

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 25, 2022**

Call to Order: Council met in a Regular Meeting session on Tuesday, January 25, 2022 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:19 p.m.

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

Roll Call: Colombo-present; Mundie-present; Ondishin-yes; Sacco-present; Perry-present

Minutes of Previous Meetings: The minutes of the January 11, 2022 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): None

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

Ordinance 2022-1 Stormwater Ordinance

Presented by Perry. Seconded by Sacco.

On the Question:

Atty. Logsdon said the City was considering this ordinance in 2021. He said the City already has a Stormwater Ordinance passed, but the City engineers gave the City an update to the ordinance. He

stated this is based on a model Stormwater Ordinance that was prepared through ACT 167-Pennsylvania Stormwater Management Act. He said the PA Stormwater Management Act requires the county to pass a Watershed Plan. The Watershed Plan, of Luzerne County, has a Stormwater Management Ordinance and the City is required to pass a Stormwater Ordinance based on the “pass-through” for this. Atty. Logsdon stated it is a “DEP thing” and ties into the Clean Streams Law. He said his is not a “rain” tax and is not something the City residents will get a bill for. He stated it is stormwater management for land development activities. He said the City has its own Subdivision Land Development Ordinance and own Planning Commission. Atty. Logsdon said if a company is developing a lot, they need to make sure there is not a lot of artificial “run-off” that would affect other property owners or pollute the streams. He stated the contractors and people developing land will be familiar with this. He said this is a small update that needs to be passed by local municipalities. He said the only thing holding the City up is a small section, in the ordinance, Section 401-D. He stated they need to fill in this ordinance number and the fees that go along with this ordinance. He said these are not fees that everyone pays because they have roof gutters or a driveway. Atty. Logsdon said if the resident is developing a lot and their elevation is higher, than the lot, next to theirs, then, maybe, they would need to put in a rain gutter, underwater infiltration system or trench, making sure they do not send run-off water to their neighbors or from a stream that would cause pollution or undo erosion.

Atty. Logsdon stated there is a penalty if the City would not comply to the stormwater permit, in Section 602, of the Fee Schedule. He stated the City engineers review these fees, the “technical” stuff. He stated it depends on what kind of level or inspection the City would need. Atty. Logsdon stated everything else was ok’d by the City engineers.

Roll Call: Colombo=yes; Mundie=yes; Ondishin=yes; Sacco=yes; Perry=yes.

ORDINANCE PASSES UNANIMOUSLY ON 1ST READING

Ordinance 2022-2

An Ordinance Authorizing the Vacation of the Portion of “D” Court between East and Mill Streets in the City of Hazleton (**1st READING**)

Presented by Perry. Seconded by Colombo.

On the Question:

Atty. Logsdon stated there was a petition submitted, to the City Clerk, requesting city council vacate a portion of "D" Court. He stated this paper street has been discussed, before council, in the past. He said all city council received the petition, prepared by an attorney, and submitted by almost all residents adjoining "D" Court. He said "D" Court is a paper street, plotted out, on a map, but never opened. Atty. Logsdon stated the municipal entity has twenty-one years to open the street for public use, or if not, the right is gone. He said there are certain legal issues in what legal rights, there are, for private use and what the effects are. Atty. Logsdon said it is almost an "adverse" possession after twenty-one years. He said the City would not be able, currently, to open this street. He said any private rights and claims to this court would be up to the residents. He stated this will not be a public thoroughfare.

Ondishin asked if there is any liability if a fire truck cannot make it through. Atty. Logsdon said no. He said this is why the law gives the City twenty-one years to open it. Ondishin asked if all the neighbors know what is going on. Atty. Logsdon said all residents, but one, are aware. Frank Vito, Department of Public Works Director said there is grass and trees planted on this.

Roll Call: Colombo-yes; Mundie-yes; Ondishin-yes; Sacco-yes; Perry-yes.

ORDINANCE PASSES UNANIMOUSLY ON 1ST READING

Ordinance 2022-3

Ordinance to Approve, Adopt and Enact an Ordinance Codification for the City of Hazleton, County of Luzerne, Commonwealth of Pennsylvania; to Provide for the Repeal of Certain Legislation not Included Therein; to Save from Repeal Certain Other Legislation not included Therein; and to Provide Penalties for Tampering with the Code (**1st READING**)

Presented by Sacco. Seconded by Perry.

On the Question:

Mayor Cusat asked if all city council members got a copy of the City code book. Perry said he saw it, a big binder. He said it has been 21 years since the last codification. Perry said this will, then, be online for all to see. Mayor Cusat said it is online now. Atty. Logsdon said city council needs to pass the ordinance first. Mayor Cusat said it is on General Code's website. Perry said this is much easier than the big binder. Mayor Cusat said if the ordinance is no longer in the new code book, it is no longer a City ordinance. Atty. Logsdon said this is a "long-time" coming. He said there will be a

substantial legal advertisement that will run, in about two weeks, in the newspaper with certain code descriptions. He stated this is a presentation to council with a first reading of the ordinance. He said the second and final reading will be in March. Atty. Logsdon said they could take comments in between this time. Mayor Cusat said the City received a grant, through the ACT 47 Recovery Plan, for this codification. He said the last City codification was adopted in 2002. Atty. Logsdon said this is the City's "body" of laws. He said there is the Third-Class City Code, the City's Optional Plan's law, and this. He stated it will be on the March 8, 2022 for city council agenda for adoption.

Perry commended Mayor Cusat and Atty. Logsdon for answering all the questions from General Code. Mayor Cusat stated this process began before the coronavirus. He said about 200 pages are the Zoning Ordinance that was just passed. Perry said e Code 360 allows anyone to view other municipalities ordinances. Mayor Cusat said the City will look at translating to other languages. He said there would be a cost to the City. He said there should not be much "upkeep" after this.

Roll Call: Colombo-yes; Mundie-yes; Ondishin-yes; Sacco-yes; Perry-yes.

ORDINANCE PASSES UNANIMOUSLY ON 1ST READING

(2ND AND 3RD READINGS)

None

RESOLUTIONS:

Resolution 2022-7

Appointment to the Hazleton City Water Authority

Presented by Perry. Seconded by Sacco.

On the Question:

Perry nominated Peter Andrasko. Sacco nominated Ralph Cameron.

Roll Call (For Peter Andrasko): Colombo-yes; Mundie-no; Ondishin-yes; Sacco-no; Perry-yes.

RESOLUTION PASSES 3-2

Resolution 2022-8 Appointment to the Sewer Authority

Presented by Perry. Seconded by Sacco.

On the Question:

Mundie nominated Robert Stefanovich. Sacco nominated Dr. Terrance Eyerly.

Roll Call (For Robert Stefanovich): Colombo-no; Mundie-yes; Ondishin-no; Sacco-no; Perry-no.

RESOLUTION FAILS 4-1

Roll Call (For Terrance Eyerly): Colombo-yes; Mundie-yes; Ondishin-yes; Sacco-yes; Perry-yes.

RESOLUTION PASSES UNANIMOUSLY

Resolution 2022-9 Authorizing Additional Employment in the Department of Police

Presented by Colombo. Seconded by Sacco.

On the Question:

Anthony White, Hazleton Police Department, said the police department set up the Civil Service test in December, 2021, with the test scheduled for January 8, 2022, and received zero applicants. He stated the police is budgeted for 46 police officers, and, currently, the force is at 39. He said they have not been able to "hit" 46 officers in about two years. He said this resolution is an attempt to bring experienced police officers, with prior law enforcement experience, into the City, who could start on the streets and make a difference quickly. Perry asked if this is a "one-time" thing. White

said yes. Perry stated this expedites the process. White said they are trying to reach their compliment of officers. Mayor Cusat said they will set up another test. He stated the next police officer class is graduating in August, 2022, and there is only one class. White said he went with several officers to do a presentation to the current Police Academy class, but received no applications from them. He said this is an attempt to get officers "on the street" quickly. Mayor Cusat said due to the Cop's grant received by the City, the next officers will be free. Mayor Cusat said if the police department does not get to the "magic" number of 46, they will lose the money. He said they will advertise for officers in the New York Post and try for a bigger push to get more experienced officers. Perry stated the City could set a trend. White said the City could stand out "from the crowd". Colombo asked if there was other interest shown in this program. White said from several smaller departments, especially part-time officers. Perry said the City is not the only town in this situation. White agreed.

Mayor Cusat said this is a "one-time" thing and if they would need another resolution, the City would have to get the support of the Civil Service board. He stated it does not eliminate the Civil Service process. Perry said if this came back, city council would approve it again.

Police Chief Schoonmaker said they tried to do this as a "one-time" thing to quickly recruit as many officers, as they could, to fulfill their requirements.

Roll Call: Colombo-yes; Mundie-yes; Ondishin-yes; Sacco-yes; Perry-yes.

RESOLUTION PASSES UNANIMOUSLY

New Business: None.

Old Business: None.

Comments from the Audience: None

Comments from Mayor: Mayor Cusat said the City received the Park and Recreation draft plan of the Comprehensive Plan. He stated it is 419 pages. He said the state will review it and give their revisions. He said the City will review and get public opinion on it. Joe Zeller, Community and Development Director, said it should be submitted, for city council vote, at the second meeting in February, 2022. Mayor Cusat said they did reach out to Hazle Township and West Hazleton to get their feedback on the City's parks and playgrounds because it is a regional study centered on Hazleton. He said he invited Hazle Township and West Hazleton to a meeting on February 1, 2022. He said the City, also, received the award Comprehensive Plan. He stated this is 30 years in the making. He said the City's portion is paid for up to \$100,000.

Mayor Cusat welcomed the two new City authority board members. He stated they will be reaching out to them, soon, on some City projects he wants to do in the next two years. He said he hopes to get some support.

Perry asked when the Master Service Agreement expires. Mayor Cusat said it expires in 2025.

Mayor Cusat said there is a Route 424 expansion with some timbering going on there.

Mayor Cusat said he also wants to discuss the City's garbage collection.

Mayor Cusat stated City administration has hired two new Financial Clerk's. He said one was a former Payroll Clerk for many years, and the other employee has bookkeeping experience. He said the City got two good candidates to help administration "catch up".

Mayor Cusat stated the Red-Carpet Breakfast is on Thursday. He said he will be giving the City's year in review.

Perry asked about the City's actuarial services. Mayor Cusat said they had a recent Pension Board meeting. He said they voted to RFP for a pension actuary and pension administrator.

Mayor Cusat said the City Land Bank got one deed, and they are waiting for two other deeds. Perry said the City has 97-99 Church Street, Sixth and Peace Streets and one on Poplar Street. Mayor Cusat said the Poplar Street property was turned over to the Land Bank by the City. He said it is on Poplar and Mine Streets, received from PENN DOT, by Poplar Street School. Perry asked about the Legion Building. Mayor Cusat said this is on the next tax sale. He said if a Land Bank turns over any property, they could give out stipulations.

Perry said the Planning Commission is working on plans for a 1.2 million square foot warehouse. Mayor Cusat said, on the east side of Route 309, they are looking to turn over this building, in May, to their tenant. On the west side, of Route 309, Hazle Creek, they received a large grant to move the project along. He said he met with the developer on Route 424. He stated they have plans to start large projects on Route 424 and Poplar Street and Route 424 and Route 93. Perry stated this is across from City View Park. Mayor Cusat said he is looking to do their "ribbon cutting" shortly. Mayor Cusat said Lehigh Valley Hospital is removing their "front" building and putting in an oncology center.

Comments from City Administrator: None

Comments from Council: Colombo commended the DPW Department in keeping the streets open, trying to make the parking ban easier, and the police are working with them. He also commended the Hazleton Fire Department for keeping the fire hydrants open.

Colombo also thanked the Civil Service Commission- Mayor Cusat, Atty. Logsdon and police officers with trying to get more police officers in the City.

Perry said the City could use the ARP money for City signs, using it under the police, fire and other public safety services. Perry said city council, also, has a "say" in the budget. Ondishin stated Route 309 and 15th and Poplar Streets are "super speedways".

Perry said the Zoning Board will be busy. He said he counted 65 apartments with 27 multi-family apartments on North Church Street, five going on Green Street, eighteen in the Traders Bank Building, and in old St. Pauls' Church. Perry stated the City needs to find more parking. Mayor Cusat said he

wants to have the Land Bank acquire properties, and create some intercity off-street parking, especially on the North and Central sections, of the City. He said he wants to locate something in every five to six blocks. He said the City gave out 494 parking tickets, in the first snowstorm, and 398 parking tickets in the second storm. Mayor Cusat stated the City does not want to give out parking tickets, but needs to get the streets cleared. Perry said he sees kids walking, from school, on the streets. He stated it is very dangerous.

Perry commended Vito and the DPW crew for doing an amazing job in the last snowstorms. Mayor Cusat said the City went through 400 tons of salt, in one week, in the last storm.

Comments from Junior Council: None.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 6:58 p.m.