

MINUTES

HAZLETON CITY COUNCIL

WORK SESSION

WEDNESDAY, AUGUST 8, 2018

Council met for a work session on Wednesday, August 8, 2018 in Council Chambers. The work session began at 7:55 p.m.

In attendance were Vice-President Allison Barletta, Jean Mope, Anthony Colombo, and James Perry.

Barletta spoke of Ordinance 2018-27- An Ordinance of the City of Hazleton, County of Luzerne, Commonwealth of Pennsylvania, Establishing an Ordinance that Defines Nuisance Properties and Provides a Process for Enforcement and Abatement. She said this ordinance needs to be discussed further. She said the list, in the ordinance, is long. Atty. Logsdon said Mayor Cusat wants this on the city council meeting agenda for a vote. Mayor Cusat obtained the borough of Freeland's ordinance. She asked if the city could take a residents property after 12 months. Atty. Logsdon stated that would be considered a governmental taking, and then the city would need to pay the rent on the property. Barletta said city council wants to "clean up" the city.

Mope suggested at looking at some of the other municipalities nuisance ordinances that are not "inclusive". Barletta said council needs to review the Quality of Life ordinance. Lynch said this is not a right to "seize a property". He said this is to declare a property unfit for human habitation. Barletta asked Atty. Logsdon to look over the legality of this ordinance. Lynch said the average penalty is \$500.00 for nuisance properties. Atty. Logsdon said Freeland only has "targeted areas" whereas Hazleton has much more land. Atty. Logsdon said the city of Wilkes-Barre has a "three-strike" policy.

Barletta also spoke of 2018-28- Amending Ordinance 2004-15, Prohibiting the Drinking of "Alcoholic Beverages" Upon any Public Access Property, Or in Any Vehicle Being Operated or Parked Thereon, and to Prohibit any Person to have in such person's possession or in any vehicle under such person's control, any open container containing any alcoholic beverage; upon any public access property; and to provide penalties for the violation thereof. Atty. Logsdon said the only change is to Ordinance 2004-15, Section 2, - prohibition against drinking. Barletta said it would only allow alcohol at city-sponsored events. Lynch suggested the city would need to get a one-day special liability insurance. Colombo said if alcohol is brought to an event, this poses a problem. He noted the annual 4th of July celebration is a family event. Mope asked if any Hazleton Chamber of Commerce event would be included in this ordinance. Barletta asked if it has to be a business inside of the city of Hazleton. Mope stated most citizens drive to an event. Barletta asked if the city would be liable for any violation. Atty. Logsdon said yes.

Barletta spoke of Ordinance 2018-29- Regulating and Prohibiting Inoperable Vehicles on Private Property in the City of Hazleton. Barletta said the Quality of Life ordinance could be enforced. Mope said she does not understand why this is separate from the Quality of Life. Atty. Logsdon stated Judge Joseph Zola was not content with the current Quality of Life Ordinance. Mope suggested Atty. Logsdon review this ordinance. Atty. Logsdon said there are penalties listed in the International Property Maintenance code. Barletta suggested discussing this with the Hazleton Chief of Police and code department for their suggestions. Atty. Logsdon stated inoperable vehicles would be a code violation.

Meeting adjourned at 8:25 p.m.