

**MINUTES  
HAZLETON CITY COUNCIL  
WORK SESSION  
TUESDAY, OCTOBER 11, 2022**

Council met for a WORK SESSION on Tuesday, October 11, 2022, in Council Chambers and via ZOOM Teleconferencing. The WORK SESSION began at 7:34 p.m.

In attendance were City Council President James Perry, Anthony Colombo, Allison Barletta, Jack Mundie and Mark Ondishin. City Officials present were Atty. Sean Logsdon, Dan Lynch, Fire Chief Donald Leshko and Police Chief Brian Schoonmaker.

Perry asked Atty. Logsdon asked about the changes that are being done in the LERTA Ordinance. Atty. Logsdon said based on their proposal, it is zeroes "across the board". But this is not the way it is now. He said, currently, the City is on a "floating" schedule. He stated this is what they are requesting. Atty. Logsdon said they need more public testimony for their "pitch". He stated the City is not on a timetable.

Perry stated the WORK SESSION discussion will be about the City noise issue.

Barletta said the Noise Ordinance states "OR" off the property line, at any time, "OR" between the hours of 10 p.m. and 7 a.m. Atty. Logsdon said it is, definitely, an "OR". Barletta stated the City could enforce the ordinance at any time. Perry stated they discussed decibel meters in the past. Police Chief Schoonmaker said decibel meters all have to be certified, and officers would have to be certified. He said the problem the City would have to do a complete study, of the whole City, and would take at least 6-8 months to complete, along with the cost. Perry asked Schoonmaker if this is one of the biggest issues in the City. Schoonmaker stated noise is on-going, day and night. He said the largest number of calls, in the police department, are from noise. He said there is no easy solution. Mundie asked how many noise violation tickets were given out for in the City. Schoonmaker said he would have to "go back" into their system. He said they have a lot of "frequent flyers" for noise. Ondishin asked if the police issue citations for noise. Schoonmaker said yes, they issue citations for noise. He said the officers do not issue a citation "right there and then". He stated the officers will take the information and file it the next shift or next day. Perry asked if the resident should prepare to go to the hearing to explain why the noise is bothering them. Schoonmaker said Magistrate Zola would appreciate it more if the resident, calling in the complaint, would go to the hearing. Ondishin said he got several calls regarding trucks idling on Poplar Street. He asked what the residents could do. Schoonmaker said most tractor trailers on private property. He said they need the times specified of when they were idling. He said if they are generating a lot of noise, in that area, they should not be there. He stated the City would need to write an ordinance, and have, in place, what times the vehicles could be running. Barletta said there is a federal law that states truck idling could not be allowed in certain temperatures. Schoonmaker said this is a federal statute and the police officers could not enforce this. He said this would have to be referred to the PUC. Barletta asked if the City would "come up" with an ordinance, would the City be able to enforce it. Schoonmaker agreed. Perry said with the current City ordinance, trucks should not be on Dietrich Avenue. Colombo said she is not doing right in charging rent, for the trucks, and it is not a truck stop or a garage. Ondishin stated there are constant complaints coming from this property. Schoonmaker asked Atty. Logsdon if the City could create an ordinance that would limit these vehicles idling within the limits of Hazleton City to cover private property. He said yes, as long as they do not delve into the "pre-empting" area whatever federal or state statutes regulate these trucks. Ondishin stated the City needs to do something with all the industry "coming in". He said it is bad on Route 309 with dump truck traffic. He said they speed. Barletta said these trucks do not stop. Schoonmaker said the police department will need to have some officers to do some traffic control in this area. He said he will speak with Lieutenant Wetzell regarding this. Barletta said coming from the City and coming down the mountain, to the stop

light, on Route 309, could the City talk to a PENN DOT representative about installing a flashing light warning people about a “red light ahead”. Atty. Logsdon said they could but would have to go through PENN DOT because this is a state road. He asked who the regional representative is for PENN DOT. Colombo said he will talk to the county manager tomorrow. Barletta stated this is a safety issue.

Atty. Logsdon stated the Noise Ordinance will be a “practical enforcement” issue. He said there is nothing prohibiting, the City, “hours wise”, and have to make “it stick”. Mundie said a lot of residents complain about noise and leave town. He said it is hard to enforce it but, they need to try to enforce this.

Atty. Logsdon stated he has 10 different suggested changes to the City’s Zoning Ordinance. He said he will have all the changes in one ordinance, and will send to Luzerne County, to get their comments back. They will have 30 days to review this. He said the city council November meeting will have the second and final reading. He said the issues to be amended are the BYOB’s and the solar panel issue. Barletta said city council will discuss changing the November 8<sup>th</sup>, 2022 meeting.

Deakos (*inaudible*).

Perry adjourned the WORK SESSION meeting at 7:55 p.m.