

## MINUTES

### HAZLETON CITY COUNCIL

#### REGULAR MEETING

WEDNESDAY, OCTOBER 24, 2018

**Call to Order:** Council met in regular session on Wednesday, October 24, 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 October 10, 2018 Regular Meeting were approved unanimously.

**Presentations/Proclamations/Communications:** Oath of Office given to the Incoming Junior Council Members by Council President Robert Gavio.

**Bid Openings: 1. Greater Hazleton Historical Society & Museum Weatherization Project.-**

1. Richard E. Angelo, Inc., Hazle Township, PA. Bid-\$122,122.00. Bid Bond included.
2. Champion Builders, Kingston, PA. Bid- \$120,890.00. Bid Bond included.

**2. Center City Park Sidewalk Improvement Project-**

1. Multiscape, Inc., Pittston, PA. Bid- \$ 78,580.00. Bid Bond included.
2. American Asphalt Paving Company, Shavertown, PA. Bid- \$ 76,875.00. Bid Bond included.
3. Gottstein Corporation, Hazle Township, PA. Bid- \$ 45,544.00. Bid Bond included.
4. M&J Excavation, Inc., Bloomsburg, PA. Bid- \$ 35,000. Bid Bond included.
5. Robert C. Young, Inc. Mifflinville, PA. Bid- \$ 37,000. Bid Bond included.

All bids were opened and read by Atty. Sean Logsdon. **ALL BIDS WERE TABLED.**

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Dee Deakos, 43 West Mine Street, Hazleton, spoke of increasing the earned income tax in the City. She asked how this can be implemented from July 1, 2018 when it is the end of the year. She suggested instituting this increase from January 1, 2018 to December 31, 2018. She said this is when the employers can take this tax out of the employees pay. She asked how would the state know if the proportion came from the first or the second half of the year. She also spoke of Resolution 2018-72- A Resolution Authorizing the Mayor to Implement a Residential Parking Pilot Program. She stated there is still a problem with the snow ban. She stated if a resident is paying for a parking space, and they are towed, this would be a problem.

Grace Cuozzo, 948 James Street, Hazleton, spoke of Ordinance 2018-31-An Ordinance Amending Section 2 of Ordinance 2018-6 to Increase the Percentage of Tax Imposed on the Earned Income of

Both Residents and Non-Residents of City of Hazleton. She said there are other avenues available. She stated there is a projected \$1,400,000 from July to July, and 2016 & 2017 delinquents are still outstanding. She said these can be sold to the Luzerne County Redevelopment Authority plus next year's delinquents. She said this cannot be "thrown" on the taxpayers/residents. She said there would be income from the delinquent taxes. She said this money is still outstanding. She said the City would be making the \$1,400,000 from this. She said administration or council should obtain the Luzerne County contract for collection of taxes including delinquent taxes with Northeast Revenue. She told council to think about this before it is approved.

Antonio Rodriquez, 718 Muir Ave., Hazleton, spoke of the Center City Park Sidewalk Improvement Project. He said CAN DO took over the naming rights to this park. Mr. Rodriquez said CAN DO should pay for the improvements. He said they have "deep pockets". He said the City is broke, and cannot afford to pay for this. He said Mr. O'Donnell should take care of this improvement.

He also spoke of Resolution 2018-72- A Resolution Authorizing the Mayor to Implement a Residential Parking Permit Pilot Program. He is asking city council and the mayor to approve this. He said Mayor Cusat is doing all he can to bring revenue into the City. He suggested city council approve this.

Mark Rabo, 1<sup>st</sup> Street, Hazleton, spoke of Resolution 2018-72- A Resolution Authorizing the Mayor to Implement a Residential Parking Permit Pilot Program. He suggested this resolution be tabled and re-worked. Mr. Rabo said the City is giving the authorization, to the mayor, to implement a pilot program. He said, under the Municipalities Planning Code, there is a process. He said parking relates to land use regulation which is zoning. He said then this gives the mayor the right to change the land use of the City. He said this process needs to be followed. He said there needs to be a resolution sent to the Planning Commission. He said the Planning Commission needs to do a study, and they can make their recommendations.

He also spoke of Ordinance 2018-31- An Ordinance Amending Section 2 of Ordinance 2018-6, to Increase the Percentage of Tax Imposed on the Earned Income of Both Residents and Non-Residents of the City of Hazleton. He said is in agreement with Ms. Cuozzo's statements. He said, in the past, when he was a member of the Redevelopment Authority, he stated it is city council's duty to make this decision. He said, under the Third Class City Code and the Optional Plan, it is council's ability to authorize the sale of assets, and not the mayor. He said until there is a court order, this is all that matters.

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**Old Business:**

**ORDINANCES**

None

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**RESOLUTIONS**

None

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**New Business:**

## ORDINANCES

**Ordinance 2018-31** An Ordinance Amending Section 2 of Ordinance 2018-6, to Increase the Percentage of Tax Imposed on the Earned Income of Both Residents and Non-Residents of the City of Hazleton (**1<sup>st</sup> READING**)

Presented by Perry. Seconded by Gavio.

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

### **ORDINANCE PASSES ON 1<sup>st</sup> READING**

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## RESOLUTIONS

**Resolution 2018-72** A Resolution Authorizing the Mayor to Implement a Residential Parking Permit Pilot Program

Presented by Barletta. Seconded by Gavio.

### **On the Question:**

Barletta asked Mayor Cusat if any payments will be received by the City. Mayor Cusat said he wants to fill out the application. He stated if a resident wants to give a check, as a deposit, to hold, this payment would not be cashed. Mope asked how long this pilot program will last. Mope said there needs to be a closing date. She stated the checks cannot be held forever. Barletta stated there needs to be a deadline. Mayor Cusat said the deadline will be December 31, 2018. He said if there is good feedback before this date, he will turn it into an ordinance. Mayor Cusat stated the snow ban ordinance takes precedence over anything. He said once the snow is plowed, the resident needs to "park back". Perry asked once this is implemented if there can be signs erected in the streets. Mayor Cusat said this is done now with handicapped and business parking spaces. Barletta said this is to receive resident applications. Mayor Cusat said there needs to be an ordinance implemented before the City can collect any money. Mayor Cusat said the same requirements will be used as a business sign. He said there would be an \$80.00 installation fee at \$120.00/year. Mope asked what the application fee is. Mayor Cusat said \$25.00 for a business sign and \$80.00 installation fee at \$225.00 for the first year. He said the second year is \$120.00.

Gavio said this is for the public to voice their opinion on this. Perry asked if the application will be on-line. Mayor Cusat said a PDF of the application (non-fillable) can be posted on the City of Hazleton website. Barletta asked what the cost will be. Mayor Cusat said the only cost is printing out the parking applications. Mope asked what residents can do on Laurel Street where there is parking only on one side, from Chapel & Walnut Streets. Mayor Cusat said there is no parking there now. He said the residents, currently, park on a side street. Mope asked what if a resident would buy a parking space across the street from their home. Mayor Cusat said there spaces would be on the side street. Mayor Cusat stated a City street is 200 feet and the first 20 feet needs to be given up from each corner. He stated the same requirements/process will be done as business, handicapped, and loading-zone signs are done.

Barletta said the City would need to go out after the application is filled out. Mayor Cusat said it can be checked on Google maps. He said the residents need the same rights as businesses to reserve a parking spot. Mope said she received multiple calls not supporting this resolution.

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

### **RESOLUTION PASSES 4-1**

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**Resolution 2018-73** A Resolution Awarding Contract for the Center City Park Sidewalk Improvement Project

**On the Question:**

Krista Schneider, Executive Director, Downtown Hazleton Alliance for Progress, said the project needs to be rebid.

**Motion To Table:**

Presented by Gavio. Seconded by Mope.

**On Motion to Table:**

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

### **RESOLUTION TABLED**

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**Comments from the Audience:** Krista Schneider, Downtown Hazleton Alliance for Progress, stated after talking with some business owners and Mayor Cusat, the City trash cans are not being emptied, on a regular basis, on Broad Street. She said the Hazleton City Authority holds a contract with Tamaqua Transfer to have the trash removed. She said she reached out to the Hazleton City Authority, but got no response. She said Tamaqua Transfer is being paid \$150,000 in their contract to and, in addition to code enforcement regulations, to empty the trash cans. Miss Schneider said some business owners did not want the trash cans on their property, and they were removed. She said there, currently, are no trash cans within the downtown. Perry asked how many trash cans are there. Mayor Cusat said about 18-20 trash cans. Perry said Miss Schneider can work this issue out with Dave Sosar, Hazleton City Water Authority board member, who is present at the meeting. Mope asked if the trash needs to be emptied more than once a week. Miss Schneider said she doesn't know if the trash cans were emptied more than once a week. She said it was probably longer than once a week.

Dee Deakos, 43 West Mine Street, Hazleton, said Hazleton does have a parking problem. She said there are a lot of illegal apartments in the City. She said these apartments need to be shut down. She said there should be a penalty of at least \$1,000. She said an apartment unit needs at least two off-street parking spaces. She said this contributes to the parking problem. Miss Deakos stated a household can pay for any extra cars they may have. She said cutting down on the number of cars, in the City, would solve the problem.

Antonio Rodriguez, 718 Muir Ave., Hazleton, thanked city council for voting yes on the parking pilot program. He said Mayor Cusat is trying to improve our City. He said we need to help the mayor instead of always being against him. Mr. Rodriguez said CAN DO President Mr. O'Donnell needs to pay for the Center City sidewalks.

Joe Stanavage, 216 West Birch Street, Hazleton, said he wants to go to Lackawanna College to present a fundraiser. He said there was a program, utilized in the past, called "We Are Hazleton". He wants to talk to Lackawanna College about this program to help the Hazleton Police Department. He asked if he needs permission. Mayor Cusat said anyone can organize a fundraiser. Mr. Stanavage said through "We Are Hazleton" this program bought Police Chief Speziale a police cruiser. He said he will have another fundraiser after the New Year in 2019.

He stated the Junior Council members are our future. He thanked Gary Perna, from WYLN-TV, for his continued coverage of the city council meetings.

Mark Rabo, 1<sup>st</sup> Street, Hazleton, said regarding the residential parking, the Planning Commission could have a public hearing when there is an update on the zoning ordinance. He said the public would have had an opportunity to respond at a meeting. Rabo asked what will the Parking Enforcement Department or the Hazleton Police Department do if they are called regarding a parking dispute. Mayor Cusat said if a resident parks in front of a driveway, the homeowner would call the police department. Rabo asked when a resident lives in an alley or court, where would their space be. Mayor Cusat said their space would be located on a side street. Rabo asked how this would be determined. Mayor Cusat said this would be determined by the distance from the home and how many parking spaces would fit and the requested spaces. Gavio & Barletta told Rabo this is just a pilot program. Rabo said he gives the mayor "kudos" for trying. He said he is concerned about the City running into any litigation. He stated he has a problem with a fee schedule for apartments. He said if it is legal according to the Rental Registration Ordinance, but illegal with the Zoning Ordinance, the Zoning Ordinance would take precedence. Mope stated each apartment unit needs two parking spaces. Rabo said more than five unrelated persons, living in an apartment, constitutes an illegal apartment. He said he is "offended" that his town is being called a laboratory by a national news story.

Daniel Lynch, city administrator, said he wants to address the issue of the sale of delinquent taxes. He said the City's budget is based on an assessed value of \$968,852,900. He said if the City could collect 100% based on 5.85 mills, the 100% collection amount would be \$5,667,789. He said the City budgets for 90% which the collection rate is. He said the difference is \$566,778. He said the City budgets for delinquent taxes. Lynch described this in a two-year window. He said the City budgeted, in 2018, for \$570,000. He said \$470,000 is a more realistic number. He said the amount collected, in a two year period, would be \$ 940,000. He said if 100% of delinquent taxes were collected, the amount would be \$1,133,557. He said there was a flat-fee taken by a firm selling the delinquent that was used by the City, of \$50,000. He stated the final amount would be \$1, 033,557. He said he has not heard of a firm that would sell at a 100% collection rate. Lynch said just the pension fund budget is facing a \$1,500,000 to \$1,600,000 deficit that needs to be closed for the 2019 budget. He said this is absent of the EIT tax increase. He said the City would be looking at a \$2,000,000 deficit to be closed for the 2019 budget. Lynch stated former council member Ms. Cuzzo is welcome to look at these numbers to see if these numbers are correct.

**Comments from Mayor:** None.

**Comments from Council:** Perry congratulated the new Junior Council members. He said he instituted this program a few years ago. He said he hopes it continues when he is gone.

Gavio commended the Hazleton Fire Department. He said there was a recent fire at his brother's house. He said their response time was under three minutes. He said it was contained to the bedroom, and the family living on the other side of the home was saved.

Mope thanked everyone for coming to the meeting.

**Comments from Junior Council:** None

**Adjournment:** Gavio motioned to adjourn the meeting. Meeting adjourned