

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

JULY 13, 2017

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
JULY 13, 2017

CONSENT AGENDA (RESOLUTIONS)

Authorizing the disposition of records from Accounts and Finance.

Authorizing the disposition of records from the City Controller's Office.

Authorizing the disposition of records from the Finance Office.

Approving the transfer of a Restaurant Liquor License into the City of Wilkes-Barre (216 North River Street) from Plains Township.

Accepting the proposal of the Joyce Insurance Group for an insurance package in the amount of \$422,690.00.

Execute any and all documents related to the purchase of computer network upgrades from Lightspeed Technologies for a price of \$61,841.05. (COSTARS)

Execute a Consulting Agreement with Aelaric, Inc. related to performing Information Technology services and support for a period of one year.

Execute an Agreement for Financial Advisor Services with PFM Financial Advisors, LLC related to performing a financial analysis of the value of the city's parking system and other related services.

Execute an Agreement for Financial Advisor Services with PFM Financial Advisors, LLC related to performing a financial analysis of the value of the city's sewer conveyance system and other related services.

Execute an Agreement for Management and Business Consulting Services with PFM Group Consulting, LLC for an amount not to exceed \$200,000.00.

Appoint Jean Brodie-Druby to the Planning Commission.

Authorizing the City Attorney's Office to take any and all necessary actions related to formally condemning, by the power of eminent domain, the city alley adjacent to 1101 Scott Street.

Appointing Jim Walsh Honorary Chair of the City of Wilkes-Barre Flag Fund.

CITY COUNCIL
JULY 13, 2017
CONSENT AGENDA (RESOLUTIONS) (CONTINUED)

MINUTES

Of the Parking Authority of the City of Wilkes-Barre of April 18, 2017.

Of the Zoning Hearing Board of May 17, 2017.

Of the Regular Session of City Council of June 19, 2017.

CITY COUNCIL
JULY 13, 2017

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 11 OF 2017 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING SECTION 20-8 OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “PARKS AND RECREATION.” (Tobacco products in the parks) (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 12 OF 2017 - AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING ARTICLE II. OF CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “FIRE PREVENTION CODE” BY REPEALING ARTICLE II ENTITLED “FIRE PREVENTION CODE” AND ARTICLE III ENTITLED “TRANSPORTATION OF HAZARDOUS MATERIALS AND WASTE” AND REPLACING THEM WITH THIS ORDINANCE ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 13 OF 2017 – AN ORDINANCE APPROVING AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE WYOMING VALLEY SANITARY AUTHORITY FOR THE CREATION AND IMPLEMENTATION OF THE WYOMING VALLEY REGIONAL STORMWATER MANAGEMENT PROGRAM. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 14 OF 2017 – AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY, PENNSYLVANIA, ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE WYOMING VALLEY SANITARY AUTHORITY TO PROVIDE FOR STORMWATER SYSTEM PLANNING, MANAGEMENT AND IMPLEMENTATION, AND TO EXTEND THE TERM OF EXISTENCE OF THE AUTHORITY AS PROPOSED BY RESOLUTION OF THE BOARD OF SAID AUTHORITY. (SECOND AND FINAL READING)

CITY COUNCIL

JULY 13, 2017

The City Council of the City of Wilkes-Barre met in Regular Session on July 13, 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	- excused
Brooks, Vice Chairperson	- present
Gilbert, Chairperson	- present

Also Present:

Ted Wampole, Administrator
Tim Henry, Deputy Administrator/City Attorney
Jim Ryan, City Clerk
Lisa Sanfilippo, Administrative Assistant
Joyce Zaykowski, Capital Project Program Manager

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 Resolutions regarding Joyce Insurance Group, Lightspeed Technologies, and PFM.

Mr. Ryan announced that Council asked that the following five Resolutions be pulled from the Consent Agenda and voted on separately:

1. Accepting the proposal of the Joyce Insurance Group.
2. Execute an Agreement for Financial Advisor Services with PFM Financial Advisors, LLC (parking system).
3. Execute an Agreement for Financial Advisor Services with PFM Financial Advisors, LLC (sewer conveyance system).
4. Execute an Agreement for Management and Business Consulting services with PFM Group Consulting, LLC.

5. Appointing Jean Brodie-Druby to the Planning Commission.

RESOLUTIONS

Resolution No. R0071-17 to and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0071-17

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, the City of Wilkes-Barre declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department: Accounts and Finance

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
AF-28, 2013 Tax Bills – 02/27/2013 to 04/30/2013	1.26
AF-29, 2013 Tax Bills – 01/15/2013 to 02/25/2013	1.26
AF-30, 2013 Tax Bills – 05/01/2013 to 12/31/2013 and End of Year & Final Notices	<u>1.26</u>
Total	3.78

RESOLUTION NO. R0072-17

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, the City of Wilkes-Barre declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department: City Controller

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
CON-48, 2009 Daily Receipts (Jan-Feb)	1.26
CON-49, 2009 Daily Receipts (Mar-Apr)	1.26
CON-50, 2009 Daily Receipts (May-June)	1.26
CON-51, 2009 Daily Receipts (July-Aug)	1.26
CON-52, 2009 Daily Receipts (Sept-Oct)	1.26
CON-53, 2009 Daily Receipts (Nov-Dec)	1.26
CON-54, 2009 Bank Statements (PNC & Citizens)	1.26
CON-55, 2009 Bank Statements (Funds 203-529)	1.26
CON-56, 2009 Bank Statements (Funds 701-855)	<u>1.26</u>
Total	11.34

RESOLUTION NO. R0073-17

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, the City of Wilkes-Barre declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department: Finance

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
General Fund Vouchers (See Attached Worksheet) .54 x 17 boxes	9.18
Daily Receipts (See Attached Worksheet) 1.26 x 2 boxes	<u>2.52</u>
Total	11.70

RESOLUTION NO. R0074-17

A RESOLUTION OF THE MUNICIPALITY OF WILKES-BARRE COUNTY OF LUZERNE COMMONWEALTH OF PENNSYLVANIA, APPROVING TRANSFER OF RESTAURANT LIQUOR LICENSE # R6069, LID #51228 INTO THE CITY OF WILKES-BARRE, LUZERNE COUNTY FROM PLAINS TOWNSHIP.

Whereas, Act 141 of 2000 ("the Act") which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer

of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

Whereas, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

Whereas, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a retail liquor license into the receiving municipality; and

Whereas, on July 11, 2017 the City of Wilkes-Barre conducted a public hearing for the purpose of receiving comments and/or recommendations of interested individuals residing within the municipality with respect to the request for transfer.

Whereas, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a retail liquor license in the municipality.

Now, Therefore, Be It Resolved that CPP Cheers, LLC, has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of a Pennsylvania Retail Liquor License to its facilities within Wilkes-Barre City with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

Be It Further Resolved that City Council of Wilkes-Barre finds that the transfer of a retail liquor license into Wilkes-Barre City by CPP Cheers, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

Be It Further Resolved, that Wilkes-Barre City approves, by adoption of this Resolution, the proposed transfer of License # R6069, LID #51228 from Mardandi, Inc., 162 Union Street, Plains Township, PA, to be located at 216 North River Street, Wilkes-Barre, PA.

Be It Further Resolved, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I HEREBY CERTIFY that this Resolution was approved by the Wilkes-Barre City Council at its meeting on July 13, 2017.

RESOLUTION NO. R0075-17

That, the proper City officials are hereby authorized to execute any and all necessary documents related to the purchase of computer network upgrades from Lightspeed Technologies for a price of \$61,841.05. This purchase is being made from the Commonwealth of Pennsylvania's cooperative purchasing program ("COSTARS").

RESOLUTION NO. R0076-17

That, the proper city officials are hereby authorized to execute a Consulting Agreement (and any other related documents) with Aelaric, Inc. related to performing Information Technology (IT) services and support for a period of one (1) year.

RESOLUTION NO. R0077-16

Whereas, for decades, an alley has existed adjacent to a former city firehouse located at 1101 Scott Street in Wilkes-Barre;

Whereas, for decades, the alley has been used by local residents and emergency responders for access to public park areas and residential structures;

Whereas, in 2010 the City sold the closed firehouse to Michael Lombardo;

Whereas, it has recently been discovered that a portion of the alley encroaches on the former firehouse property;

Whereas, it is the City's intention to formally acquire and/or confirm its ownership of the subject alley by filing a Declaration of Taking in the Luzerne County Court of Common Pleas;

Whereas, the continued use of the alley by residents and emergency responders is necessary for the health, safety and general welfare of the City of Wilkes-Barre;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre that the City Attorney's Office is hereby authorized to take any and all necessary actions related to formally condemning, by the power of eminent domain, the city alley adjacent to 1101 Scott Street, Wilkes-Barre, Pennsylvania (as more particularly described on the attached survey map).

RESOLUTION NO. R0078-17

Whereas, American Flags placed and maintained by the City throughout Wilkes-Barre need to be replaced periodically as they deteriorate due to normal weather exposure;

Now, Therefore, Be It Resolved, that the City Council hereby appoints Mr. Jim Walsh as the Honorary Chair of the City of Wilkes-Barre Flag Fund of the Luzerne Foundation for his undying efforts to promote reverence and widespread use of our country's national flag.

MINUTES

Of the Parking Authority of the City of Wilkes-Barre of April 18, 2017.

Of the Zoning Hearing Board of May 17, 2017.

Of the Regular Session of City Council of June 19, 2017.

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

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

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

Nays none.

Absent - Merritt – 1.

RESOLUTION NO. R0079-17

Whereas, the City of Wilkes-Barre has publicly solicited proposals for Insurance Professional Services and Property & Casualty and Professional Liability Insurance; and

Whereas, the City of Wilkes-Barre is prepared to renew the said services declared above.

Now, Therefore Be It Resolved by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to accept the proposal of the Joyce Insurance Group for an insurance package in the amount of \$422,690.00 and to sign any and all necessary documents related to securing the same.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays none.

Abstain – Gilbert (Chairperson) – 1.

Absent – Merritt – 1.

RESOLUTION NO. R0080-17

Whereas, the City of Wilkes-Barre is desirous of obtaining the financial advisory services of an advisor to assist in 1) performing an analysis to determine the financial viability of City's public parking system and 2) the possible implementation of a strategic plan to enter into a public/private or public/public partnership or asset sale relating to the City's public parking system.

Whereas, PFM Financial Advisor's, LLC is capable of providing the necessary financial advisory services.

Now, Therefore, Be It Resolved, that the proper city officials are hereby authorized to execute an Agreement for Financial Advisor Services (and any other related documents) with PFM Financial Advisors, LLC related to performing a financial analysis of the value of the City's parking system and other related services.

Mr. Barrett moved to adopt the Resolutions.

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

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

Nays none.

Abstain – Gilbert (Chairperson) – 1.

Absent – Merritt – 1.

RESOLUTION NO. R0081-17

Whereas, the City of Wilkes-Barre is desirous of obtaining the financial advisory services of an advisor to assist in 1) performing an analysis to determine an estimated value of the Client's sewer conveyance system and 2) the possible implementation of the City's strategic plan to enter into a public/private or public/public partnership or asset sale relating to the City's sewer conveyance system.

Whereas, PFM Financial Advisor Services, LLC ("PFM") is capable of providing the necessary financial advisory services.

Now, Therefore, Be It Resolved, that the proper city officials are hereby authorized to execute an Agreement for Financial Advisor Services (and any other related documents) with PFM Financial Advisors, LLC related to performing a financial analysis of the value of the City's sewer conveyance system and other related services.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays none.

Abstain – Gilbert (Chairperson) – 1.

Absent – Merritt – 1.

RESOLUTION NO. R0082-17

Whereas, the City of Wilkes-Barre (“City”) is desirous of obtaining the professional services of an advisor to provide management and budget consulting services; and

Whereas, the City is seeking specific professional services related to an implementation of the 2017 fiscal, operational and mission management plan completed under the auspices of the Pennsylvania Department of Community and Economic Development’s Early Intervention Plan program; and

Whereas, PFM Consulting Group, LLC (“PFM”) is capable of providing the necessary advisory services and uniquely qualified to do so since it developed the fiscal, operational and mission management plan that will be implemented;

Now, Therefore, Be It Resolved, that the proper city officials are hereby authorized to execute an Agreement for Management and Business Consulting Services (and any other related documents) with PFM Group Consulting, LLC for an amount not to exceed Two Hundred Thousand (\$200,000.00) Dollars.

Mr. Barrett moved to adopt the Resolution.

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

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

Nays none.

Abstain – Gilbert (Chairperson) – 1.

Absent – Merritt – 1.

RESOLUTION NO. R0083-17

Whereas, Section 22-17 of Chapter 22 of the Code of Ordinances of the City of Wilkes-Barre provides that members of the Planning Commission shall be appointed by the Mayor with the approval of City Council;

Now, Therefore, Be It Resolved by the City Council of the City of Wilkes-Barre, that City Council hereby approves of the following appointment to the Planning Commission of the City of Wilkes-Barre:

PLANNING COMMISSION

To fill the vacancy left by the retirement of Richard Macko, Sr.

<u>Member</u>	<u>Term Expiration</u>
Jean Brodie-Druby 282 Parrish Street Wilkes-Barre, PA 18702	06-30-20

Mr. Brooks moved to adopt the Resolution.

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

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

Nays – Gilbert (Chairperson) - 1.

Absent – Merritt – 1.

CONSENT AGENDA (ORDINANCES)

The following Ordinances appeared on the Consent Agenda (Ordinances):

FILE OF COUNCIL NO. 11 OF 2017 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING SECTION 20-8 OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “PARKS AND RECREATION.” (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 12 OF 2017 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA AMENDING ARTICLE II OF CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “FIRE PREVENTION CODE” BY REPEALING ARTICLE II ENTITLED “FIRE PREVENTION CODE” AND ARTICLE III ENTITLED “TRANSPORTATION OF

HAZARDOUS MATERIALS AND WASTE” AND REPLACING THEM WITH THIS ORDINANCE ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 13 OF 2017 - AN ORDINANCE APPROVING AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE WYOMING VALLEY SANITARY AUTHORITY FOR THE CREATION AND IMPLEMENTATION OF THE WYOMING VALLEY REGIONAL STORMWATER MANAGEMENT PROGRAM. (SECOND AND FINAL READING)

FILE OF COUNCIL NO. 14 OF 2017 - AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY, PENNSYLVANIA, ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE WYOMING VALLEY SANITARY AUTHORITY TO PROVIDE FOR STORMWATER SYSTEM PLANNING, MANAGEMENT AND IMPLEMENTATION, AND TO EXTEND THE TERM OF EXISTENCE OF THE AUTHORITY AS PROPOSED BY RESOLUTION OF THE BOARD OF SAID AUTHORITY. (SECOND AND FINAL READING)

Ms. Gilbert moved to adopt the Consent Agenda (Ordinances).

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

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

Nays none.

Absent – Merritt – 1.

PRESENTATIONS BY COUNCIL MEMBERS

Ms. Gilbert said the Heights / Mayflower Residents Association was talking about sponsoring garbage cans for around the neighborhood. She asked if the Residents Association purchased the garbage cans, would the city be able to pick up the garbage weekly according to the trash collection schedule.

Mr. Wampole said that he would have to discuss it with Mr. Frati.

PUBLIC DISCUSSION

Eugene Swartwood, Wilkes-Barre, PA appeared before Council relative to potholes on Conyngham Avenue (from Kidder Street to Scott Street) and Jenkins Lane and DPW plowing snow onto his property.

Linda Joseph, Wilkes-Barre, PA appeared before Council to thank them for the congratulatory Resolution for the Mennonite Community and questions on the Quality of Life Ordinance.


Angel Jirau, Wilkes-Barre, PA appeared before Council to update them on community events.

Sam Troy, Wilkes-Barre, PA appeared before Council relative to Council meetings being once a month in the summer, three percent raise to non-uniformed employees, snow removal reimbursement and Johnson Controls contract.

There being no further business to discuss the meeting adjourned at 6:56 p.m.


Beth Gilbert, Chairperson

ATTEST:


Jim Ryan, City Clerk

