

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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CITY COUNCIL

WORK SESSION

Date: November 15, 2016

Time: 6:00 p.m.

6:00 p.m. **Jim Ryan, City Clerk**

1. Resolution authorizing the proper City Officials to enter into a Right-Of-Way Agreement with PPL Electric Utilities relative to County Tax Parcel No. H9SE2-002-01A located along River Street to relocate an existing pole.

**-ORDINANCE FOR SECOND AND FINAL READING-**

**FILE OF COUNCIL NO. 18 OF 2016 – AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED “PARKS AND RECREATION”. (DOG PARK RULES)**

6:10 p.m. **Mayor Tony George (see attached)**

**WILKES-BARRE CITY COUNCIL  
WORK SESSION  
NOVEMBER 15, 2016**

**RESOLUTIONS:**

Disposition of Records from Wilkes-Barre Fire Department.

Authorizing the proper city officials to sign any and all necessary documents for the Solomon Creek repair/restoration Project.

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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CITY COUNCIL

NOVEMBER 17, 2016

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

ORDINANCE

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
NOVEMBER 17, 2016

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing Mayor Anthony George and Controller Darren Snyder to sign any and all debt related documents on behalf of the City of Wilkes-Barre.

Enter into a Right-Of-Way Agreement with PPL Electric Utilities relative to a County Tax Parcel located along North River Street to relocate an existing power line in order to accommodate their proposed parking lot at the County Courthouse.

Disposition of records from the Fire Department.

Authorizing the proper city officials to sign any and all necessary documents for the emergency reconstruction work on the retaining walls along Brook Street (Solomon Creek).

**MINUTES**

Of the Zoning Hearing Board of September 21, 2016.

Of the 2017 Budget Hearing of November 9, 2016.

CITY COUNCIL  
NOVEMBER 17, 2016

**ORDINANCE**

**FILE OF COUNCIL NO. 18 OF 2016 – AN ORDINANCE AMENDING ARTICLE I  
OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-  
BARRE ENTITLED “PARKS AND RECREATION”. (SECOND AND FINAL  
READING)**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED* by the City Council of the City of Wilkes-Barre:

Authorizing Mayor Anthony George and Controller Darren Snyder to sign any and all debt related documents on behalf of the City of Wilkes-Barre.

Submitted by \_\_\_\_\_

**ROLL CALL**

**RESOLUTIONS**

**VPAC**

**NAVS**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

Whereas, Luzerne County has requested PPL Electric Utilities to relocate an existing power line of the utility, in order to accommodate their proposed parking lot at the County Courthouse; and

Whereas, the existing poll falls directly inside the lot, PPL will relocate this section of line to accommodate their needs.

Further, there will be no cost to the city for this transaction.

Now, Therefore Be It Resolved that the proper City officials are hereby authorized to enter into a Right-Of-Way Agreement with PPL Electric Utilities relative to County Tax Parcel No. H9SE2-002-01A located along North River Street situate in the City of Wilkes-Barre (see attachment) to relocate the subject pole as requested.

Submitted by \_\_\_\_\_

**ROLL CALL**

YEAS

**RESOLUTIONS**

NAYS

**Jim Ryan**

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**From:** Hoover, Adam Anthony [AAHoover@pplweb.com]  
**Sent:** Friday, November 04, 2016 11:24 AM  
**To:** Jim Ryan  
**Subject:** PPL Right of Way for Luzerne County Courthouse  
**Attachments:** 20161104103928578.pdf; 58135908 Wilkes Barre City.pdf

Good Morning Jim,  
I hope all is well.

Luzerne County requested us to relocate a power line of ours to accommodate their proposed parking lot at the county courthouse. The existing pole, falls directly inside the lot. We are planning to relocate this section of line to accommodate their needs. There will be no cost to the city for this.

As is the past, attached is the right of way grant for the work. Please have completed three (3) originals. Once they are approved, I will send the city's original back to you.

Feel free to reach out with any questions that come up. I will be happy to answer them.

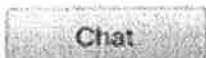
If you can just let me know that you received this, I would appreciate it!

Very truly yours,  
Adam

Adam Hoover | Right-of-Way Agent



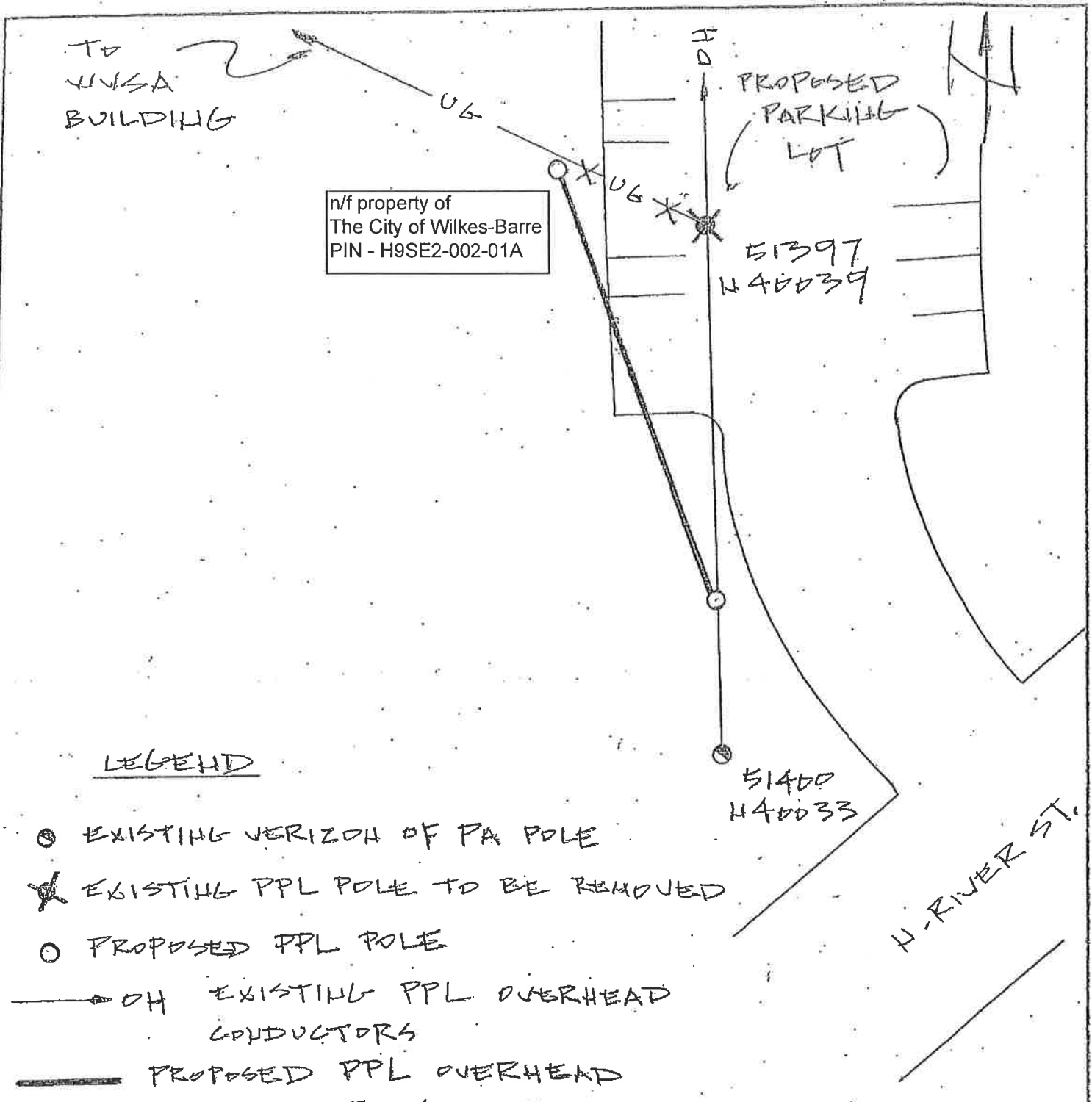
PPL Electric Utilities  
Hazleton Service Center (HAZSC)  
344 S. Poplar St.  
Hazleton, PA 18201  
Office – 570-459-7559



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11/4/2016





LEGEND

- EXISTING VERIZON OF PA POLE
- ✕ EXISTING PPL POLE TO BE REMOVED
- PROPOSED PPL POLE
- OH EXISTING PPL OVERHEAD CONDUCTORS
- PROPOSED PPL OVERHEAD CONDUCTORS
- ← UG - EXISTING PPL UNDERGROUND CONDUCTORS
- ✕ UG ✕ EXISTING PPL UNDERGROUND CONDUCTORS TO BE DE-ENERGIZED & REMOVED OR ABANDONED

NO 58135908	
ER 2009123	
	WILKES-BARRE LUZERNE CO
SCALE: NONE	PPL Electric Utilities Corporation ALLENTOWN, PENNA.
DATE: 11-2-16	APPROVAL: DATE:
ENGR: FELECCIA, R	DWG NO:

Prepared by: PPL Electric Utilities  
Return to: PPL Electric Utilities  
ROW Department  
344 S. Poplar St.  
Hazleton, PA 18201

**This instrument solely grants, vests  
or confirms a public utility easement.**

Form 4337 (8/2014)

W.O. Number:							
5	8	1	3	5	9	0	8



## **GRANT OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS, That the City of Wilkes-Barre, a City of Third Class organized and existing under a Home Rule Charter hereinafter called "GRANTOR", intending to be legally bound, does hereby for itself and its successors and assigns grant unto **PPL ELECTRIC UTILITIES CORPORATION ("PPL")**, its successors and assigns, the right to construct, reconstruct, operate and maintain its electric and communication facilities consisting of one (1) pole, overhead and underground facilities as shown on the plan hereto attached and made a part hereof including such other wires, cables, fixtures and apparatus necessary for the convenient transaction of the business of PPL, upon, across, over, under and along the property identified as County Tax Parcel No. H9SE2-002-01A which the undersigned owns or has any interest located along North River Street situate in the City of Wilkes-Barre, County of Luzerne, Commonwealth of Pennsylvania; including the right of ingress and egress to and from the said lines for any of the aforesaid purposes; also the right to cut down any and all trees within twenty-five (25) feet each side of centerline of the electric/communication line and the right to trim any and all trees within twenty-five (25) Feet each side of centerline of the electric/communication line and to remove brush along said lines which in the judgment of said PPL menace the said lines; and also the right to permit the attachment of wires and cables of any other person or company to said poles. Any poles or facilities erected hereunder along a highway, whether within or outside the highway limits, may be relocated to conform to new or relocated highway limits. PPL shall restore the property to substantially the same condition that the property was in prior to installation, maintenance or repair of the electric facilities.

A copy of this agreement and an acceptance hereof by PPL shall be filed by PPL with the Pennsylvania Public Utility Commission, and this agreement shall thereafter become effective in accordance with the provisions of the Public Utility Law.

IN WITNESS WHEREOF, Grantor has caused this agreement to be executed in its corporate name by its proper officers, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

City of Wilkes-Barre

By:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Name: Anthony G. George

Title: Mayor

COMMONWEALTH OF PENNSYLVANIA )

: SS

COUNTY OF \_\_\_\_\_ )

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned officer, personally appeared Mayor Anthony G. George of the City of Wilkes-Barre, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he/she executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

\_\_\_\_\_  
Notary Public

ACCEPTED AND CONDITIONS AGREED TO:

WITNESS:

PPL Electric Utilities Corporation

By:  
  
\_\_\_\_\_  
  
\_\_\_\_\_



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

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 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: Fire Department  
Wilkes-Barre City Records (Ambulance trip sheets and Fire Department calls)

<u>Record title, dates</u>	<u>Cubic Feet</u>
Ambulance Signature Sheets:	
Medic 3 Jan. to April 2008	1
April to June 2008	1
July to Sept. 2008	1
Oct. to Dec. 2008	1
Medic 5 Jan to April 2008	1
May 2008	1
June to Aug. 2008	1
Sept. to Dec. 2008	1
Payroll: 2004 to 2006, 2008	1
Vendor Bills: 2004, 2005, 2006	1
2007, 2008	1
Ambulance reports:	
Medic 5 Jan. to April 1998	1

TOTAL 12 CU FT.

Submitted by \_\_\_\_\_

**ROLL CALL**

Y E A S

**RESOLUTIONS**

**NAYS**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

**WHEREAS**, the City of Wilkes-Barre has publicly advertised for bidders to perform emergency reconstruction work on the retaining walls along Brook Street (Solomon Creek), Wilkes-Barre; and

**WHEREAS**, it is the desire and intention of Wilkes-Barre City Council that these repairs be made as soon as possible for the protection of City residents;

**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 repair/reconstruction work with the selected lowest responsible bidder.

Submitted by \_\_\_\_\_

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**

**FILE OF COUNCIL**

NO. 18 of 2016

**Presented in City Council on November 1, 2016.**

**AN ORDINANCE**

**AMENDING ARTICLE I. OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "PARKS AND RECREATION."**

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT SECTION 20-9 OF ARTICLE I. OF CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "PARKS AND RECREATION" IS HEREBY AMENDED AS FOLLOWS:

**ARTICLE I. In General**

**Sec. 20-9. Dog Park Rules – Hollenback Park.**

A person commits an offense if he or she violates any of the posted rules and regulations in the Hollenback Dog Park.

(a) Signs shall be placed within the Hollenback Dog Park which contain the following rules and regulations:

USE AT YOUR OWN RISK. Owners are responsible for the actions and behaviors of their dog(s) at all times.

Dog waste must be picked up IMMEDIATELY by dog owners. Waste bags are available at the entrance of each yard.

Owners must be within the dog park and supervising their dog(s) at all times with leash readily available.

Limit four (4) dogs per handler per visit.

All children under the age of thirteen (13) must be accompanied by an adult. This park is not for toddlers or small children.

Pet food and treats are allowed inside the dog park.

Dogs must remain leashed at all times when outside the park.

Remove pinch or choke collars and leash in off leash area.

Please leash and remove your dog if it is acting aggressively.

Puppies under four (4) months of age are not permitted in park.

All dogs must be spayed or neutered.

All dogs must wear a collar with a current rabies tag, license and identification. All dogs must be vaccinated.

Don't bring a dog with contagious conditions or illness to the park.

Owners/Handlers are responsible for damages or injury inflicted by your dog(s).

Do not let your dog dig holes or damage park plants or property.

Smoking is prohibited.

No glass containers.

Park open sunrise to sunset.

(b) Penalties. Any person who violates or fails to comply with any provision of this section shall, upon summary conviction thereof in a summary proceeding before a district justice of the City of Wilkes-Barre, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) and not more than three hundred dollars (\$300.00), plus costs and/or be imprisoned in the county jail for a period not exceeding ninety (90) days.

#### SEVERABILITY.

The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

#### REPEALER.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passed finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_  
\_\_\_\_\_, 2016.

This ordinance shall become effective ten (10) days after final passage by  
the Council of the City of Wilkes-Barre.

Attest:

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