

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

JULY 15, 2021

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
JULY 15, 2021

RESOLUTIONS

Appointing Jessica McClay to the Planning Commission.

Appointing James Conahan to the Parking Authority.

Authorizing the proper city officials to sign any and all necessary documents related to awarding the contract to the lowest responsible bidder for 2020-2021 Street Paving Project Phase II. (Wilkes Lane, Empire Street, West Maple Street and Nicholson Street)

Authorizing the proper city officials to prepare and submit the Edward Byrne Memorial Justice Assistance Grant (JAG) application. 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.

Authorizing the appropriate city officials to submit a \$1,100,000.00 Multimodal Transportation Fund grant application funded by the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Public Square Streetscape Improvements Project.

MINUTES

Of the Wilkes-Barre City Traffic Committee Meeting of June 24, 2021.

Of the Wilkes-Barre City Planning Commission of June 23, 2021.

Of the Wilkes-Barre City Planning Commission of May 19, 2021.

Of the Regular Session of City Council of June 17, 2021.

Of the Special Session of City Council of June 30, 2021

CITY COUNCIL

July 15, 2021

The City Council of the City of Wilkes-Barre met in Regular Session on July 15, 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
Maureen Collins, Assistant 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.

Mayor Brown addressed Council relative to the Resolution appointing Jessica McClay to the Planning Commission. He provided Council with a copy of her latest application. He told Council that Ms. McClay currently serves on the Traffic Committee. He also pointed out that all five Council members voted to appoint Ms. McClay to the Fire Civil Service Commission last February.

Mr. Marconi requested removing the Resolution appointing Jessica McClay to the Planning Commission due to the short notice. He said if he had the application a few days ago to review it, he would have been more comfortable voting on it tonight.

The Mayor asked Mr. Marconi if something changed since he voted for Ms. McClay to serve on the Fire Civil Service Commission last February.

Mr. Marconi said he wants to remove it tonight so Council has time to look at the application and put it back on the agenda next month.

Mayor Brown mentioned that the Planning Commission has had to cancel meetings because they can't get a quorum. He added that the reason he is appointed Ms. McClay is not only for her ability, but also so that Planning Commission meeting don't get cancelled.

Mr. Marconi moved to remove the Resolution appointing Jessica McClay to the Planning Commission from the agenda.

The motion was seconded by Mrs. McBride.

The Resolution was removed from the agenda by the following yea and nay vote:

Yeas Marconi, McBride, and Brooks (Chairperson) – 3 – being a majority of the members elected to City Council.

Nays Barrett and Belusko – 2.

Mr. Brooks asked the Administration to add to the website that people applying for boards and authorities come to the Work Session in case Council has questions for them.

Mayor Brown reiterated that Ms. McClay's application is the same as it was when Council voted her to the Fire Civil Service last February.

Mr. Marconi said it is nothing personal, it is just policy and procedure.

Mrs. McBride said she agreed with Mr. Marconi and would like time to review the application and talk with the applicant prior to voting.

Mrs. McBride added that she would like the website for boards and authorities to be brought up to date and for the city to advertise vacancies on the city's Facebook page.

Mr. Marconi suggested posting vacancies on the city's website once or twice a month.

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 appointing members to boards and authorities and the Resolution regarding the Public Square Streetscape Improvements Project.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the Resolutions regarding the Public Square Streetscape Improvements Project and the JAG grant.

RESOLUTIONS

RESOLUTION NO. R044-21

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 city Boards, Commissions and Authorities as provided by law;

Whereas, it is the desire of the City of Wilkes-Barre to re-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 re-appointed as a member of the Parking Authority:

<u>Name</u>	<u>Term Expires</u>
James Conahan 21 Donald Court Wilkes-Barre, Pa 18702	December 31, 2024

Mr. Belusko moved to adopt the Resolution.

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

Yeas Barrett, Belusko, McBride and Brooks (Chairperson) – 4 – being a majority of the members elected to City Council.

Nays none.

Abstain – Marconi – 1.

RESOLUTION NO. R0045-21

Whereas, the City of Wilkes-Barre will advertise for bids for the 2020-2021 Various Street Paving Project Phase II:

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 lowest responsible bidder for 2020-2021 Street Paving Project Phase II.

- Wilkes Lane (Coal St. – New Market)
- Empire Street (South St. – Stanton)
- West Maples Street (N. Main – N. River)
- Nicholson (New Fredrick – Hazle)

Payment to be made from OECD Budget.

Mr. Marconi moved to adopt the Resolution.

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

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

Nays none.

RESOLUTION NO. R0046-21

Whereas, the City of Wilkes-Barre Police Department requests authorization to apply for/obtain the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG); and

Whereas, the amount of the grant is \$26,021.00; 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.

Mr. Barrett moved to adopt the Resolution.

The motion was seconded by Mr. Belusko 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.

RESOLUTION NO. R0047-21

Be It Resolved, that the City of Wilkes-Barre of Luzerne County hereby requests a Multimodal Transportation Fund grant of \$1,100,000.00 from the Commonwealth Financing Authority to be used for the Public Square Streetscape Improvements Project.

Be It 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 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 \$1,100,000.00 Multimodal Transportation Fund grant application funded by Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Public Square 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 15, 2021 and said Resolution has been recorded in the minutes of the City of Wilkes-Barre and remains in effect as of this date.

Mr. Barrett moved to adopt the Resolution.

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.

MINUTES

Of the Wilkes-Barre City Traffic Committee Meeting of June 24, 2021.

Of the Wilkes-Barre City Planning Commission of June 23, 2021.

Of the Wilkes-Barre City Planning Commission of May 19, 2021.

Of the Regular Session of City Council of June 17, 2021.

Of the Special Session of City Council of June 30, 2021.

Mr. Marconi moved to adopt the minutes.

The motion was seconded by Mrs. McBride 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.

COUNCIL PRESENTATIONS

Mr. Barrett thanked the Administration, DPW and the Health Department for their timely responses to his emails.

Mr. Belusko provided Council with the monthly report from the Wyoming Valley Sanitary Authority (catch basins that were cleaned and replaced and the street sweeping that was done).

Mr. Marconi thanked Councilman Belusko for the report from the WWSA.

Mr. Marconi asked to speak with Ms. McClay after the meeting.

Mrs. McBride pointed out that many times Council is voting on items a week or so before a deadline. She asked that the Administration try and get items to Council earlier, so they have time to review it.

Mr. McCormick explained that the reason the Public Square Streetscape Resolution was put on at a late date was to satisfy the state. The state moved the multimodal grants up and the Administration was informed of it approximately 30 days ago (after the June Council meeting).

Mr. Brooks said he attended the "Sunset on South Main" event tonight and two people approached him about the clock in Midtown Village not working.

Mayor Brown said the city didn't think they had parts for the clock, but yesterday while the employees were cleaning up DPW they found them. The city now has parts to fix three of the four faces of the clock. The city electrician is making sure the parts are working properly and he will then repair it.

PUBLIC DISCUSSION

John Magda, Wilkes-Barre, PA, appeared before Council relative to Laurel Run Creek Wall.

Mayor Brown said the Administration intends to use American Recovery Plan monies to fix the waterways. He said that an RFP has been put out for engineering of the Laure Run Creek and there is a contractor hired to start working on it.

Tom Dombroski, Wilkes-Barre, PA appeared before Council relative to the qualifications to run for the Mayor of Wilkes-Barre.

Angel Mathis, Wilkes-Barre, PA appeared before Council relative to marijuana regulations and outdoor dining.

Jessica McClay, Wilkes-Barre, PA appeared before Council relative to her qualifications for the Planning Commission.

Carl Chase, Wilkes-Barre, PA appeared before Council relative to fireworks in the city.

Mr. Brooks informed Mr. Chase that 750 signatures were collected on a petition to overturn the fireworks law and then delivered to State Representative Eddie Day Pashinski.

Mayor Brown explained that he along with several other Mayor's formed a committee and sent a letter to the state to try and repeal Act 43. The Senator who put

together the Act 43 bill, responded to the committee by saying “we are not going to repeal it, get over it”.

Mayor Brown said the State Legislator is the only one that can change the law. He said he would like them to change it and give the Mayor’s the authority to oppose stiffer penalties.

Mayor Brown encouraged Mr. Chase to write a letter to his state representative.

Mr. Barrett said Act 43 is another example of the state taking away local control.

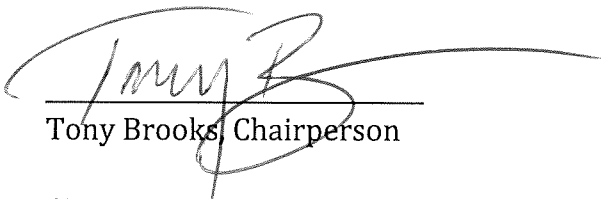
Sam Troy, Wilkes-Barre, PA appeared before Council relative to the five-minute speaker time limit, Academy Market (lien), bicycle safety and use of plastic bags.

Mr. Brooks asked if the Traffic Committee would have the jurisdiction to put up signs related to bicycle safety.

Mr. McCormick said the city can’t put a sign up for ever potential violation of every Ordinance. He said signs have generally been restricted to highway, automobiles, etc., so it would have to be looked at by the City Solicitor.

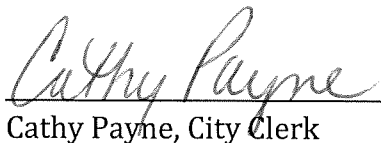
Mayor Brown pointed out that the Academy Market is in litigation, so he can’t discuss it.

There being no further business to discuss the meeting adjourned at 7:06 p.m.



Tony Brooks, Chairperson

ATTEST:



Cathy Payne, City Clerk