

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

AUGUST 10, 2017

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

ORDINANCE

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
AUGUST 10, 2017

CONSENT AGENDA (RESOLUTIONS)

Authorizing the proper city officials to enter into a Right-Of-Way Agreement with PPL Electric Utilities relative to County Tax Parcel No. 19NE1-16A-01C located along Parrish Street.

Enter into a contract with the most qualified firm for the 2017 Various Streets Project Phase 1. Payment to be made from the OECD Budget.

Enter into a contract with the lowest responsible bidder for the demolition of 32-34 O'Neill Avenue. Payment to be made from the OECD Budget.

Enter into an agreement for \$117,791 with the Pennsylvania Department of Health To provide a comprehensive immunization program.

Retain the services of Dilworth Paxson, LLP to assist the City's sewer conveyance System and implementing the City's strategic plan to enter into a public/private or public/public partnership or asset sale of the sewer conveyance system, if feasible.

MINUTES

Of the Zoning Hearing Board of July 19, 2017.

Of the Zoning Hearing Board of June 21, 2017.

Of the Parking Authority of June 20, 2017.

Of the City Council Public Hearing of July 11, 2017.

Of the Regular Session of City Council of July 13, 2017.

Of the Traffic Committee of June 22, 2017.

Of the Traffic Committee of July 27, 2017.

Of the Planning Commission from January to July 2017.

CITY COUNCIL
AUGUST 10, 2017

ORDINANCES

FILE OF COUNCIL NO. 15 OF 2017 – AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “PARKING, STOPPING AND STANDING”. (Parking in front, side yards/parking on grass, dirt and other services) (First Reading).

CITY COUNCIL

AUGUST 10, 2017

The City Council of the City of Wilkes-Barre met in Regular Session on August 10, 2017 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 in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

Barrett	- present
Belusko	- present
Merritt	- present
Brooks, Vice Chairperson	- present
Gilbert, Chairperson	- present

Also Present:

Darren Snyder, Controller
Ted Wampole, Administrator
Maureen Collins, Assistant City Attorney
Cathy Payne, Assistant City Clerk
Hank Radulski, Director of Health Services
Jim Ryan, City Clerk
Joyce Zaykowski, Capital Project Program Manager

Mr. Ryan announced that there was a change made to File of Council No. 15 of 2017. In Section 29-105, prohibiting parking in front, side and backyards has been revised by eliminating the prohibition for parking in backyards.

City Clerk Jim Ryan read a statement relative to Council's Rules and Procedures.

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

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the Resolution to enter into an agreement with the Pennsylvania Department of Health and the Resolution retaining the services of Dilworth Paxson.

RESOLUTIONS

Resolution No. R0084-17 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0084-17

Whereas, PPL Electric Utilities Corp. has a need to construct, reconstruct, operate and maintain its electric and communication facilities consisting of two (2) poles and overhead facilities as shown on the plan hereto attached; and

Whereas, in order to accomplish any of the aforesaid purposes as well as to be able to cut down any and all trees and remove brush which in the judgment of PPL propose a menace to said lines as well as permit the attachment of wires and cables of any other person or company to said poles, PPL requires ingress and egress.

Now, Therefore Be It Resolved, that the proper City Council are hereby authorized to enter into a Right-of-Way agreement with PPL Electric Utilities relative to County Tax Parcel No. 19NE1-16A-01C located along Parrish Street situate in the City of Wilkes-Barre (see attached).

RESOLUTION NO. R0085-17

Whereas, the City of Wilkes-Barre is advertising for proposals for engineering services for the 2017 Various Streets Project Phase 1;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to enter into a contract with the most qualified firm for the 2017 Various Streets Project Phase 1.

Payment to be made from OECD Budget.

RESOLUTION NO. R0086-17

Whereas, the City of Wilkes-Barre advertised for bids for the Demolition of 32-34 O'Neill Avenue;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to enter into a contract with the lowest responsible bidder for the Demolition of 32-34 O'Neill Avenue.

Payment to be made from OECD Budget.

RESOLUTION NO. R0087-17

Authorizing the proper city officials to enter into an agreement in the amount of \$117,791 with the Pennsylvania Department of Health to provide a comprehensive immunization program.

RESOLUTION NO. R0088-17

Whereas, the City of Wilkes-Barre has retained PFM Financial Advisors, LLC (“PFM”) to assist the City in 1) performing an analysis to determine an estimated value of the City’s sewer conveyance system, and 2) implementing the City’s strategic plan to enter into a public/private or public/public partnership or asset sale of the sewer conveyance system;

Whereas, PFM has recommended that the City retain the services of the Dilworth Paxson, LLP (“Dilworth”) to assist the City and PFM related to the above-referenced project;

Whereas, Dilworth has been previously engaged by several municipalities to provide legal services in connection with the sale or lease of their sewer and/or water systems;

Whereas, due to Dilworth’s experience in such matters, they have become intimately familiar with the various complex legal issues involved with this kind of project;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the proper city officials are hereby authorized retain the services of Dilworth Paxson, LLP to assist the City and PFM in 1) performing an analysis to determine an estimated value of the City’s sewer conveyance system and 2) implementing the City’s strategic plan to enter into a public/private or public/public partnership or asset sale of the sewer conveyance system, if feasible.

MINUTES

Of the Zoning Hearing Board of July 19, 2017.

Of the Zoning Hearing Board of June 21, 2017.

Of the Parking Authority of June 20, 2017.

Of the City Council Public Hearing of July 11, 2017.

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Of the Traffic Committee of June 22, 2017.

Of the Traffic Committee of July 27, 2017.

Of the Planning Commission from January 2017 to July 2017.

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

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

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

Nays none.

ORDINANCE

FILE OF COUNCIL NO. 15 OF 2017 – AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 29 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED “PARKING, STOPPING AND STANDING”. (Parking in front, side yards/parking on grass, dirt and other services) (First Reading)

Mr. Brooks moved to adopt the Ordinance.

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

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

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Ms. Gilbert reported a tractor trailer parked in the former Holy Trinity Church lot on the corner of South Meade and East South Street. She said she has checked with Bill Harris and he said he was not sure if anything could be done about it if it is a tenant's tractor trailer; however it is parked on the grass part of the lot. Ms. Gilbert asked if this would fall under the new Ordinance once it passes Second Reading.

Ms. Gilbert asked if the city has any signs relative to throwing cigarette butts.

Mr. Wampole replied that there are “No Littering” signs, but he doesn't think there is anything specific to cigarette butts. He said he would check into it and if not the city can make them up.

PUBLIC DISCUSSION

Elizabeth Britt, Wilkes-Barre, PA appeared before Council to thank the city for replacing the curbs on Flood Drive and to ask that the area be cleaned up now that the project is over.

Jeanne Magda, Wilkes-Barre, PA appeared before Council relative to water being diverted (from businesses in the area) onto her property at 5 Flood Drive.

Nicholas Dye, owner, D & D Realty, Wilkes-Barre, PA appeared before Council to ask for an exception for garbage container on Livingston Lane.

Mr. Wampole said that a couple of residents have complained and cited the Ordinance about garbage containers on Livingston Lane and asked the city to enforce it. He said he met with Mr. Dye after that an explained that according to the city ordinances you are not allowed to have a dumpster for garbage on a city street, unless there is an exception to the Ordinance which would be up to Council.

Mr. Dye said if all of the containers are removed from Livingston Lane it's going to be littered with garbage.

Mr. Barrett said maybe one suggestion would be vacating the parking lane and just have a one lane access road in the back.

Mr. Wampole suggested setting up a meeting with Mr. Dye, a representative of Council, the City Attorney's Office and the Traffic Committee along with residents from the area to discuss the matter further.

Mr. Ryan stated for the record that there is a consensus of Council to continue negotiations with Mr. Dye.

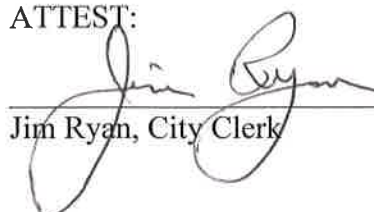
Angel Mathis, Wilkes-Barre, PA appeared before Council relative to the recent multi-cultural event held in Wilkes-Barre, meter parking in the traffic lane on Union Street (near Career Link), planters and signs in front of a business on Northampton and South Main Street (blocking the sidewalk) and tables in front of Franklins (blocking the sidewalk).

Sam Troy, Wilkes-Barre, PA appeared before Council relative to the three percent increase and health benefits for non-union employees, refinancing and city authorities (providing the city with revenue).

There being no further business to discuss the meeting adjourned at 6:52 p.m.


Beth Gilbert, Chairperson

ATTEST:


Jim Ryan, City Clerk

