

MINUTES

HAZLETON CITY COUNCIL

REGULAR MEETING

WEDNESDAY, APRIL 25, 2018

Call to Order: Council met in regular session on Wednesday, April 25, 2018 in Council Chambers. The meeting was called to order at 6:00 pm.

Silent Meditation and Pledge of Allegiance: A silent moment was taken followed by the Pledge of Allegiance.

Roll Call: Barletta-present; Colombo-present; Mope-present; Perry-present; Gavio-present

Minutes of Previous Meetings: The minutes of the April 4, 2018-Regular Meeting were approved unanimously.

Proclamations/Communications: None.

Bid Opening: Hazleton Active Adult Center Project. Joe Zeller, Community Development Director, stated there was only one bid received. Zeller stated this project will be postponed, at this time, and will be re-advertised.

Courtesy of the Floor (ON AGENDA ITEMS ONLY):

Antonio Rodriguez, 718 Muir Ave., Hazleton, spoke of Resolution 2018-40 & Resolution-42. Rodriguez said there needs to be a names, in the resolutions, for the Hazleton City Water Authority appointments. Gavio said council is going to make a nomination and then will vote on the member. Rodriguez said council-woman Barletta stated the authority board appointments need to be advertised. Barletta said it cannot just be “one person” advertising these positions. She said it needs to be council as a “whole”. She stated no council rules were changed. Barletta said it did not go any further. Rodriguez said the council rules are not very “democratic” when the authority member names are not included in the resolutions. He said this is unethical. He said he is an homeowner and taxpayer. He said there needs to be transparency. Rodriguez suggested tabling these resolutions.

Theodore Sherrock, 67 Franklin Street, Hazleton, said he is endorsing Resolution 2018-41-Reappointment to the Health Services Authority- Mary Pat Stroia. He said she is an “outstanding” member. Sherrock said the authority is currently “non-existent”, and remains in effect to conduct minor business. Sherrock stated Stroia does a great job writing the authority minutes.

Dee Deakos, 43 West Mine Street, Hazleton, spoke of Ordinance 2018-10- An Ordinance Establishing Geographic Information System (G.I.S.) Documentation Fees to Record Certain

Permits. She stated that Luzerne County is putting their G.I.S. system on their website, and there is no charge. She suggested Getting the information from the Luzerne County website. Deakos also spoke of Resolution 2018-35-Contract for Road Materials- 2018. She said the bids were opened in the administrative office. Deakos stated these bids need to be opened at a public meeting. Deakos also spoke of Resolution 2018-41-Reappointment to the Health Services Authority. Deakos said the member being re-appointed is not a resident of the city of Hazleton. She said the appointed member needs to be a citizen of Hazleton.

Grace Cuzzo, 948 James Street, Hazleton, spoke of Resolution 2018-10- An Ordinance Establishing Geographic Information System (G.I.S.) Documentation Fees to Record Certain Permits. Cuzzo asked when the G.I.S. system was purchased. Barletta said council was told this was purchased in 2017. Cuzzo also asked when it was approved. Mope said it never was approved. Cuzzo spoke of Ordinance 2018-11- An Ordinance Repealing Ordinance 2016-13. She asked if third class city code was reviewed. Cuzzo said it states a city engineer is required, and is a legal question. Atty. Logsdon stated the city is not abolishing the position of city engineer, but abolishing the ordinance that impinged upon the executive powers to appoint an engineer. Mope said council did make it mandatory for the mayor to appoint an engineer within a certain time period. Mope said the former council felt it was a necessity to appoint an engineer, and this is why the original ordinance was established. Mope said the city engineer was put under contracted services, under code. She said the money under the contracted services was used to purchase the G.I.S. system. Atty, Logsdon said the original ordinance stated if the appointment of city engineer was not made by a certain time then council has the right to choose an engineer. Atty. Logsdon said this is the only issue he has with the original. Cuzzo asked Atty. Logsdon if he reviewed the third class city code. Atty. Logsdon stated he will review the third class city code. Mope said there was to be a contracted service, under Mayor Yanuzzi, on an as needed basis, but did not turn out that way. Mope said then this cost the city a “fortune”. She said the contracted services need to be approved properly. Cuzzo also spoke of Resolution 2018- 40-Appointment to the Hazleton City Water Authority. She stated this is Mr. Zientek’s position, who passed away. Cuzzo stated Mr. Nilles was appointed to his position, then resigned. Mr. Nilles was then appointed to fulfill Mark Rabo’s seat. Mope said he did not serve a full-term. Cuzzo stated council did nothing wrong. She stated it is up to the city solicitor to inform council of this.

Old Business:

ORDINANCES

Ordinance 2018-10 An Ordinance Establishing Geographic Information System (G.I.S.) Documentation Fees to Record Certain Permits (**2nd READING**)

Presented by Perry. Seconded by Gavio.

On the Question:

Barletta asked what changes were made in the ordinance. Atty. Logsdon said the only change is parking permits was replaced with parking signs. Barletta asked if there is an employee to enter information into the computer. Mayor Cusat said the employee that was hired to input the G.I.S. information is no longer a city employee. He stated each police officer is entering their own data when processing a complaint. Mope asked if they have the ability to put this data into the computer. Mayor Cusat said it is extremely simple. Mope stated this system was paid for through contracted services. She said it was never approved by council. Mope said now the mayor is requesting additional modules for this system. Mayor Cusat said he is not asking for more modules. Mope said Mayor Cusat stated the city needed more parking tickets but said it now states "parking signs". Mayor Cusat said the new parking tickets were ordered because the parking office was running out of tickets due to the recent snow storms. Mope asked if this money is to put up parking signs. Mayor Cusat said it is to "plot" them on the map. He said when someone buys one, it is for the administrative fee for putting it into the sign. Mope asked if the parking ticket fee has increased because the employees were having difficulty making change. Mayor Cusat said yes. Mayor Cusat said it was requested by the parking enforcement employees.

Perry asked how this differs from the Luzerne County mapping system. Mayor Cusat stated it is specific to Hazleton. He said it allows the city to put "layers" on for any department. Mayor Cusat said this allows the fire department or any department to enter all their important data. He said the fire hydrant caps, in the city, are different colored. He said looking at the map, there could be plotting of any assets owned by the city. Perry asked if there is an unlimited amount of layers that can be added. Mayor Cusat said yes. Mope asked Mayor Cusat what the total cost will be. Mayor Cusat said it will be \$1,000/month for the tracer system. He stated it is cloud-based. Mayor Cusat said the ESRI license fee is \$489.00. Barletta asked if this will come out of contracted services. Mayor Cusat said yes. Mayor Cusat said this was included in the current budget, listed as G.I.S. system with the engineering costs and recodification. Mope said the current budget is not legal.

Roll Call: Barletta-yes; Colombo-yes; Mope-no; Perry-yes; Gavio-yes

ORDINANCE PASSES ON 2nd READING

Ordinance 2018-10 An Ordinance Establishing Geographic Information System (G.I.S.) Documentation Fees to Record Certain Permits (**3rd READING**)

Presented by Gavio. Seconded by Colombo.

Roll Call: Barletta-yes; Colombo-yes; Mope-no; Perry-yes; Gavio-yes

ORDINANCE PASSES

Ordinance 2018-11 An Ordinance Repealing Ordinance 2016-13 (2nd READING)

Presented by Perry. Seconded by Gavio.

Roll Call: Barletta-yes; Colombo-yes; Mope-no; Perry-yes; Gavio-yes

ORDINANCE PASSES ON 2nd READING

Ordinance 2018-11 An Ordinance Repealing Ordinance 2016-13 (3rd READING)

Presented by Colombo. Seconded by Gavio.

Roll Call: Barletta-yes; Colombo-yes; Mope-no; Perry-yes; Gavio-yes

ORDINANCE PASSES

Ordinance 2018-13 Regulating Mobile Food Service Establishments (2nd READING)

(TABLED)

Motion to Remove from Table:

Presented by Barletta. Seconded by Perry.

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

MOTION TO REMOVE FROM TABLE PASSES

On the Question:

Barletta asked what the changes are in the ordinance. Atty. Logsdon said the change is on page 2, section 2, paragraph 2- one day business license was changed to a one-day permit. Barletta said if the food truck comes to the city for one-day, they only need a permit. Atty. Logsdon said administration needs to work out the price for the permit. Barletta asked what the permit fee is for one day. Barletta said it should be \$50.00. Atty. Logsdon said this fee is only for the application for the mobile food vendor permit. He stated there is no one-day permit fee. Mayor Cusat said this falls under the transient license.

Gavio asked if Mayor Cusat got any input from Krista Schneider, Director of Downtown Hazleton Alliance for Progress. Mayor Cusat said Krista wants it “all comped”. Mayor Cusat

said this is up to council to decide. He said he does not agree with this. Mayor Cusat said the fee is \$50.00 for the application and obtaining a transient license. Gavio asked Mayor Cusat if this should be tabled again. Mayor Cusat suggested passing this ordinance, and working on changing the fees in the business license ordinance. Mope suggested tabling this ordinance again. She said the residents will then have an idea of “what to expect”. She said council does not know what the one-day fee is. Mope said it should be included in this ordinance. Mayor Cusat said there are several types of transient licenses. Mope said it needs to be “clear” in the ordinance.

Atty. Logsdon said the fee can be agreed upon at this meeting. Mayor Cusat said the total fee would be \$125.00 for one-day. Perry asked if some vendors are coming to the city, but not “signing up” for the license. Colombo suggested making the fee \$50.00 and \$25.00 for the one-day license. Mayor Cusat stated when the vendor signs up for one-day, the license is only good for that day. Mope said the fee is high. Mayor Cusat said transient is defined as any business coming in to the city for one day. Perry asked if a farmer market vendor is charged the same fee as a food truck vendor. Mayor Cusat said there is a special fee for the farmer market vendors. Mayor Cusat said section 8 states the farmer markets are exempt. Mope suggested tabling this ordinance.

MOTION TO TABLE:

Presented by Gavio. Seconded by Mope.

Roll Call: Barletta- yes; Colombo-yes; Mope-yes; Perry-no; Gavio-yes.

ORDINANCE TABLED

Ordinance 2018-13 Regulating Mobile Food Service Establishments (**3rd READING**)

(TABLED)

SEE ABOVE

Ordinance 2018-14 Modifying Consolidation Plan for CDBG Program Year 2017 (**2nd READING**)

Presented by Barletta. Seconded by Gavio.

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

ORDINANCE PASSES ON 2nd READING

Ordinance 2018-14 Modifying Consolidation Plan for CDBG Program Year 2017 (**3rd READING**)

Presented by Mope. Seconded by Barletta.

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

ORDINANCE PASSES

Ordinance 2018-15 An Ordinance of Hazleton, Luzerne County, Pennsylvania, Regulating Recreational Vehicles Within the City (**2nd READING**)

Presented by Mope. Seconded by Barletta.

On the Question:

Barletta stated the fine was decreased to \$100.00. She said she does not feel comfortable with fining business owners. Gavio said he spoke with Police Chief Speziale about this issue. Speziale said the police do check all the gas stations. Barletta asked if the ordinance could be amended to state- if any resident is caught riding his ATV, there will be a fine. She said they can be “caught” at the gas station. Barletta said the city needs to use their discretion. She said the gas station will lose business if they are fined. Mayor Cusat said the city fines businesses in this issue. Gavio said the Hazleton Police Department will use their discretion. Mope said once the ATV driver is aware they will not be fined, they will pull up to the gas station. She stated this may not be the right solution, and may need something with more “teeth” to be penalized.

Perry said Speziale stated this ordinance is enforced in other municipalities. Mayor Cusat suggested the ordinance should read, “The business can only get fined if they do not report an ATV getting gas. Barletta said it is a huge problem. Mope said the employees have a hard time seeing the gas pumps. Mayor Cusat said every city gas pump has a camera on it.

Roll Call: Barletta-no; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

ORDINANCE PASSES ON 2nd READING

Ordinance 2018-15 An Ordinance of Hazleton, Luzerne County, Pennsylvania, Regulating Recreational Vehicles Within the City (**3rd READING**)

Presented by Colombo. Seconded by Gavio.

Roll Call: Barletta- no; Colombo-yes; Mope-no; Perry-yes; Gavio-yes

ORDINANCE PASSES

RESOLUTIONS

None

New Business:

ORDINANCES

None

RESOLUTIONS

Resolution 2018-35 Contract for Road Materials-2018

Presented by Gavio. Seconded by Mope.

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

RESOLUTION PASSES

Resolution 2018-39 A Resolution Approving the Submittal of an Application for Traffic Signal Approval to the Pennsylvania Department of Transportation

Presented by Mope. Seconded by Barletta

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

RESOLUTION PASSES

Resolution 2018-40 Appointment to Hazleton City Water Authority (**TABLED**)

Motion to Remove from Table:

Presented by Mope. Seconded by Gavio.

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

MOTION PASSES TO REMOVE FROM TABLE

Nomination was made by Gavio for Patrick Fay. Colombo nominated John Keegan. No other nominations were made.

Presented by Mope. Seconded by Gavio.

Roll Call (For Patrick Fay): Barletta-abstain; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

RESOLUTION PASSES

Resolution 2018-41 Reappointment to Hazleton City Water Authority-Mary Pat Stroia

NO PRESENTATION MADE- RESOLUTION DIES

Resolution 2018-42 Appointment to Hazleton City Water Authority- 3-year-term

Presented by Gavio. Seconded by Perry.

On the Question:

Gavio made a motion to table. Mope seconded.

Roll Call (On Motion to Table): Barletta-yes; Colombo-yes; Mope-yes; Perry-no; Gavio-yes

MOTION TO TABLE PASSES- RESOLUTION TABLED

Resolution 2018-43 A Resolution Approving the Maintenance Services Agreement between the City of Hazleton and the Pennsylvania Department of Transportation

Presented by Gavio. Seconded by Colombo.

On the Question:

Mope asked if the city is responsible for paving. Mayor Cusat said no. Mayor Cusat said the city sweeps the streets every year. Mope asked how much money the city is to receive. Mayor Cusat said the total is \$1,900 for all the state owned streets.

Roll Call: Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

RESOLUTION PASSES UNANIMOUSLY

Comments from the Audience: None

Comments from Mayor: Mayor Cusat said at a Luzerne County Council meeting on 4/24/2018, the county voted to charge every Hazleton citizen a \$5.00 registration vehicle fee to fix Luzerne County roads. Mayor Cusat said he is disappointed this was passed due to the city of Hazleton having no roads in Luzerne County. He said residents from Lackawanna and other counties use our roads. Perry asked

if this was actually passed. Mope said it was not passed reading the story in the Standard-Speaker. Perry asked if the administration can send a letter to Luzerne County council with their opposition and concerns. Mayor Cusat agreed.

Comments from Junior Council: None

Comments from Council: Mope said she agrees with Mayor Cusat in sending a letter to the Luzerne County council. She suggested Atty. Sean Logsdon compose a letter stating the city of Hazleton's opposition to the \$5.00 registration fee. She said the money is going to one particular area, and not for the entire county. Mope said Luzerne County did not want to pay for the PA State Police. She said through the taxpayers, the citizens of Hazleton pay for the PA State Police force. Mope said while the price of gas is increasing, it is putting a strain on every resident's income.

Perry agreed with Antonio Rodriguez regarding the Hazleton City Water Authority board appointments in obtaining resumes and being open to every resident. Perry said the citizens are made to be aware of who council will vote on, and not hidden. He said he will obtain the procedure done by the Luzerne County Council. He said their process is open to the public.

Gavio congratulated the Hazleton Area School district athletes in their great showing in the state finals.

Barletta thanked the men and women of the Hazleton Police Department in their response to a recent incident in the Hazleton Heights. She said they did a tremendous job.

Adjournment: Gavio motioned to adjourn the meeting. Meeting adjourned