

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 25, 2021**

Call to Order: Council met in regular session on Tuesday, May 25, 2021, in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:22 p.m.

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

Roll Call: Barletta-present; Colombo-present; Mundie-present; Sacco-present; Perry-present

Minutes of Previous Meetings: The minutes of the April 27, 2021 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Dee Deakos, 43 West Mine Street, spoke of Ordinance 2021-13 An Ordinance Authorizing Amendments to the Fee/Fine Provisions of City Ordinances by Resolution. She said she noticed council wants to do amendments, to an ordinance, with a resolution. Deakos stated there needs to be at least two readings. She asked what they are gaining by making, a resolution, because this is done with ordinances, to begin with, in two separate meetings. She stated this just eliminates the third reading and this is done at the same time as the second reading. She said she does not see the point of doing this one.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

Ordinance 2021-16

An Ordinance Amending Ordinances 1878, 1932, 88-52, and 2004-38, Providing for Assessment Levy, and Collection of a Tax for General Municipal Purposes and Imposing Additional Tax for the Sole Purpose of Funding Required Benefits to be Paid to or on Behalf of Pension Recipients Pursuant to Act 205, known as the Municipal Pension Plan Funding Standard and Recovery Act, which is Directly Related to the Pension Plan of the City of Hazleton (**1st READING**)

Presented by Perry. Seconded by Sacco.

On the Question:

Atty. Logsdon said this is the EIT Ordinance. He said the City had there hearing on May 14th, 2021 In front of Judge Gartley. He stated they made their pitch, as the similar one, before the court with evidence and testimony in relation to the plan and what was laid out in the plan in terms of our EIT rate. He stated this is the last time the City will do this. Atty. Logsdon said nothing changed in terms of the “non-residents one”, but the “residents one” is still above the legal threshold that non-ACT 47 municipalities cannot go above. He said, hopefully, the City is on track. He said everything is the same as last year, the rate will be a little different and no change for non-residents.

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

ORDINANCE PASSES ON 1st READING

(2ND AND 3RD READINGS)

Ordinance 2021-13

An Ordinance Authorizing Amendments to the Fee/Fine Provisions of City Ordinances by Resolution **(2nd READING)**

Presented by Sacco. Seconded by Perry.

On the Question:

Atty. Sean Logsdon said the reason for this is to streamline if the City has certain fines and fees, that are minimal, as a parking resolution, in changing a fine from \$200.00 to \$300.00. He said the advertising costs are extremely high and have two readings, to get it done, by statute. He said if the City amends, an ordinance, there will be subsequent changes and changes to the language, this does not apply to that. Atty. Logsdon said it affects the fine or fee and could do this more quickly, by resolution, and more, cost effective, without having to go through the advertising process.

Roll Call: Barletta-yes; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

ORDINANCE PASSES 4-1

Ordinance 2021-14

Amending Ordinance 2004-33, Certificate of Use and Occupancy (As amended by Ordinances 2005-26 and 2006-1) **(2nd READING)**

Presented by Barletta. Seconded by Colombo.

On the Question:

Atty. Logsdon stated the Code Department said the vast majority of people requesting the use and occupancy inspections say, “they need a use and occupancy inspection, but they are closing tomorrow”. He stated they made the fee schedule a little better in terms of people going in front of the line and their fee will be a little higher. Perry said this should get the realtors or clients to get this taken care of ahead of time.

Atty. Logsdon agreed. He stated they could get it done in two weeks, in advance, and pay a much smaller fee. He said if they want it 24 hours, in advance, they will pay a much higher fee.

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

ORDINANCE PASSES UNANIMOUSLY

RESOLUTIONS:

Resolution 2021-41

Resolution Approving the Action Plan for Fiscal year 2021 As Adjusted for HUD's Revised Allocation

Presented by Barletta. Seconded by Colombo.

On the Question:

Joe Zeller, Community Development Director, said this was done once before. He said they are having trouble, at HUD, getting their numbers correct this year. Zeller stated in addition to what council voted on, last time, they are adding an additional \$10,655 of which \$8,524 is being added to the streets line item and \$2,131 to the administrative line item.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-42

A Resolution Authorizing the City to Reimburse itself for any Capital Expenditures Made Prior to Completion of the Financing for the City's Proposed Projects

Presented by Perry. Seconded by Sacco.

On the Question:

Atty. Logsdon said this one came over, from the bond counsel, on the bond. He said he had put a draft together and Atty. Logsdon made it into the City of Hazleton's resolution form. He said this is referred to the reimbursement resolution. Atty. Logsdon stated it allows the City to reimburse itself for any capital expenditures made prior to the completion of the financing. He said it is just a "safety net" for making any purchases before the financing is in place, and could reimburse the City, from the general fund, and with the money from the financing. He said the City is not hoping this is nothing they would have to do anyway.

Perry asked if the amount is \$7,500,000, in #3, to finance the project. Atty. Logsdon said yes, this is the maximum amount.

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

RESOLUTION PASSES UNANIMOUSLY

New Business: None.

Old Business: None.

Comments from the Audience: None

Comments from Mayor: None

Comments from City Administrator: None

Comments from Council: Mundie asked how the refinancing is coming. Mayor Cusat stated the City is waiting for the audit to come back. Perry stated the 2018 audit is pretty much "on paper". Dan Lynch, City Administrator, stated the 2018 audit is pretty much "wrapped up" and nothing will happen until the 2019 audit is finished. He said they will take the other steps to speed up the process once the 2019 audit is finished. He said, then, the City will go get the ratings and finish the bond. Perry asked if the 2020 audit will be started this year. Lynch said he would like to, it is still lagging slowly, but would like to get it done. He said this is the last year the City would be doing an RFP, for the 2021 year, for a new auditor.

Barletta asked how the police testing went on the last round. Police Chief Brian Schoonmaker stated originally 20 applicants tested, 14 showed up, and 12 passed (*inaudible*).

She asked what was going on with Columbus Court, the baseball field, because council members are receiving many complaints. She asked if the police department has been down there every Sunday. Police Chief Schoonmaker stated the police department did not get complaints on Sunday but got one on Saturday. He said police officers did go down there and he was told there were only people cheering each other on "playing the game". He stated there was no alcohol present. Barletta stated a resident told her they called the police department three times.

Colombo thanked Lauren and Allison for the banners they put up with the Hometown Heroes program. He stated they did an awesome job and look beautiful. He thanked the members of the City's fire department, the Elks Club, the Rotary Club and anyone who helped put up the flags. He stated all City

cemeteries veterans' graves are "flagged" and ready to go for Memorial Day. He said there will be a Memorial Mass at 10:00 a.m. Memorial Day at St. Gabriel's Church (Holy Annunciation Church) Cemetery Chapel followed by a Hazleton Fire Department Remembers, a little program, for our veterans. He said it is a very important day and is not "all about" picnics but to remember the people who have gone before them and remember "why they have what they have". He said if you see a veteran, thank him, sit down with a veteran to have a conversation and make their day.

Perry asked Mayor Cusat how the three City contracts are going. Mayor Cusat said police, DPW and City Hall are getting close to the final stages. He stated there are only a couple differences. He said it should be passed and done, before council, well before budget time to get a better idea in calculating expenses.

Perry asked if the City has gone to some banks for the City's paving projects. He said he spoke to Lynch at the PEL meeting, on Monday, about this. Mayor Cusat said they have talked to a couple but are awaiting the COVID-19 relief money. He said some projects may need to tear up some streets. Mayor Cusat said he will get the bids on the streets but "holding back" on the paving before getting direction, from the federal government, on how to spend this money. He stated he wants to make sure the City, with putting new streets in, and then have to tear them with the City's infrastructure- water, sewer and broadband. He said the City needs to first reimburse itself for lost revenues. He said this is the most important thing to get through, this year, and figure out how to use the rest of the money before 2024. Barletta asked if the City could use the broadband for upgrading the 911 system. Mayor Cusat said he does not know. He said they stated infrastructure but are very vague on the details. Perry said investing, in water, and the City would need to work something out with the Hazleton City Water Department. Mayor Cusat said the City has not received any definitive answers to any of their questions. He said he does not want to spend money where they may have to pay it back. Perry concurred. He said it is better to wait. Perry asked about the Park Mobile program for parking for the City. Mayor Cusat said the City is waiting for the agreement to be closed out. Perry asked if it will be a self-funded operation. Mayor Cusat stated it will be like the "PANGO one" but more of a convenience. Perry asked about the Code Department. Perry stated Lynch tried to explain this. Mayor Cusat said the City has not been able to hire anyone, but, hopefully, when the contract gets sign, the City could offer a living wage. Perry said the health care costs will be more than their wages. Mayor Cusat agreed.

Perry recognized the City of Hazleton's Fire Department and West Hazleton Fire Department on putting up the flags for Memorial Day. He said he knows the Boy and Girl Scouts do this. He said they are amazing with fire trucks everywhere. He thanked Tony and the "crew".

Comments from Junior Council: None

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 6:42 p.m.