

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, SEPTEMBER 25, 2019**

Council met for a work session on Wednesday, September 25, 2019 in Council Chambers. The work session began at 6:45 p.m.

In attendance were City Council President Bob Gavio, Vice-President Allison Barletta, Jean Mope, Anthony Colombo, and James Perry. City Officials present were Atty. Sean Logsdon and Daniel Lynch.

Anthony Colombo spoke of Ordinance 2019-10-Amending Ordinance 2015-16, Regulating Parking within the City of Hazleton and Establishing a Schedule of Fines for Violations Defined in the Various Classifications of Said Regulations.

Colombo referenced to the City of Hazleton Parking ticket prices. Atty. Sean Logsdon asked Colombo if #1998-25- Tractor Trailer/Trailer or Like Vehicle will stay the same. Colombo said yes; the price will remain at \$100.00 for the first 5 days, and \$150.00 for day 6 to 20. Colombo stated #2015-16A TOW- Within 15 Feet of Fire Hydrant or in Fire Zone, #2015-16B TOW – Park/Stopped in Moving Traffic Lane, #2015-16C-TOW- Obstructs Vehicle/Pedestrian Traffic, and #2105-16D-TOW- Fire Station Entrance within 20/75 feet should be increased to \$120.00 for the first 5 days, and \$140.00 for day 6 to 20. Barletta stated city council just changed this section in 2018. She said \$100.00 is expensive for a lot of people. She said these are also tow items. Barletta stated the residents then need to pay the City \$50.00 for towing. Mope said she agrees with Barletta. Colombo stated the proposed increase in fines have been suggested from the parking enforcement officers. Perry asked if all the TOWING fees will be increased by \$20.00. Colombo said yes. Barletta confirmed that #2015-16A TOW- Fire Hydrant to #2015-16E- On Any Railroad Tracks would increase by \$20.00.

Mope stated John Simcovich, Parking Officer employee, was in violation of the City's parking laws. She said he would park diagonally on Laurel & Mine Streets, right by the parking "arm".

Colombo said #2015-16F TOW – Handicapped Parking to #2015-16J-TOW- Prohibited Parking Temp. Regulation/Sign should be increased to \$100.00 from \$80.00.

Colombo stated #2015-16A TOW- Within 15 feet of Fire Hydrant or in Fire Zone should be increased to \$150.00 for first 5 days, and \$170.00 for day 6 to 20.

Colombo said #2015-16B TOW- Park/Stopped in Moving Traffic Lane is a towing violation. He stated it is a better way of saying double-parking. He said this would hold more "weight" at the magistrate's office. He said if this would be taken to the magistrate, he would "throw" this out. He said it is proposed this fee would stay at \$200.00

Barletta asked Atty. Logsdon if these fees would be presented at a magistrate's office if they would be thrown out due to the high fees. Atty. Logsdon said the tickets "can be tossed" if the amount is unconscionable.

Mope said there are UPS, Federal Express drivers, businesses, and mailmen who need places to park, especially in the wintertime. She said there needs to be special business provision for these drivers. Gavio said oil truck drivers need special parking provisions exemptions. He said there is a lot of abuse.

Barletta said the \$80.00 fees are proposed to be increased to \$100.00, double parking to \$200.00, the \$40.00 fees- blocking driveways, 50 feet to Railroad Crossing to \$200.00, #2015- 16K- TOW- Double

Parking will be increased to \$200.00. She said #2015-16L TOW- Obstructing Crosswalk or Sidewalk, #2015-16M-TOW- Motor bus/Public Transportation Zone, #2015-16N-TOW-Within 50 feet of Railroad Crossing, #2015-16O-TOW-Block Public/Private Driveway or Garage, #2015-16-P- TOW- No Parking Zone by Sign or Line, and #2015-16Q-TOW-Prohibited Parking by Official Signs will be increased from \$40.00 to \$60.00. She stated #2015-16R- Street Sweeping, #2015-16S- Within 20 feet of any Intersection, #2015-16T-Facing Wrong Direction, #2015-16U- Opposite Flow of Traffic, and #2015-16V- More than 12 inches from Curb, #2015-16W- At Improper Angle, #2015-16X- On Sidewalk or Curb, and #2015-16Y- Loading Zone Area would be increased from \$30.00 to \$40.00. Colombo stated #2016-20-3- Expired Meter and #2016-20-5- Not Parked Within Metered Space would remain at \$20.00 for first 5 days and \$30.00 for day 6 to 20.

Atty. Logsdon asked if all the \$100.00 fees would be increased to \$150.00. Colombo stated 1988-25- Tractor Trailer/Trailer or Like Vehicle and #2015-16A TOW- Within 15 feet Fire Hydrant or in Fire Zone would be increased from \$100.00 fee to \$150.00.

Colombo stated #2015-16Y-Loading Zone Area should be listed as a towing violation. He stated no one "tickets" on a Sunday.

Barletta asked if the City has a breakdown of how many outstanding tickets there are and which ones are being paid. She said she knows the revenue for the parking tickets is down in 2019. Lynch said he is not sure.

Colombo stated the City needs its own parking authority. He said the police officers are busy doing other things. He said the majority of violators "do not care" about the law.

Gavio stated there is a parking problem at all the Hazleton High School football games with out-of-town visitors. He stated the key is enforcement.

Barletta asked Colombo if he "looked into" other municipalities parking fees. Colombo said he is checking with the City of Reading, Coaldale and Tamaqua.

Mope said not only is City Hall in ACT 47, but the population is in ACT 47. She said we are not a rich community.

Colombo said all the parking enforcement officers should be out "on the road" ticketing vehicles. He said this would "take-it" off the officers. He said the revenue would cover their salaries. He said other cities and municipalities have the parking officers, strictly, enforcing fines with the police department not doing this.

Mope said residents leave their car doors open, standing in their door, with no consideration for moving vehicles. She asked if there needs to be an ordinance for this. Gavio said with the increase in the City population there are more cars in the City.

Barletta suggested city council review the ordinance that increased parking fines in 2018 and then decide which fines should be increased. She said there are many complaints that firetrucks cannot get down a court or alley.

Atty. Logsdon spoke of Ordinance 2019-12- An Ordinance Authorizing the Collection of Attorney's Fees and Costs in Collection and Enforcement Matters. Atty. Logsdon said the City is doing quite a few liens with grass cutting within the City, etc. He said the City is allowed to "tack-on" attorney's fees for municipal liens. He said the City needs a statutory authority for the cost and fees. He said there are no City ordinances for this. Barletta asked if the attorney receives a fee, "win or lose". He stated it is part of a lien. He said interest, attorney fees and costs get filed with the courthouse. Atty. Logsdon said a title search is a third-party cost.

Ordinance 2017-3- An Ordinance Recognizing the Medical Marijuana Industry and Specifying the Placement of Medical Marijuana Growers/Processors and Dispensaries in the City of Hazleton was discussed. Atty. Logsdon said this ordinance was passed with recognizing the industry in the City. Ordinance 2017-4- An Ordinance of the City of Hazleton Amending the City of Hazleton Zoning Ordinance of December 14, 1995 to Regulate Medical Marijuana Facilities as a Result of the Pennsylvania Medical Marijuana Act, PA Act 16 of 2016, which Legalized the Growing, Processing, Storing and Dispensing of Medical Marijuana was also discussed. He said Ordinance 2017-4 made it to a couple of readings, got tabled and got "shelled". He said the City never amended the Zoning Ordinance to provide for any type of medical marijuana industry. Mope asked Atty. Logsdon what should be done. She said zoning was approved for the old post office building. Gavio said it was a federal building, a permit was obtained, but nothing was ever done.

Colombo stated the City needs to act on this before it is lost.

Atty. Logsdon said referencing Ordinance 2017-4 would be adding a completely another portion to the Zoning Ordinance recognizing the marijuana industry putting it in I-1 and I-2 areas. Barletta said it is revenue for the City. Gavio said it is a money-maker for the City. Mope said the facility needs to be placed in a special area, within the City, where it will not compromise the residential area. Atty. Logsdon said the location portion of the ordinance needs to be changed. He said he "went-off" the state law for this. He said the wording in the ordinance, which states, -No medical marijuana dispensaries shall be erected on a lot that is less than a minimum of (1) one acre needs to be changed. He said there is no business location where there is only one acre. Mope stated, under Article IV, Section 2.5 Permitted Uses, Section D in Ordinance 2017-4- the wording- The use may not be located within one thousand (1,000') feet of the property line of a public, private or parochial school or day care center, unless a waiver is granted by the Pennsylvania Department of Health needs to stay. She said the City would incur many lawsuits. Atty. Logsdon said the items added; the water return system needs to be clarified. He said he cannot create "more of a burden on them" than what is in the Medical Marijuana Act. He said Ordinance 2017-3 overlapped zoning and land use issues into the ordinance. He said he needs to check with Mayor Cusat on this issue. Mope stated when Atty. Logsdon comes up with a new "game plan" to let city council know. Atty. Logsdon said to make a zoning amendment, this needs to go through county and city planning, and a public hearing needs to be held. He said he will revise this ordinance and send this to the city clerk. He said if city council members agree than this can be put on the next meeting or WORK SESSION meeting agenda.

Gavio spoke of several City residents requesting stop signs within the City. Mope asked if the City needs to pay for the traffic studies. She also asked if this traffic study would be done on a state road, i.e.- Diamond Avenue who would pay for this. Atty. Logsdon stated this would fall under PENN DOT regulations.

Barletta stated there is a City playground that is getting vandalized every weekend with trash and garbage. Mope said at the West Court Playground, there are beer bottles and diapers left there. She suggested putting up signs with playground regulations listed. She said the fines should be raised for this issue. Barletta said city council members need to sit down with Mayor Cusat to discuss this matter. She said she also has pictures with a playground totally "trashed". Mope said instead of playing softball at this playground, the residents are playing hardball. She said there is nothing to prevent the balls from coming out of the area. She said it is a safety issue.

Gavio adjourned the meeting at 7:25 p.m.