwealth of Pennsylvania, Office of the State Fire Commissioner, Fire Company and Emergency Medical Service Grant and \$3,548.01 for the Fire Department's 2024 budget)

Authorizing the proper city officials to enter into an agreement with the lowest, responsible bidder, Kuharchik Construction, in the amount of \$101,686.00 for the Traffic Signal Infrastructure Improvement Project. The project will be funded through the PennDOT Green Light Go Grant Program and the City's Liquid Fuels account.

Reappointing Frank Majikes to the Police Civil Service Commission.

Reappoint Phil Latinski to the Police Civil Service Commission.

Reappointing Carl Naessig to the Traffic Committee.

Reappointing Tom Unvarsky to the Traffic Committee.

Reappointing Francis "Thomas" Collis to the Traffic Committee.

Reappointing Jean Brodie to the Planning Commission.

Reappointing Anthony Thomas to the Planning Commission.

Appointing Dave Wilson to the Planning Commission.

MINUTES

Of the Wilkes-Barre Finance Authority of December 21, 2023.

Of the Regular Session of City Council of March 7, 2024.

CITY COUNCIL

March 21, 2024

The City Council of the City of Wilkes-Barre met in Regular Session on March 21, 2024, at 6:00, in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania, for the purpose of general business.

The meeting was organized with Chairperson Bill Barrett in the Chair.

The Pledge of Allegiance to the Flag was given.

Mr. Brooks read the opening prayer.

Roll Call:

Belusko	- present
McClay	- present
Mirin	- present
Brooks, Vice Chairperson	- present
Barrett, Chairperson	- present

Also Present:

George C. Brown, Mayor
Tony Thomas, Controller
Maureen Collins, Assistant City Attorney
Charles McCormick, 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.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolutions appointing members to various boards and authorities.

Jim Burden, Wilkes-Barre, PA appeared before Council relative to the Kirby Park ADA Walkway and Pier Project, the replacement of the Hollenback Fire Station floor and the Traffic Signal Infrastructure Improvement Project.

Mayor Brown informed Mr. Burden that the work being done at Kirby Park is being done through a grant from the Kirby Foundation.

Mayor Brown said the city also has a major project happening at the Bog Park in Parsons (handball courts, pickleball courts, rerouting traffic, and special needs equipment).

Mr. Barrett remarked that the firehouse floor will be funded primarily by a grant.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the Traffic Signal Infrastructure Improvement Project.

Mr. McCormick explained that the state grant for the project is 90% PennDOT, 10% Liquid Fuels. He said the engineering firm was picked by the state to evaluate various intersections in the city and these are the ten that need the most attention.

CONSENT AGENDA (RESOLUTIONS/MINUTES)

Resolution No. R0020-24 to and including the minutes appeared on the Consent Agenda (Resolutions):

RESOLUTIONS

RESOLUTION NO. R0020-24

Whereas, the City of Wilkes-Barre advertised for bids for a project called Kirby Park ADA Walkway and Pier Project (the "Project");

Whereas, responses to the bid advertisement were due on March 20, 2024.

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to sign any and all necessary documents related to awarding the contract related to the above-referenced Project to the lowest responsible bidder, Stell Enterprises, Inc., in the amount of \$170,578.00 (One Hundred, Seventy Thousand, Five Hundred and Seventy Eight Dollars and Zero Cents).

RESOLUTION NO. R0021-24

Whereas, the floor of the Hollenback Fire Station is deteriorating and is in need of repairs which include the application of a new Eco-CorFlex Ultra Coating System;

Whereas, due to the proprietary nature of this type of application, the City was only able to located one (1) vendor to perform this service; and

Whereas, approximately ninety percent of (90%) of the costs related to this project will be paid with grant proceeds available to the City;

Now, Therefore, Be It Resolved, that the proper city officials are hereby authorized to sign any and all necessary documents related to hiring Kavulich Construction Co. to perform the above-referenced repairs and application for a purchase price of \$35,500.00.

Be It Further Resolved, that payment for these services shall be made as follows:

- i. \$31,951.99 from the Commonwealth of Pennsylvania, Office of that State Fire Commissioner, Fire Company and Emergency Medical Service Grant; and
- ii. \$3,548.01 from the Fire Department's 2024 budget.

RESOLUTION NO. R022-24

Whereas, the City of Wilkes-Barre has publicly advertised for bidders to perform work for the Traffic Signal Infrastructure Improvement Project;

Whereas, the project will consist of City upgrades to its pedestrian pushbuttons to be ADA compliant at ten (10) locations in the City along with camera installation at one (1) of the ten (10) intersections;

Whereas, Alfred Benesch & Company, the engineering firm of the project, has recommended Kuharchik Construction to perform the above-mentioned work;

Now, Therefore, Be It Resolved that the proper city officials are hereby authorized to enter into an agreement with the lowest, responsible bidder, Kuharchik Construction, in the amount of \$101,686.00 for the Traffic Signal Infrastructure Improvement Project. The project will be funded through the PennDOT Green Light Go grant program and the City's Liquid Fuels account.

RESOLUTION NO. R0023-24

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 persons referenced below to the Police Civil Service Commission of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following persons are hereby reappointed as members of the Police Civil Service Commission of the City of Wilkes-Barre:

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

December 31, 2027

Phillip Latinski
20 Brazil Street
Wilkes-Barre, PA 18705

December 31, 2027

RESOLUTION NO. R0024-24

Whereas, Section 29-48 of the Code of Ordinances of the City of Wilkes-Barre directs that four (4) citizens of the city be appointed to serve on the Traffic Committee;

Whereas, it is the desire of the City of Wilkes-Barre to reappoint the person referenced below to the Traffic Committee of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby reappointed as a member of the Wilkes-Barre City Traffic Committee:

Name

Term Expires

Carl Naessig
33 Diebel Street
Wilkes-Barre, PA 18702

March 21, 2027

RESOLUTION NO. R0025-24

Whereas, Section 29-48 of the Code of Ordinances of the City of Wilkes-Barre directs that four (4) citizens of the city be appointed to serve on the Traffic Committee;

Whereas, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Traffic Committee of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby reappointed as a member of the Wilkes-Barre City Traffic Committee:

Name

Term Expires

Thomas Unvarsky
21 Gore Street
Wilkes-Barre, PA 18705

March 21, 2027

RESOLUTION NO. R0026-24

Whereas, Section 29-48 of the Code of Ordinances of the City of Wilkes-Barre directs that four (4) citizens of the city be appointed to serve on the Traffic Committee;

Whereas, it is the desire of the City of Wilkes-Barre to re-appoint the person referenced below to the Traffic Committee of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby reappointed as a member of the Wilkes-Barre City Traffic Committee:

<u>Name</u>	<u>Term Expires</u>
Francis "Thomas" Collis 47 Miner Street Wilkes-Barre, PA 18702	March 21, 2027

RESOLUTION NO. R0027-24

Whereas, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre authorizes the Mayor, with the approval of City Council to appoint members of the Planning Commission of the City of Wilkes-Barre;

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

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

<u>Name</u>	<u>Term Expires</u>
Jean Brodie 238 Stanton Street Wilkes-Barre, PA 18702	December 31, 2027

RESOLUTION NO. R0028-24

Whereas, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre authorizes the Mayor, with the approval of City Council, to appoint members of the Planning Commission of the City of Wilkes-Barre;

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

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

<u>Name</u>	<u>Term Expires</u>
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Anthony Thomas
18 Oakly Lane
Wilkes-Barre, PA 18705

December 31, 2027

RESOLUTION NO. R0029-24

Whereas, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre authorizes the Mayor, with the approval of City Council, to appoint members of the Planning Commission of the City of Wilkes-Barre;

Whereas, it is the desire of the City of Wilkes-Barre to appoint the person referenced below to the Planning Commission of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member to the Planning Commission of the City of Wilkes-Barre;

<u>Name</u>	<u>Term Expires</u>
David Wilson 15 Mallery Place Wilkes-Barre, PA 18702	December 31, 2027

MINUTES

Of the Wilkes-Barre Finance Authority of December 21, 2023.

Of the Regular Session of City Council of March 7, 2024.

Mr. Barrett moved to adopt the Consent Agenda (Resolutions/Minutes).

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

Yeas Belusko, McClay, Mirin, Brooks, and Barrett (Chairperson) - 5 - being all of the members elected to City Council.

Nays none.

COUNCIL PRESENTATIONS

Mr. Belusko provided Council members with a handout from the Wyoming Valley Sanitary Authority regarding catch basins (cleaned/replaced) and street sweeping. He said that the WVSA will clean streets in the city next month.

Mr. Belusko addressed Mr. Troy's comments from the last Council meeting regarding his attendance at WWSA meetings. Mr. Belusko clarified that he did miss one meeting. He informed Mr. Troy that there are two other members from Wilkes-Barre City on the WWSA. Mr. Belusko added that he did participate in the meeting from home on his iPad.

Mrs. McClay reported the following issues:

1. Garbage alongside the home at 354 N. Main Street.

Mr. McCormick said it is his understanding that the trash was put out.

2. Beer Party on North Main Street on St. Patrick's Day weekend.

Mrs. McClay said that the police were called, but they were so busy that they didn't respond. She asked if next year the police could circle the area of North Main Street, because apparently it happens every year.

Mr. McCormick said it was discussed at a senior staff meeting on Tuesday. The Police Chief is aware of the issue, and he is planning on increasing patrols in the area.

3. Update on the former Philly Subs on North Washington Street (graffiti).

Mr. McCormick said that a Notice to Abate was sent out; they are waiting for the return and then they will be cited.

4. Garbage in front of 772-785 North Pennsylvania Avenue (across from Dukey's Café).

Mr. McCormick marked down the address and said someone would address it.

5. Reports from Department Heads.

Mrs. McClay said in January she requested quarterly reports from Department Heads. She asked for an update.

Mr. Mirin thanked Mr. McCormick for his help this week with a stop sign at the corner of Joseph Lane and Myrtle Lane and for repairing potholes on South Meade Street.

Mr. Mirin asked the Administration to look into painting the curbs throughout the city (near the corner) to indicate no parking.

Mr. Brooks thanked Mr. McCormick for his timely response in helping him with several issues today.

Mr. Brooks thanked Mrs. McClay for asking the Administration for copies of the bid results. He said it is very eye-opening document.

Mr. Barrett said he spoke with a resident today who lives on Harriet Street in the Parsons section of Wilkes-Barre. He said there is also a Harriet Street in Plain Township and they both share the same 5-digit zip code. The Wilkes-Barre resident came home one day and found that his water was shut off, but it should have been the residence in Plains. The Wilkes-Barre resident is very concerned in the case of a true emergency that the emergency responders will go to the wrong address. He said they contacted the Post Office who said it is a municipal issue. Mr. Barrett said he is looking for some advice on the situation other than having the address changed.

Mr. Barrett added that he googled the address, and it directed him to Plains even though he put in Harriet Street, Wilkes-Barre, 18705.

PUBLIC DISCUSSION

Phil Latinski, Wilkes-Barre, PA appeared before Council relative to Mr. Troy's comments at the last meeting regarding Mr. Belusko's attendance at Wyoming Valley Sanitary Authority.

Linda Joseph, Wilkes-Barre, PA appeared before Council relative to the intersection of Hazle and Blackman Streets (traffic light needs an arrow), employees of Pennsylvania American Water attending the Rolling Mill Hill residents meeting and their quick response to the residents' issues, and the number of vehicles/junk vehicles at the business on the corner of Moyallen and South Empire Streets.

Mr. McCormick said that the Zoning office will look at the business on Moyallen and South Empire Streets, but to be clear there isn't a number of vehicles in the Ordinance, it's generally a health and safety situation.

Mr. Mirin asked where the car business' property line ends because it seems to keep growing.

Mr. McCormick said that is what the Administration will have to look at.

Jim Burden, Wilkes-Barre, PA appeared before Council relative to making Opal Lane a one way (from Hillside Street to Taft Street), missing mirror, traffic light on East Northampton Street, 305 East Northampton Street (water and sewage being pumped out of the house), and selling homes to people from out of state.

Mrs. McClay told Mr. Burden that he would have to go to the Traffic Committee to make Opal Lane a one way. She said there are certain guidelines that must be met.

Mr. Barrett said he understands Mr. Burden's concerns about selling homes to people from out of state, but it would be very difficult for a city to regulate who someone can sell their home to.

Mr. Brooks pointed out that the city did have a program that helped people with downpayments on homes.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to homeless people living in city parks (encampments).

Mr. McCormick said municipalities have been dealing with this situation for some time. The Supreme Court is having oral argument in April on the definitive case as to whether or not a municipality is allowed to ban homeless sheltering on public property. The general rule is that they determined that people on public places (sheltering there), are not allowed to be banned from it. The Supreme Court's decision should come down by late June (the end of their term) and that will give clarification as to what a municipality can do and not do in relation to that problem. Mr. McCormick said presently, as a legal matter, the city must wait to get the decision from the Supreme Court.

Mr. Suchoski asked if the city has any plans to give sanitation needs and restroom facilities to the people living in the parks.

Mr. McCormick said that is part of the legal issue (providing municipal services).

Greg Cromer, Aerial photographer, Stephens City, VA, appeared before Council to show photos he took of Wilkes-Barre City.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the homeless, Keystone Mission hours, Mr. Belusko's attendance at the WVSA meetings, stormwater fee, 18.3 million dollar loss of real estate to nonprofits, filling positions on the Historical Preservation Committee and the Shade Tree Commission and establishing an Environmental Advisory Commission.

Mayor Brown told Mr. Troy that the rain tax is imposed by the federal government.

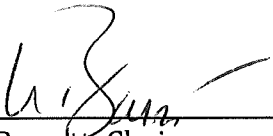
Mayor Brown also explained to Mr. Troy that Keystone Mission sets the hours for their facility. All the city did was allocate money for them to take the building and renovate it to the point where they could use it for the homeless. Mayor Brown said he did speak with them about keeping the facility open all night long, but it is a staffing issue and a cost issue for them.

Mayor Brown said he has helped the people of Wilkes-Barre since he took office. In the last five budgets he proposed there has not been a tax increase, he mailed out 8,460 stimulus checks to people and gave a million dollars to twenty-four social agencies (who held the needy and seniors in the city).

Mr. Troy asked who establishes Code Blue in the City.


Mayor Brown replied that there is a determination guideline that the city goes by. If the windchill factor is below 20 degrees, Code Blue is established. The Administration works hand in hand with Danielle at Keystone Mission.

There being no further business to discuss the meeting adjourned at 7:05 p.m.



Bill Barrett, Chairperson

ATTEST:



Cathy Payne, City Clerk