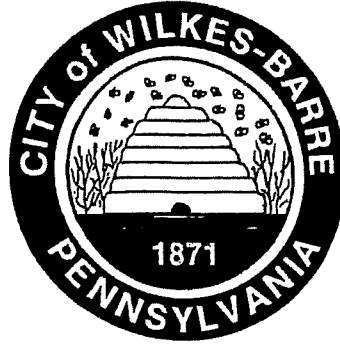


CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

JULY 14, 2022

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTION

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
JULY 14, 2022

RESOLUTION

Authorizing the proper city officials to take any and all necessary actions to enter a contract with Panzitta Enterprises, Inc. to construct a permanent stage on Public Square for a price of \$548,000.00 (payment to be made from the following sources: \$113,000 – LSA Grant, \$435,000.00 – American Recovery Funds).

CONSENT AGENDA (RESOLUTIONS/MINUTES)

Authorizing and directing the Mayor to accept and sign the Winter Maintenance Service Ten-year Agreement.

Appointing Andrew Reno to the Parking Authority to fill the unexpired term of former member Robert Jabers.

Authorizing the proper city officials to sign any and all necessary documents for the 2022-2024 Various Streets Project to the most qualified firm, cost not to exceed more than fifteen percent (15%) of each street project phase (payment to be made from the OECD Budget).

Authorizing the proper city officials to sign any and all necessary documents related to the creation of a HOME-ARP local account with PNC Bank.

Authorizing the proper city officials to enter into an agreement with SealMaster Municipal for the purchase of a 3 TON Falcon RME Asphalt Hot Patcher (General funds budgeted through the Public Works Department will be used for the purchase of \$35,994.00).

Authorizing the proper city officials to enter into an agreement in the amount of \$185,220.30 with the Pennsylvania Department of Health to provide substance abuse prevention services.

Authorizing the proper city officials to prepare and submit the Edward Byrne Memorial Justice Assistance Grant (JAG). Further, authorizing Mayor George Brown to enter into the appropriate agreement, along with any or all other project documents, related to the Edward Byrne Memorial Justice Assistance Grant application, if the application is approved. The amount of the grant is \$33,294.00.

CITY COUNCIL
JULY 14, 2022

CONSENT AGENDA (RESOLUTIONS/MINUTES) CONTINUED

Authorizing the proper city officials to submit a \$3,000,000.00 Multimodal Transportation Fund grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the South Main Street Streetscape Improvements Project.

Authorizing the filing of an application for RACP Grant in the amount of \$750,000.00 for the support of Wilkes-Barre Family YMCA.

Authorizing the proper city officials to allow the General Municipal Authority of the City of Wilkes-Barre to utilize \$1,800,000.00 of its American Rescue Plan funding.

Authorizing the proper city officials to take any and all necessary actions related to the purchase of various insurance through Risk Strategies for a total price for all policy premiums of \$562,003.00.

MINUTES

Of the Wilkes-Barre City Planning Commission of May 25, 2022.

Of the Wyoming Valley Sanitary Authority of April 19, 2022.

Of the Regular Session of City Council of June 9, 2022.

CITY COUNCIL
JULY 14, 2022

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 4 OF 2022 – AN ORDINANCE AMENDING THE CITY'S TRAFFIC CODE, ORDINANCE 89 OF 1988, ESTABLISHING THE TRAFFIC PATTERN OF SHERIDAN STREET (BETWEEN SOUTH AND LEHIGH STREETS) AND LEHIGH STREET (BETWEEN SHERIDAN AND MEADE STREETS). **SECOND AND FINAL READING**

FILE OF COUNCIL NO. 5 OF 2022 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH OTHER PARTICIPATING MUNICIPALITIES OF LUZERNE COUNTY FOR THE PURPOSE OF FORMING, ESTABLISHING, AND JOINING A LAND BANK TO BE KNOWN AS THE LOWER SOUTH VALLEY LAND BANK. **FIRST READING**

FILE OF COUNCIL NO. 6 OF 2022 – AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE, ENTITLED "EMPLOYEES' PENSION FUND". **FIRST READING**

FILE OF COUNCIL NO. 7 OF 2022 – AN ORDINANCE ADOPTING THE 2022 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-EIGHT AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES. **FIRST READING**

CITY COUNCIL

JULY 14, 2022

The City Council of the City of Wilkes-Barre met in Regular Session on July 14, 2022, 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 Beth Gilbert McBride in the Chair.

The Pledge of Allegiance to the Flag was given.

Councilperson Mike Belusko read the prayer.

Roll Call:

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

Also Present:

George C. Brown, Mayor
Maureen Collins, Assistant City Attorney
Charles McCormick, City Administrator
Cathy Payne, City Clerk
Lisa Sanfilippo, Administrative Assistant
Tracy Smith, Assistant City Clerk
Joyce Zaykowski, Director of OCD

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

The Chairperson asked if there was anyone wishing to address Council on pending legislation.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to the Resolution allowing the General Municipal Authority of the City of Wilkes-Barre to utilize \$1,800,000.00 of its American Rescue Plan funding (selling the golf course).

Mr. Brooks said he suggested to the prior Administration to sell the golf course, but was told that State law precluded it, something to do with environmental impact. He said he was told that they need to keep the same number of acres of greenspace in our city limits.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Resolution allowing the General Municipal Authority of the City of Wilkes-Barre to utilize \$1,800,000.00 of its American Rescue Plan funding and the South Main Street Streetscape Improvements Project.

Mr. McCormick explained that the Resolution for the South Main Street Streetscape Project is a request to file a grant request, it is not an expenditure of funds. If the grant is received, it will be a complete redo of South Main Street from Ross Street to Hanover Street.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to the Resolution authorizing the purchase of a 3 Ton Falcon RME Asphalt Hot Patcher.

RESOLUTIONS

RESOLUTION NO. R0057-22

Resolved, that the proper city officials are hereby authorized to take any and all necessary actions to enter a contract with Panzitta Enterprises, Inc., to construct a permanent stage on Public Square for a price of \$548,000.00.

Be It Further Resolved that payment be made from the following funding sources:

\$113,000.00	LSA Grant
\$435,000.00	American Recovery Funds

Mr. Brooks moved to adopt the Resolution.

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

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

Nays Marconi and Gilbert (Chairperson) – 2.

Mr. Marconi said he would like to see some type of staging on the Square, but he thinks that there are some less expensive options, such as a portable shell. He said he doesn't think it is the right time to spend \$548,000 on a stage. He would like to see more money put into the neighborhoods, such as purchasing another streetsweeper, line painting and replacing street signs.

Mrs. McBride also clarified her vote by saying that it is a good project, but she thinks it should wait until next year or the year after, especially with costs being up.

Resolution No. R0058-22 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0058-22

Be It Resolved, by authority of Wilkes-Barre City Council of the City of Wilkes-Barre, Luzerne County, and it is hereby resolved by authority of the same, that the Mayor of said Municipality is authorized and directed to accept and sign the attached Winter Maintenance Service ten-year Agreement and Exhibits on its behalf (Agreement No. 3900039817.

RESOLUTION NO. R0059-22

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 members of city Boards, Commissions and Authorities as provided by law;

Whereas, it is the desire of the City of Wilkes-Barre to appoint the following member to the Parking Authority of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved, that the following person is hereby appointed as a member of the Parking Authority:

<u>Name</u>	<u>Term Expires</u>
Andrew Reno 62 Waller Street Wilkes-Barre, PA 18702	December 31, 2023

*Mr. Reno is being appointed to fill the unexpired term of former member Robert Jabers.

RESOLUTION NO. R0060-22

Whereas, the City of Wilkes-Barre has publicly solicited proposals for engineering/architectural services related to final design and construction services for the 2022-2024 Various Streets Project located throughout the City of Wilkes-Barre.

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 for the above-referenced streets project to the most qualified firm, cost not to exceed more than fifteen percent (15%) of each street project phase. Be It Further Resolved that payment is to be made from OECD Budget.

RESOLUTION NO. R0061-22

Whereas, the City of Wilkes-Barre's Bureau of Community Development is the recipient of an allocation from the US Department of Housing & Urban Development through the HOME Investment Partnership Program American Rescue Plan – HOME-ARP in the amount of \$1,235,638.00.

Whereas, the HOME-ARP requirements call for the creation of a local account that is interest bearing and must be separate from our current HOME Investment Trust Fund account.

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 the creation of a HOME-ARP local account with PNC bank.

RESOLUTION NO. R0062-22

Be It Resolved that the City Council of the City of Wilkes-Barre hereby authorizes proper city officials to enter into an agreement with SealMaster Municipal for the purchase of a 3 Ton Falcon RME Asphalt Hot Patcher, price and specifications attached.

Further, general funds budgeted through the Public Works Department will be used for this purchase.

RESOLUTION NO. R0063-22

Authorizing the proper city officials to enter an agreement in the amount of \$185,220.30 with the Pennsylvania Department of Health to provide substance abuse prevention services.

RESOLUTION NO. R0064-22

Whereas, the City of Wilkes-Barre Police Department requests authorization to apply for / obtain the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG); and

Whereas, the amount of the grant is \$33,294.00; and

Whereas, the purpose areas of the grant are funding for community-based and non-community-based trainings, re-certification trainings, community policing 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. R0065-22

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby requests a Multimodal Transportation Fund grant of \$3,000,000.00 from the Commonwealth Financing Authority to be used for the South Main Street Streetscape Improvements Project.

Be It Further Resolved, that the Applicant does hereby designate George C. Brown, Mayor, and Darren Snyder, City Controller as the officials to execute all documents and agreements between the City of Wilkes-Barre and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant along with any or all project documents if the application is approved.

Now, Therefore Be It Further Resolved by the City Council of the City of Wilkes-Barre to authorize the appropriate city officials to submit a \$3,000,000.00 Multimodal Transportation Fund grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the South Main Street Streetscape Improvements Project.

I, Cathy Payne, duly qualified City Clerk of the City of Wilkes-Barre, Luzerne County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Wilkes-Barre City Council at a regular meeting held July 14, 2022 and said Resolution has been recorded in the Minutes of the City of Wilkes-Barre and remains in effect as of this date.

RESOLUTION NO. R0066-22

A Resolution of the City of Wilkes-Barre, Luzerne County, Pennsylvania, authorizing the filing of a formal application and business plan for a Redevelopment Assistance Capital Program Grant in the amount of seven hundred fifty thousand dollars (\$750,000.00) on behalf of the Greater Wyoming Valley Area YMCA Facility Transformation Project in the City of Wilkes-Barre, Luzerne County.

Whereas, the Greater Wyoming Valley Area YMCA received notification from the Commonwealth of Pennsylvania (hereinafter, the "Commonwealth") on May 11, 2022 of a Redevelopment Assistance Capital Program (hereinafter, "RACP") grant award of Seven Hundred Fifty Thousand Dollars (\$750,000.00) to support the Wilkes-Barre Family YMCA Facility Transformation Project in the City of Wilkes-Barre (hereinafter, "City"), Luzerne County (hereinafter, the "Project"); and

Whereas, the City is supportive of the Project and believes it to be beneficial to the overall community; and

Whereas, the City desires to serve as the Applicant and Grantee as part of the RACP Grant application, approval, and administration processes; and

Whereas, the Greater Wyoming Valley Area YMCA (hereinafter "Sub-Grantee"), the owner of the subject property and the developer of the Project, will serve in the role of Sub-Grantee for the purposes of effectuating the Project and administering the RACP Grant; and

Whereas, the RACP Application and Business Plan (hereinafter, "Application") for the RACP grant funds requires a resolution enacted by the City authorizing the filing of the Application, describing the project, and identifying the grant amount.

Now, Therefore Be It Resolved, by the City of Wilkes-Barre as follows:

1. The foregoing recitals are incorporated herein and made an essential part hereof, as though fully set forth herein.
2. The City supports the RACP grant funding in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) to be used to advance the Project.
3. The City agrees to serve as the Applicant and Grantee for the Application and to receive RACP funds for use in effectuating the development of the Project.

4. The City will work with the Sub-Grantee and its selected consultant(s) to ensure that the administrative requirements of the RACP Grant are satisfied, including the completion and submission of the Application.
5. The City will enter into a mutually agreeable Cooperation and Host Municipality Agreement with the Sub-Grantee, outlining the roles and responsibilities of the Grantee and Sub-Grantee, including the Sub-Grantee's responsibility to provide all interim financing and matching funding necessary to complete the Project and to realize the full benefit of the RACP award.
6. The City hereby designates the George C. Brown, Mayor and Darren Snyder, City Controller as the officials authorized and directed to take any and all actions necessary and/or desirable to effectuate the RACP grant, including, but not limited to, the execution and submission of the Application and any other documents necessary and/or desirable to effectuate receipt of the RACP funds.
7. The provisions of this Resolution are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid, unlawful or unconstitutional, by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of the Resolution.
8. This Resolution shall take effect immediately upon its passage and adoption.
9. All other resolutions or parts of resolutions inconsistent herewith are hereby repealed.

RESOLUTION NO. R0067-22

Whereas, the General Municipal Authority of the City of Wilkes-Barre (the "GMA") has approached the City for assistance through the use of American Rescue Plan funding;

Whereas, the GMA informed the City that without major renovations to its municipal golf course in Bear Creek Township, it will be unable to compete with other area golf courses;

Whereas, the GMA is requesting 1.8 million dollars (\$1,800,000.00) in American Rescue Plan money;

Whereas, the requested money would be used for major renovations to the above-referenced golf course, equipment and related matters;

Now, Therefore, Be It Resolved that the City Council of the City of Wilkes-Barre hereby authorizes the City to allow the General Municipal Authority of the City of Wilkes-Barre to utilize \$1,800,000.00 of its American Rescue Plan funding.

RESOLUTION NO. R0069-22

Now, Therefore, Be It Resolved that the proper city officials are hereby authorized to take any and all necessary actions related to the purchase of various insurance policies through Risk Strategies for a total price for all policy premiums of \$562,003.00.

MINUTES

Of the Wilkes-Barre City Planning Commission on May 25, 2022.

Of the Wyoming Valley Sanitary Authority of April 19, 2022.

Of the Regular Session of City Council of June 9, 2022.

Mrs. McBride moved to adopt the Consent Agenda (Resolutions).

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

Yeas Barrett, Brooks, Marconi, Belusko and McBride (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. 4 OF 2022 - AN ORDINANCE AMENDING THE CITY'S TRAFFIC CODE, ORDINANCE 89 OF 1988, ESTABLISHING THE TRAFFIC PATTERN OF SHERIDAN STREET (BETWEEN SOUTH AND LEHIGH STREETS) AND LEHIGH STREET (BETWEEN SHERIDAN AND MEADE STREETS). **SECOND AND FINAL READING**

FILE OF COUNCIL NO. 5 OF 2022 - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH OTHER PARTICIPATING MUNICIPALITIES OF LUZERNE COUNTY FOR THE PURPOSE OF FORMING, ESTABLISHING, AND JOINING A LAND BANK TO BE KNOWN AS THE LOWER SOUTH VALLEY LAND BANK. **FIRST READING**

FILE OF COUNCIL NO. 6 OF 2022 – AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE, ENTITLED “EMPLOYEES’ PENSION FUND”. **FIRST READING**

FILE OF COUNCIL NO. 7 OF 2022 – AN ORDINANCE ADOPTING THE 2022 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR FORTY-EIGHT AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES. **FIRST READING**

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

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Marconi said recently there was some vandalism done at Madison Street Park/Diamond City Sports. He said the damage is roughly about \$2,000. Diamond City Sports is a non-profit organization that raises funds for local charities. He asked if the Administration could help the organization with some of the repairs. He also asked if the light pole that was removed could be replaced and some additional lighting installed in the park.

Mrs. McBride reported that today a street sweeper went up East Northampton Street and the street was never posted.

PUBLIC DISCUSSION

Gary Wilk, Wilkes-Barre, PA appeared before Council relative to loud music and garbage at Coal Street Softball Field (every Sunday).

The Mayor said he talked to the Police Chief about having more patrols go through the area. He said there should be no drinking in the parking, and if someone is caught, they will be cited. The Mayor added that he discussed the loud music Ordinance with Chief Coffay and he is going to address it the best he can, along with the garbage issue.

Mr. Wilk told the Administration that he has been calling 911 every Sunday and no one is responding.

Mayor Brown asked Mr. Wilk to call his office if he sees any improvement over the next few weeks.

James Zenex, Wilkes-Barre, PA appeared before Council relative to the North Washington Street Bridge.

Mayor Brown said that the Administration is in the process of working with PennDOT on the bridge. The engineer is in the process of doing the study, as soon as the process is completed, work will begin.

Bob Kadluboski, Wilkes-Barre, PA appeared before Council relative to Mrs. McBride's new position with the Luzerne County Election Board, rules of Council and healthcare/pensions for City Council.

John Suchoski, Wilkes-Barre, PA appeared before Council relative to having City Council's Work Sessions on YouTube.

Yurie Smith, Wilkes-Barre, PA appeared before Council relative to three service ducks on her property (Stucker Avenue).

Mr. Barrett said there is an Ordinance on the books that prohibits you from have farm animals on your property.

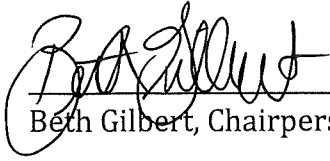
Ms. Smith said she has a condition and has been classified as having a past addiction and these animals help keep her under control.

Mr. Barrett said he will have to talk with the Legal Department about how to proceed.

Mr. Belusko asked what constitutes a service animal.

Ms. Smith said she has a certification from a doctor. She said she will bring the paper work in so Council can see it.

There being no further discussion the meeting adjourned at 6:41 p.m.



Beth Gilbert, Chairperson



Cathy Payne, City Clerk

