

MINUTES

HAZLETON CITY COUNCIL

WORK SESSION

WEDNESDAY, SEPTEMBER 12, 2018

Council met for a work session on Wednesday, September 12, 2018 in Council Chambers. The work session began at 6:30 p.m.

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

Ordinance 2018-34- An Ordinance Rescinding Ordinance 2009-16, and Amending a Portion of the Pennsylvania Uniform Construction Code (PA UCC), Act. No. 45-1999 was discussed. Anthony Colombo said several people wanted to discuss this ordinance.

Dan Zola, city resident, said he has a problem with this ordinance. He said anything on a residents home that needs to be fixed or updated, siding, etc. requires a permit. He said he is not against any permits or fees. He said there are recent incidents where the Hazleton Code Department is forcing their way into resident homes. He stated a city resident does not need a permit for any repairs, under the current UCC code requirements. He said he has a problem with charging the taxpayers any unnecessary fees.

Brian Mandak, Hazleton City Fire Department, thanked city council for stopping this ordinance. He said the codes listed in the ordinance are not what is written in the law. Mandak said he does not know who made these changes. He said he is not sure if these codes were sent to Labor & Industry. He said these codes are not the codes that were recently discussed. Mandak said the UCC codes are not spelled out.

Gavio said he was under the assumption that Mandak and Atty. Logsdon made the changes to this ordinance after the UCC Code meeting of June 13, 2018. Mandak stated he does not know where the mix-up occurred. Barletta said the City needs to make sure not to exceed any fee. Barletta asked if the City will charge for any repairs. Mandak said the City does not charge for minor repairs. Mandak said before the UCC codes became effective, the City required permits. Mandak said city officials need to come to an agreement on this issue. Mandak said Atty. Sean Logsdon needs to review the letter written to the PA Department of Labor & Industry. He said it may need to be resubmitted with the correct codes. Mope said only if codes were added to the original ordinance then the City would need to resubmit.

Ordinance Establishing a NO Parking Zone on South Side of Diamond Ave. Between Lee Court and North Church Streets to Accommodate Highway Access of Iglesia Pentecosto/Casa De Oracion was also discussed. Iglesia Pentecosto/Casa De Oracion Church are requesting special parking privileges for their church. Mayor Cusat said this ordinance needs to be made by “site distance and feet”. He said parking will be lost from Vine to Laurel Street. Mayor Cusat said no

parking needs to be specified, then PENN DOT will do their study to determine if this can be done. He said there will be 4-5 parking spaces lost on Diamond Ave. He said the church members want to park in the lot and on the street. He said a parking lot will need to be put in along with a road cut to make a ramp. Mope asked Mayor Cusat what the answer is to solve this problem. Mayor Cusat stated he and administration have explained to their representatives that this cannot be done.

Atty. Logsdon spoke of a request made by Atty. McNelis regarding a paper street located in the section of the Hazleton Heights in the City of Hazleton (known as "C" Court) between his clients two parcels. He said, by operation of law, if the City does not accept this street after 21 years, the street would lose its public character but not its private character. He said the City has not accepted dedication or used the street in 21 years. He said there may be a quiet title action taken. He said the City cannot sign a quick claim deed. He said the City would not be able to give away private rights to this road. Atty. Sean Logsdon said if the paper street is never opened, it would not lose the private character of the easement. He said everyone, in Hazleton, would have the rights to this easement. Mayor Cusat said Atty. Donald Karpowich stated the City could give up their right for not doing this. Atty. Karpowich also stated the City would need an affidavit from every citizen in Hazleton giving up their rights to this street. Mayor Cusat said this street is on Mill Street. Atty. Logsdon said the residents would have to ask the court for a deed for this property, stating the City has never used this street. Mayor Cusat said the citizens have a right to this street. Atty. Logsdon stated Atty. McNelis is looking for a resolution stating that the City has not opened, in the last 21 years, or intends to open this road. He said the City will be making a declaration. Mayor Cusat said there are several in the Hazleton Heights. He said if this is given to Mr. Caputo, this will open the other "paper streets" in the Heights. He said there are several on 19th Street, by Locust Street. He said this would add to the resident's property value. He said the City can give up their right, but the residents cannot up their individual rights. Donald Leshko stated there have been "paper streets" given away in the past.

Gavio stated the Rental Registration Ordinance will be discussed at the next Work Session meeting on September 26, 2018.

Also, an update on the City of Hazleton's 2019 budget was discussed. Dan Lynch, city administrator, distributed a Power Point 2019 Budget Planning Presentation.

The Administration's plan for the development of the budget is (as stated in the City of Hazleton's Initial Budget Council Meeting 2019 Budget Planning handout):

1. To include Department heads in the budgeting process, direction and oversight where possible.
2. Work hand in hand with the City Council. Also, develop the budget in cooperation with the Council every step of the way.
3. Educate the public as to the nature of the budget and budget process.
4. Availability to the public in development of the budget.
5. A fully developed draft budget to ACT 47 coordinators by mid-September.
6. Ongoing analysis of 2018 expenses and how they relate to the budget.
7. Budget adoption done by early December.

8. Budget planning meetings with council in order to address council issues and concerns.
9. A detailed explanation of accounts and how they impact the budget.
10. Possible budget open houses open to the public.

Gavio adjourned the meeting.