

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

---

CITY COUNCIL

JUNE 17, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
JUNE 17, 2021

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing the proper city officials to file an application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$2,000,000.00 for assistance with the Irem Temple Restoration Project.

Authorizing the proper city officials to enter into an agreement with Pioneer Construction Co., Inc., the low bidder, for the replacement of collapsed walls at two separate locations along Laurel Run Creek. The low bid for specified repairs is \$765,387.50. The project will be funded using the American Recovery Act Money.

Authorizing the proper city officials to enter into a lease-purchase agreement for one (1) new 2021 Case 580 Super N Wide Track Loader Backhoe at a new cost of \$85,069.83 and one (1) new 2021 Case 721 G Wheel Loader at a net cost of \$154,481.50. The equipment will be purchased from Medico Industries through the DGS Co Stars Program Contract #4400019956. The lease agreement will be funded by the City's Liquid Fuels Budget.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm for the Mill Creek Channel Storm Water Infrastructure Project. The project is funded by the Pennsylvania American Rescue Plan Act of 2021.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm for the Laurel Run Channel Storm Water Infrastructure Project. The project is funded by the Pennsylvania American Rescue Plan Act of 2021.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the most qualified firm for the Solomon Creek Channel Storm Water Infrastructure Project. The project is funded by the Pennsylvania American Rescue Plan Act of 2021.

Supporting and authorizing the McCarthy Tire Wilkes-Barre HQ 901 Project along with any or all other project documents related to the project.

Designating Attilio Frati, Deputy Administrator, as the signature authority to execute the Automated Red Light Enforcement grant application.

CITY COUNCIL  
JUNE 17, 2021

**CONSENT AGENDA (RESOLUTIONS) CONTINUED**

**MINUTES**

Of the Regular Session of City Council of May 27, 2021.

Of the Wyoming Valley Sanitary Authority of April 20, 201.

**ORDINANCES**

**FILE OF COUNCIL NO. 11 OF 2021** – AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (PARKING TICKET RATE SCHEDULE) (FIRST READING)

**FILE OF COUNCIL NO. 12 OF 2021** – AN ORDINANCE AMENDING CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “GARBAGE AND REFUSE”. (BLUE GARBAGE BAG FEES) (FIRST



CITY COUNCIL

June 17, 2021

The City Council of the City of Wilkes-Barre met in Regular Session on June 17, 2021, 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 Tony Brooks in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

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

Chairman Tony Brooks asked if there was anyone wishing to address Council on pending legislation.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolution authorizing the purchase of a backhoe and wheel loader, File of Council No. 11 of 2021 (parking meters) and No. 12 of 2021 (garbage bag fees).

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to File of Council No. 12 of 2021 (garbage bag fees).

Jim Burden, Wilkes-Barre, PA appeared before Council relative to File of Council No. 12 of 2021 (garbage bag fees).

Angel Jirau, Wilkes-Barre, PA appeared before Council relative to File of Council No. 12 of 2021 (garbage bag fees).

Gordon Williams, Wilkes-Barre, PA appeared before Council relative to File of Council No. 11 of 2021 (parking ticket rate schedule).

### **CONSENT AGENDA (RESOLUTIONS)**

Resolution No. R0036-21 to and including the minutes appeared on the Consent Agenda (Resolutions).

#### **RESOLUTION NO. R0036-21**

Whereas, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

Whereas, the City area has suffered from a great loss of retail and commercial businesses; and

Whereas, the Irem Temple Restoration Project addresses immediate and urgent issues to improve the quality of life in Downtown Wilkes-Barre; and,

Whereas, this project will address blight and the reuse of a vacant commercial property; and

Whereas, this project will create new job opportunities; and,

Whereas, the Irem Temple Restoration Project, Inc., has taken the critical initiative that will be a transformational development for the downtown, the City, and the entire region; and,

Whereas, in an effort to advance these vital strategic initiatives involving job creation, and foster working collaborations among the businesses, government, academies, and residential community is vital; and

Whereas, the Irem Temple Restoration Project includes the renovation of the Historic Irem Temple Building in Downtown Wilkes-Barre that has been vacant since 2004 and will benefit the City, and the larger community; and

Whereas, in undertaking this project and contributing to the enhancement of the Downtown district, Irem Temple Restoration Project, Inc.'s commitment to the revitalization efforts of the City is evident; and

Whereas, the City is supportive of the Irem Temple Restoration Project; and,

Whereas, one necessary component of the successful implementation of said project is the securing of adequate funding; and,

Whereas, the Commonwealth of Pennsylvania has established a Redevelopment Assistance Capital Program designed specifically for this type of project; and,

Now, Therefore, Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials be and are authorized to file an application with the Commonwealth of Pennsylvania, for a Redevelopment Assistance Capital Program Grant in the amount of \$2,000,000.00 for assistance with the Irem Temple Restoration Project; and,

Be It Further Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials designate Irem Temple Restoration Project, Inc. to be the Administrator/Sub-Applicant; and,

Be It Further Resolved, the City Council of the City of Wilkes-Barre that the proper City officials be and are authorized to enter into a Cooperation Agreement with Irem Temple Restoration Project, Inc., outlining the responsibilities of each organization along with any or all other project documents; and,

Be It Further Resolved, by the City Council of the City of Wilkes-Barre that the Cooperation Agreement will also stipulate that the City and Irem Temple Restoration Project, Inc., are obligated to comply with RACP terms and conditions of the grant agreement.

**RESOLUTION NO. R0037-21**

Authorizing the proper city officials to enter into an agreement with Pioneer Construction Co., Inc. the low bidder, for the replacement of collapsed walls at two separate locations along Laurel Run Creek. The low bid for specified repairs is \$765,387.50. The project will be funded using the American Recovery Act Money.

**RESOLUTION NO. R0038-21**

Resolved, that the City Council of the City of Wilkes-Barre hereby authorizes proper city officials to enter into a lease-purchase agreement for one (1) new 2021 Case 580 Super

N Wide Track Loader Backhoe at a net cost of \$85,069.83 and one (1) new 2021 Case 721 G Wheel Loader at a net cost of \$154,481.50. The equipment will be purchased from Medico Industries through the DGS Co Stars Program Contract #4400019956.

And further, the lease-purchase agreement will be funded by the City’s Liquid Fuels Budget.

**RESOLUTION NO. R0039-21**

Whereas, the City of Wilkes-Barre advertised for proposals for engineering services for the Mill Creek Storm Water Infrastructure Project on June 11, 2021.

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 to the most qualified firm for the Mill Creek Channel Storm Water Infrastructure Project.

Payment Project are funded by the Pennsylvania American Rescue Plan Act of 2021.

**RESOLUTION NO. R0040-21**

Whereas, the City of Wilkes-Barre advertised for proposals for engineering services for the Laurel Run Channel Storm Water Infrastructure Project on June 11, 2021.

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 to the most qualified firm for the Laurel Run Channel Storm Water Infrastructure Project.

Payment Project are funded by the Pennsylvania American Rescue Plan Act of 2021.

**RESOLUTION NO. R0041-21**

Whereas, the City of Wilkes-Barre advertised for proposals for engineering services for the Solomon Creek Storm Water Infrastructure Project on June 11, 2021.

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 to the most qualified firm for the Solomon Creek Channel Storm Water Infrastructure Project.

Payment Project are funded by the Pennsylvania American Rescue Plan Act of 2021.



**RESOLUTION N. R0042-21**

Whereas, the economic wellbeing of the Northeastern Region of Pennsylvania depends in large measure on an energetic and dynamic City of Wilkes-Barre; and,

Whereas, the City area has suffered from a great loss of retail and commercial businesses; and,

Whereas, the McCarthy Tire Wilkes-Barre HQ 901 Project addresses immediate and urgent issues to improve the local economy in Wilkes-Barre; and,

Whereas, McCarthy Tire Service Company serves as an important economic and activity anchor for Wilkes-Barre; and,

Whereas, this project will retain and create new job opportunities; and,

Whereas, the Great Wilkes-Barre Industrial Fund, Inc., grantee, has taken the critical initiative of applying and being awarded a \$500,000 Redevelopment Assistance Capital Program (RACP) grant funded by the Commonwealth of Pennsylvania acting through the Office of the Budget that will be a transformational development for the City and the entire region; and,

Whereas, in an effort to advance these vital strategic initiatives involving job creation, job retention, and foster working collaborations among the businesses, McCarthy Tire Service Company has decided to renovate and expand its existing headquarters and increase office space to maintain existing jobs within the City of Wilkes-Barre and to remove the physical barriers that have prohibited the company from hiring more full-time employees in the City; and

Whereas, the McCarthy Tire Wilkes-Barre HQ 901 Project is the physical renovation and expansion of the corporate offices of McCarthy Tire, located at 340 Kidder Street, Wilkes-Barre, Pennsylvania 18702; and endeavor necessary to allow McCarthy Tire to remain at this Wilkes-Barre location while accommodating growing business operations; and,

Whereas, the McCarthy Tire Service Company has been designated as a sub-grantee by the Commonwealth of Pennsylvania acting through the Office of the Budget for a Redevelopment Assistance Capital Program (RACP) grant; and,

Whereas, in undertaking this project and contributing to the enhancement of Wilkes-Barre, the Greater Wilkes-Barre Industrial Fund, Inc., and McCarthy Tire Service Company's commitment to the revitalization efforts of the City is evident; and,

Whereas, the City is supportive of Greater Wilkes-Barre Industrial Fund, Inc., and the McCarthy Tire Wilkes-Barre HQ 901 Project; and,

Now, Therefore Be It Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials are supportive and authorize the McCarthy Tire Wilkes-Barre HQ 901 Project along with any or all other project documents, related to the project; and,

Be It Further Resolved, by the City Council of the City of Wilkes-Barre that the proper City officials be and are authorized to enter into a Cooperation Agreement with the Greater Wilkes-Barre Industrial Fund, Inc., and the McCarthy Tire Service Company outlining the responsibilities of each organization; and,

Be It Further Resolved, by the City Council of the City of Wilkes-Barre that the Cooperation Agreement will also stipulate that the City and Greater Wilkes-Barre Industrial Fund, Inc., and McCarthy Tire Service Company are obligated to comply with RACP terms and conditions of the grant agreement.

**RESOLUTION NO. R0043-21**

Whereas, Wilkes-Barre, Luzerne County, is seeking grant funding from the Pennsylvania Department of Transportation Automated Red Light Enforcement Program for the purpose of safety improvements for Public Square traffic signals in Wilkes-Barre.

Now, Therefore, Be It Resolved by the Wilkes-Barre City Council, Luzerne County, Commonwealth of Pennsylvania that Attilio Frati, Deputy Administrator is hereby designated as the signature authority to execute the Automated Red Light Enforcement grant application.

Adopted and approved at Regular Meeting of Wilkes-Barre City Council, this 17<sup>th</sup> day of June 2021.

**MINUTES**

Of the Regular Session of City Council of May 27, 2021.

Of the Wyoming Valley Sanitary Authority of April 20, 2021.

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

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

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

Nays none.

### **ORDINANCES**

**FILE OF COUNCIL NO. 11 OF 2021** – AN ORDINANCE AMENDING CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “TRAFFIC AND MOTOR VEHICLES.” (PARKING TICKET RATE SCHEDULE) (FIRST READING)

Mr. Barrett moved to adopt the Ordinance.

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

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

Nays none.

**FILE OF COUNCIL NO. 12 OF 2021** – AN ORDINANCE AMENDING CHAPTER 12 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “GARBAGE AND REFUSE”. (BLUE GARBAGE BAG FEES) (FIRST READING)

Mr. Marconi moved to adopt the Ordinance.

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

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

Nays none.

### **PRESENTATIONS BY COUNCIL MEMBERS**

Mr. Barrett suggested the City look into an alternative method of payment for parking meters, such as a kiosk in each block. He proposed trying it in the downtown area around Public Square.

Mr. Barrett mentioned that there is a home that's foundation abuts the Laure Run Creek Wall (at the intersection of Scott Street and Laurel Run Creek). He asked that Mr. Frati reach out to the resident and give him a status update on where we are with the creek project.

Mr. Belusko provided Council with a report from the Wyoming Valley Sanitary Authority on the streets that were swept, catch basins that were cleaned and the catch basins that were replaced. Mr. Belusko said if any Council member knows of any storm basins that need to be cleaned or replaced to contact to him or Mr. Frati.

Mr. Marconi asked the Administration if any permits were pulled for the LCTA and the Sterling Hotel projects.

Mr. McCormick replied that they are still doing soil testing at the Sterling Hotel site. They are anticipating pulling basic permits and breaking ground in late August, early September. The LCTA projects also had a number of soil and digging issues. They are planning to move ahead in early summer. Mr. McCormick mentioned that these two projects, along with the Sphere project are heavily affected by the lack of availability of building materials.

Mr. Marconi said he has had residents ask him what projects will be taking placing using the American Recovery Act money.

Mayor Brown announced the following projects:

- Establish a household stimulus fund for cash payments to households that have been adversely affected by the pandemic.
- Establish an owner-occupied home improvement monetary fund to assist city homeowners to improve affordable housing.
- Establish a home purchase fund for owner-occupied real estate purchases to provide down payments to assist city residents in improving and expanding housing opportunities.
- Establish a fund to assist non-profit agencies in providing essential services to city residents affected adversely by the pandemic.
- Establish a business advancement fund to assist in establishing new businesses in the city during the post pandemic.
- Sewer Infrastructure project in all 5 districts
- Stormwater Infrastructure projects to be identified and addressed by the city.

- Mill Creek, Laurel Run Creek and Solomon Creek – engineering studies to mitigate flooding possibilities.
- Immediate repairs to Laurel Run Creek.

Mr. Marconi asked if the 2022 budget would be ready for mid-September this year.

Mayor Brown replied that the budget has to be created from the prior years numbers.

Mrs. McBride said she thinks everything the Mayor is presenting to be used by the funds from the American Recovery Act are great programs and said she is happy that Council voted to reduce the blue bag fees and the parking meter costs; however, she said she wished Council had more time to collect relative data. She said she is concerned about the possible loss of revenue over the next few years. McBride added that she personally would have liked to have seen a more income-based program.

Mr. Brooks said he would like to see the city and the Parking Authority work in tandem to be very flexible as the market changes. He said there has been a decline in the downtown, so it makes sense to reduce the parking meter fees. He also agreed with Mr. Barrett that the city should look into the latest technology and a flexible pricing plan. For example, parking around Public Square could be a dollar, but West River Street would be just twenty-five cents.

Mr. Brooks told the Administration that every Council member received an email from a woman asking if there was anything that could be done about the quality of the blue bags. She complained that they are thin and hard to open up.

## **PUBLIC DISCUSSION**

*Jim Burden, Taft Street, Wilkes-Barre, PA appeared before Council relative to East Northampton Street & Park Avenue (artisan well) and handicapped/disabled veteran parking.*

*Angel Mathis, Wilkes-Barre, PA appeared before Council relative to DUI, decriminalization of marijuana, people riding bikes on the sidewalk, stray cats, rent control, teens harassing people on Public Square and parking kiosk.*

Mrs. McBride told Ms. Mathis that there is a national organization that is working with municipalities to see what can be done regarding rent control and affordable housing.

Angel Jirua, Miner Street, Wilkes-Barre, PA appeared before Council relative to the Mayor's initiatives (American Recovery Act money), meeting with Police Chief on diversity training, drug enforcement training and police officers living in the city.

Maureen Alleva, New Mallery Place, Wilkes-Barre, PA appeared before Council relative to enforcement of the Quality of Life and Noise Ordinances (loud music at 165 New Mallery Place).

Mr. Brooks asked the Administration if there have been any fines issued to the residents of 165 New Mallery Place.


Mr. McCormick said they will check with Chief Coffay.

Gordon Williams, W. River Street, Wilkes-Barre, PA appeared before Council relative to the county reassessment.

Sam Troy, Joseph Lane, Wilkes-Barre, PA appeared before Council relative to the forgiveness of loans to businesses affected during the pandemic, recycling and sewer fees (reduce), no public school high school in the city, historical preservation of Meyers High School and establishing a fund to build a city swimming pool.

Mr. Brooks pointed out that the Historic Preservation Ordinance deals with demolition, so it would only go into effect in the case that they were going to demolish Meyers High School.

There being no further business to discuss the meeting adjourned at 7:03 p.m.

  
\_\_\_\_\_  
Tony Brooks, Chairperson

ATTEST:

  
\_\_\_\_\_  
Cathy Payne, City Clerk