

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

NOVEMBER 5, 2020

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

ORDINANCES

MINUTES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
NOVEMBER 5, 2020

**RESOLUTIONS**

Authorizing the execution and delivery of certain financing documents with Pension Funding Solutions, LLC or such other entity as may be deemed appropriate for the purpose of funding all or a portion of the city's unfunded actuarial accrued pension liability and authorizing proper officers to do all other things necessary or appropriate in connection with the foregoing.

Authorizing the proper city officials to prepare and submit the necessary application to the Commonwealth of Pennsylvania, acting through the Commonwealth Financing Authority (CFA), for the Local Share Account – Luzerne County program funds and the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the LCTA's new transit facility project, if the application is approved.

Authorizing the proper city officials to prepare and submit the necessary application to the Commonwealth of Pennsylvania, acting through the Commonwealth Financing Authority (CFA), for the Local Share Account-Luzerne County program funds and that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the Police Cruisers project, if the application is approved.

Authorizing the proper city officials to prepare and submit the necessary application to the Commonwealth of Pennsylvania, acting through the Commonwealth Financing Authority (CFA), for the Local Share Account – Luzerne County program funds and that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the Emergency Operations Center project, if the application is approved.

Authorizing the proper city officials to prepare and submit the necessary application to the Commonwealth of Pennsylvania, acting through the Commonwealth Financing Authority (CFA) for the Local Share Account – Luzerne County program funds and that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the City Hall Renovation Project, if the application is approved.

CITY COUNCIL  
NOVEMBER 5, 2020

**ORDINANCES**

FILE OF COUNCIL NO. 13 OF 2020 – AN ORDINANCE TO AMEND THE CITY OF WILKES-BARRE ZONING ORDINANCE AS ADOPTED AND ENACTED; TO ESTABLISH REGULATIONS FOR THE RECOGNITION AND PROTECTION OF HISTORIC RESOURCES AND THE REGULATION OF DEMOLITION. (SECOND AND FINAL READING)

**MINUTES**

Of the Regular Session of City Council of September 24, 2020.

Of the Planning Commission Meeting of October 21, 2020.



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CITY COUNCIL

NOVEMBER 5, 2020

The City Council of the City of Wilkes-Barre met in Regular Session on November 5, 2020, at 6:12 p.m. (immediately following the Work Session), in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania. for the purpose of general business. (The meeting was conducted and streamed on YouTube for public viewing due to COVID-19)

The meeting was organized with Chairperson Bill Barrett in the Chair.

The Pledge of Allegiance to the Flag was given.

Roll Call:

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

Also Present:

George Brown, Mayor  
Darren Snyder, City Controller  
Tim Henry, City Attorney  
Butch Frati, Director of Operations/Deputy Administrator  
Frank Hershberger, IT Director  
Charles McCormick, City Administrator  
Cathy Payne, Assistant City Clerk  
Jim Ryan, City Clerk  
Lisa Sanfilippo, Administrative Assistant

The City Clerk asked if there was anyone wishing to address Council on pending legislation. There being no one the meeting continued with general business.

**RESOLUTIONS**

**RESOLUTION NO. R0084-20**

Whereas, the establishment of the Mohegan Sun Casino and Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account – Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$700,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds. The funding will be used by the Luzerne County Transportation Authority (LCTA) for any construction phase of LCTA's new transit facility. The LCTA has outgrown their two present locations and does not have the ability to house permanent CNG fueling at these sites. The new facility will combine fixed route and shared ride divisions and accommodate all vehicle refueling, maintenance and storage needs for improved operational efficiency and greater capacity. This project redevelops and abandoned property in the city commonly known as the Murray Complex. Additionally, this grant amount will be leveraged with other project funding. The Pennsylvania Department of Transportation (PennDOT) has committed to providing 96.775% of the project funding and this LSA request will provide the remaining 3.225% of the project funding. The total cost of the entire project is \$45,000,000.00; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all project documents, related to the LCTA's new transit facility project, if the application is approved.

Mr. Barrett moved to adopt the Resolution.

The motion was seconded by Mr. Belusko and **failed** by the following yeas and nays vote:

Yeas Belusko and Barrett (Chairperson) – 2.

Nays Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

**RESOLUTION NO. R0085-20**

Whereas, the establishment of the Mohegan Sun Casino and Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account – Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$150,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds. The funds will be used to purchase three (3) new police cruisers for the department; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all project documents, related to the purchase of three (3) new police cruisers, if the application is approved.

Mr. Belusko moved to adopt the Resolution.

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

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

Nays McBride and Brooks – 2.

**RESOLUTION NO. R0086-20**

Whereas, the establishment of the Mohegan Sun Casino and Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account – Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$532,660.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used to establish a permanent location for the city's Emergency Operations Center. In the past the city has used temporary locations as the Emergency Operations Center; however, these locations are no longer available for the city to use in times of emergency. Also, the logistical problems associated with not having a permanent location were many (moving computer servers, computer equipment and other essential items to keep the city operational was time consuming and inefficient). Wilkes-Barre City Hall, Fire Headquarters, Police Station and the Health Department are all located in the flood zone due to its proximity to the Susquehanna River. Therefore, in the event of a disaster, particularly flooding, the city must move all of its operations out of the flood zone. The proposed Emergency Operations Center will be located out of the flood zone and allow the city to continue operations during disaster events. The City will renovate and existing stone masonry building at Hollenback Park that is currently used for storage in the Emergency Operations Center; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account – Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all project documents, related to the Emergency Operations Center project, if the application is approved.

Mr. Barrett moved to adopt the Resolution.

The motion was seconded by Mr. Belusko and **failed** by the following yeas and nays vote:

Yeas Belusko and Barrett (Chairperson) – 2.



Nays Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

**RESOLUTION NO. R0087-20**

Whereas, the establishment of the Mohegan Sun Casino and Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account – Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$689,527.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funding will be used for renovations to Wilkes-Barre City Hall. The building was built in 1893 and needs many improvements due to its age. The specific use of the grant funds will be for architectural services, selective demolition, HVAC system upgrades, stairwell ADA improvements, LED lighting, restrooms, floor/wall tile, restroom toilet fixtures, common area/office flooring, painting, plaster repairs and repairs to the exterior of the building; 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 necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds; and

Further, that the Mayor is hereby authorized to enter into the appropriate agreement with the CFA, along with any or all other project documents, related to the City Hall Renovations project, if the application is approved.

Mr. Belusko moved to adopt the Resolution.

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

Yeas Belusko and Barrett (Chairperson) – 2.

Nays Marconi, McBride and Brooks – 3 – being a majority of the members elected to City Council.

**RESOLUTION NO. R0088-20**

Whereas, the establishment of the Mohegan Sun Casino and Pocono Downs (Casino) has resulted in revenue from this facility allocated to a Local Share Account – Luzerne County (Account) administered by the Commonwealth Financing Authority (CFA); and

Whereas, money in this Account is available for distribution to municipalities in Luzerne County; and

Whereas, revenue in this Account is designated to improve the quality of life of citizens in the City of Wilkes-Barre and other municipalities in Luzerne County; and

Whereas, the City of Wilkes-Barre is desirous of applying for a \$410,000.00 grant from the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds. The funds will be used for the Schools and Homes in Education (SHINE) Luzerne County program. It is a comprehensive educational and family outreach and attainment program that spans from pre-kindergarten through high school. SHINE LC provides home visits, afterschool and summer programming; promotion of parental involvement in the educational process; curriculum coordination with school teachers; and the ability to seamlessly move from one phase of the program to the next. This program has been extremely successful in Luzerne County, for the past 5 years, providing an array of various educational activities to students. It is a replication of the nationally recognized and highly successful SHINE program in Carbon and Schuylkill Counties. This is a learning opportunity for both parents and children that lay the foundation for more parental involvement throughout a child's education.

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 any necessary application to the Commonwealth of Pennsylvania, acting through the CFA, for the Local Share Account-Luzerne County program funds; and

Be It Further Resolved, that the Mayor is hereby authorized to execute any and all appropriate agreements with the CFA, along with any and all other required project documents, related to the SHINE LC project if the application is approved.

Mr. Belusko moved to adopt the Resolution.

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

Yeas Belusko and Barrett (Chairperson) – 2.

Nays Marconi, McBride and Brooks - 3 - being a majority of the members elected to City Council.

### **ORDINANCE**

**FILE OF COUNCIL NO. 13 OF 2020** - AN ORDINANCE TO AMEND THE CITY OF WILKES-BARRE ZONING ORDINANCE AS ADOPTED AND ENACTED; TO ESTABLISH REGULATIONS FOR THE RECOGNITION AND PROTECTION OF HISTORIC RESOURCES AND THE REGULATION OF DEMOLITION. (SECOND AND FINAL READING)

Mr. Brooks moved to adopt the Ordinance.

The motion was seconded by Mrs. McBride and adopted by the following yea and nay vote:

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

### **MINUTES**

Of the Regular Session of City Council of September 24, 2020.

Of the Planning Commission Meeting of October 21, 2020.

Mr. Brooks moved to adopt the Minutes.

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

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

Nays none.

### **PRESENTATIONS BY COUNCIL MEMBERS**

Mr. Brooks thanked the Mayor for sending out the information regarding the police substations. He pointed out that in his district police officers issued 36 Quality of Life citations. He asked if the substations are operating on the weekends.

Mayor Brown replied that they are being paid through grant monies as officers are available. He said the Administration is trying to equalize the six substations.

Mr. Brooks said he is constantly seeing people in his district putting out their trash early. He asked if any of the Quality of Life citations were related to trash or could they be and can an officer in the substations be used to issue citations because the trash is out early.

Mayor Brown explained that the officers walk a beat now. They are basically community police officers. If they see something that is a Quality of Life issue, they report it to Code Enforcement. Code Enforcement goes out the next day and gives a letter to the homeowner to abate.

Mr. Maroni thanked the Mayor for the second substation in District E.

### **PUBLIC DISCUSSION**

*Bob Kadluboski phoned in relative to the Mayor's proposed 2021 Budget (union concessions and Council's salaries/benefits).*

Mrs. McBride responded to Mr. Kadluboski's questions on Council's healthcare. She said that once she does some research and speaks to her colleagues, she would like to introduce a Resolution to stop healthcare and pension benefits beginning in the next term.

Mrs. McBride pointed out that Council has saved the city 1.4 million dollars since their salaries were frozen over 20 years ago.

Mrs. McBride told Mr. Kadluboski that she did take a cut in her salary early this year. She also stated that she wouldn't mind paying something toward her healthcare, but the unions don't want to pay anything. She said that has to stop.

Mr. Marconi said that he does take the healthcare buyout of \$3,600; however, in the beginning of the year he committed to giving that back to the city.

*John and MaryAnn, Wilkes-Barre, PA phoned in to support Mayor Brown's proposed 2021 budget.*

*Lois Grimm, phoned in relative to the Department of Public Works overtime, City Hall employees' benefits and pensions, the 2021 Budget (raising fees), LSA Grants, and Unions (raises /hiring freeze).*

*Linda Ross, South Wilkes-Barre, PA phoned in relative to the proposed fee increases for sewer and recycling.*

Chet, Wilkes-Barre, PA phoned in relative to the 2021 Budget.

Jason Carr, Saylorsburg, PA phoned in relative to listening to Council meetings (if you don't have internet access), thanking Mr. Brooks, Mr. Marconi, and Mrs. McBride for standing with the taxpayers of the city, the Mayor asking for concessions from the unions, and fire fighters and police increasing their pensions the last three years of employment.

**City Clerk Jim Ryan read the following emails submitted to the Clerk's Office for Public Discussion:**

**From Debra Jenkins:**

*In regard to wanting to raise the cost of sewer and recycling fees: Are you kidding me? And you want to give your staff raises? When I first started following the posts through Facebook, I was upset about raising the sewer and recycling fees because I am a one income family and I am retired. I "was" working part time until Covid 19 at which time I was no longer working. Why the increase of the fees and why give your staff a raise? Makes no sense. I'm on Social Security and I didn't see a yearly raise in what they send me.*

*I think I could probably handle the increases you so desire if we could use regular garbage bags, for one thing. The cost of 5 blue bags is outrageous and should be stopped. Having to pay for those bags and the increase, won't fit in my budget as it stands now and I'm sure it won't work for too many Wilkes Barre families either. You will see garbage strewn about and people putting things in dumpsters that don't belong to them because they can't afford to pay for the bags. How much are you going to put on the people of WB before they all leave the city? I have blighted properties around me, but nothing is done about it. Start going after the owners of these properties and start charging them a fee every month of \$100.00 until they clean up their properties. In my area, most are from New York probably using it as a right off on their taxes. My neighborhood used to be really nice and I maintain my home myself. How about penalizing the people that don't take care of these properties? I used to clean up a yard that didn't belong to me just so my area would be presentable. I no longer do it. It didn't help. From what I've been told the property was sold to someone from Brooklyn for 6K. It still sits idle, but they did cut the grass a few times in the summer. Why hurt the city property owners and leave the absentee landlords alone? Go after them and stop hurting the people who have been here for years.*

*I was recently informed that my supplemental medical will be going up by \$25 a month, my Drug coverage is going up \$20 a month and I never could afford dental so when I go to have my teeth cleaned, I must pay out of pocket. Let's get real here. Let's start charging the colleges as well. Why should they get a break? For once, give the residents a break before you lose us all.*

*Thank you for listening. Please do not raise these fees.*

***From Shannon McGraw (Ward 15):***

*To Councilwoman Gilbert-McBride, Councilman Brooks & Councilman Marconi:*

*I respectfully ask for you to vote for the proposed recycling & sewer maintenance fee increases.*

*While it may seem unfair, at first glance, it really isn't when you look at the big picture. What we have been paying is a bargain and we can't expect that to go on forever. The city needs these vital funds to run effectively for all of its citizens.*

*I would think that Councilman Marconi, for example, would understand as a manager of a national grocery store that when costs go up, you have to find some way to make up that revenue, or soon you will no longer be in business. Wilkes-Barre city needs to find a way, too.*

*Sure, some landlords will be against these increases because they would end up paying more than just a single household, but it can be worked into the rent they receive from their tenants. Isn't that why rent goes up? To cover increased costs?*

*Please make a decision that will benefit the city as a whole and allow it to thrive and be a city we can feel even more positive about.*

*I would like to thank my Councilman Mike Belusko as well as Councilman Barrett for realizing the value of our city's workforce by supporting these fee increases, and I respectfully ask Councilwoman Gilbert-McBride, Councilman Brooks & Councilman Marconi to support these fee increases as well.*

*Thank you for considering my comments.*

Mr. Marconi said that one of the things they look at, at the grocery store, is payroll and they like to do more with less.

Mr. Barrett discussed the DPW employees doing more with less. He said they have 38 employees and they are picking up garbage, recycling and yard waste all while trying to do other duties like taking care of the parks. He said he understand the Overtime Line in the budget for them because often times they are out there on the weekend trying to get caught up.

***From Sue Bruno:***

*While I agree with raising those particular fees it is very hard on people that are on a fixed income my husband is retired and if I didn't work we would not be able to afford the increase perhaps someone in the administration should start to think about discounting*

senior citizens after a certain age their taxes and raise taxes of the working people On items like the sewer and water the seniors are tapped out you might want to start doing that because it would make it more attractive for people to look at Wilkes-Barre if after a certain age they didn't have to pay certain things and we could get some of the scumbags out.

**From Thomas R Frank, Parsons:**

To whom it may concern,

I am a taxpayer and resident of Wilkes-Barre. I STRONGLY oppose the fees being raised by The Mayor of our City in regards to Recycling and Sanitary. It's not bad enough a Rain Tax was introduced into our lives, albeit not on the part of the City or Mayor, but just the same it seems like every day our wallets are getting hit with more fees and taxes, yet our roads and residential areas are in shambles.

Here's an idea:

Dump building the bridge on North Washington Street as proposed, and use that allocated money to help the City make up for the loss in revenue due to Covid 19 pandemic. Tighten the budget on the City's spending instead of always taxing the residents to death. And for the Love of All That's Holy,  
**FIX THESE STREETS!**

**From Ray McGraw, Academy Street:**

To Councilman Brooks:

I was born and raised in the city and recently returned to reside in Wilkes-Barre after 20 years. I understand that I now live in District B, your district.

I am looking forward to many years of enjoyment as a resident of the city and want the city to have the money to provide consistent and efficient recycling and garbage collection services. I would hate to see any decrease in these extremely vital services.

Bills go up, the cost of living and the cost of running a city goes up, it's a reality we all have to accept. We can't let the whole city of Wilkes-Barre suffer just because some of us don't want to pay a little more. I believe these fee increases would be a worthy investment. And the cost would be comparable to what I was paying where I used to live, so I feel it's more than fair.

I would much rather pay the extra \$2.00 a week than have my recycling and garbage collection service affected, for example, if the city had to reduce collection to every other week because of layoffs. This is a small price to pay for these services!

*I would like to take this opportunity to thank the city council members who support these increases.*

***From Elaine Smith:***

*I would like to thank the three council members opposing the fee increase. It is finally nice to have someone fighting for the citizens. I have read the council members opposing this have been looking for ways to reduce the budget and help generate money. I would like to ask each of the three council members if Mayor Brown or any of the administration has asked them any of their ideas or thoughts that may help the situation.*

***From Carla Blakeslee:***

*While I understand that as a whole the city is looking at where they can adjust to increase revenue, I wholeheartedly ask that you reconsider your position on raising the recycling and sewer fees. First, I would like to point out that we are in the midst of a pandemic that has taken a huge financial toll on so many people. To even imagine that at this time you are working to increase fees for the citizens of your community is very disheartening. Do you not feel that it is bad enough that Wilkes-Barre City residents have to pay outrageous fees for blue trash bags that barely hold up when we actually put garbage in them? While I understand that you may have a considerate amount of people that may say "sure raise the fees we can afford it", but what about the even larger group that absolutely can't? It is not the citizens of this town's fault that you did not or could not properly put together a budget and they should not be the ones that have to pay. In reviewing your budget, I see that you decreased the amount budgeted for snow and ice removal. What if we have a bad winter? Should we expect not to be able to travel to work? You also decreased your budget for Communicable Disease Control? In the midst of a pandemic? You drastically decreased your budget for Maternal and Child health services but doubled the budget for police training and increased budget for parking enforcement. Does the health of your city not matter to you? Is this always all about the money that can be made. You have increased salaries and pensions for government employees. Well how about putting a freeze on hiring or increases to pensions and salaries as opposed to charging your citizens more money for the errors that were made in the budget? I would like to thank the members of the city council that are fighting for their communities so to Beth, John and Tony Thank you!!*

Mr. Brooks said the email sent in from Sue Bruno mentioned having a discount for senior citizens. He asked the Mayor if that would be possible to do.


Mayor Brown replied that he doesn't know how the city would administer it.

Mr. Brooks discussed a program that Florida has, that if you have been living in your home for 25 years and you are low income senior citizens, you don't pay any taxes. He said he knows that would be a program that Harrisburg would have to do, but he said he hopes it is something the State Senator John Yudichak and State Representative Eddie Pashinski

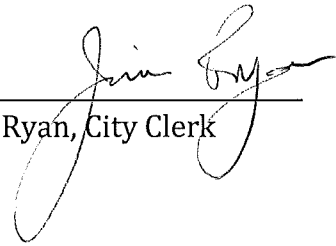


would take up. He continued saying that long term residents are really impacted, in particular long-term homeowners, by these taxes and they need some kind of relief.

There being no further business to discuss the meeting adjourned at 8:36 p.m.

  
\_\_\_\_\_  
Bill Barrett, Chairperson

ATTEST:

  
\_\_\_\_\_  
Jim Ryan, City Clerk

