

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 17, 2024**

Call to Order: Council met in a Regular Meeting session on Tuesday, December 17, 2024, in Council Chambers. The meeting was called to order at 6:23 p.m.

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

Roll Call: Bruno-present; Colombo-present; Nilles-present; Ondishin-present; Perry-present

Minutes of Previous Meetings: The minutes of the December 3, 2024, Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 1st Street, Hazleton, spoke of Ordinance 2024-27- Ordinance Authorizing the Erection of a Stop Sign at the Intersection of East 9th Street and Seybert Street. He asked which side of the street the stop sign would be placed. Ondishin said they do not know but will find out.

Rabo, also, spoke of Ordinance 2024-24 Reenacting the Code of Ordinances of the City of Hazleton, Part II, Chapter 490, Taxation, Article IV Earned Income and New Profits Tax. Rabo recommended the City talk to the state legislators regarding the EIT tax to amend the Home Rule Optional law and Local Tax Code law to add Optional Plan municipalities to raise the cap on the EIT due to the City not being in ACT 47 any longer. He said this would prevent the City from changing their form of government.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

Ordinance 2024-27

An Ordinance Authorizing the Erection of a Stop Sign at the Intersection of East 9th Street and Seybert Street (**1st READING**)

Presented by Ondishin. Seconded by Nilles.

On the Question:

Mayor Cusat said he was “stopped” by some concerned parents, and told them he would

Speak to City Council members regarding the stop sign. He said people are looking for a stop sign, on the top of the hill, for southbound traffic. He said there was a stop sign there, several years ago, but was removed due to school buses and heavier trucks going up the hill, stopping, and not able to go "back over".

Bruno asked how this area is for accidents. Donald Leshko, City Fire Chief, stated there will be a lot of accidents in the wintertime. He said it is a very steep hill.

Roll Call: Bruno-no; Colombo-no; Nilles-no; Ondishin-no; Perry-no

ORDINANCE FAILED

(2ND READINGS)

Ordinance 2024-21

An Ordinance Amending the Code of the City of Hazleton to Reconcile and Incorporate the Pensions (**FIRE, POLICE AND NON-UNIFORM**) Pursuant to Ordinance NO. 2022-3, SECTION 1-10) (**2nd READING**)

MOTION TO REMOVE FROM TABLE:

Presented by Nilles. Seconded by Colombo.

Roll Call: Bruno-yes; Colombo-yes; Nilles-yes; Ondishin-yes; Perry-yes

MOTION TO REMOVE FROM TABLE PASSES UNANIMOUSLY

On the Question:

Mayor Cusat said there were a couple changes to the editor's notes, and council will need to vote "as amended".

Presented by Nilles. Seconded by Colombo.

Roll Call: Bruno-yes; Colombo-yes; Nilles-yes; Ondishin-yes; Perry-yes

ORDINANCE PASSES UNANIMOUSLY AS AMENDED

BUDGET ORDINANCE 2024-22

An Ordinance Providing for the Appropriation of Specific Amounts Estimated as Required for the Various Departments of

the Government of the City of Hazleton, Luzerne County,
Pennsylvania for and during the Fiscal Year, dating from January
1, 2025 and Ending December 31, 2025 **(2nd READING)**

Presented by Perry. Seconded by Ondishin.

On the Question:

Dan Lynch, City Administrator, said with discussion with City Council members and Mayor Cusat, the City has decided to make amendments to “shift” some of the taxes from real estate taxes to some other 511 taxes.

Lynch stated City Council is proposing to amend:

1. Line #001-301-3100- Real Estate Taxes to \$7,458,357, a decrease of \$500,000.
2. Line #001-310-3210- Earned Income Tax, increase to \$3,100,000, an increase of \$150,000.
3. Line #001-310-3610- Local Services Tax, increase of \$50,000 to \$375,000.
4. Line #001-310-3811- Payroll Prep Tax, increase of \$100,000 to \$810,000.
5. Line #001-430-5245- Road Paving & Materials, reduction of \$200,000 for a total of \$400,000.

Lynch stated these changes would affect the Real Estate tax needs by a reduction from an original proposal of .548 mills and bring an overall increase down to .983 mills. The total increase is 12%. The total millage would be 9.132 mills, General Fund- 8.182, Recreation Fund- .19, and Debt Service- .76. Bruno asked for the dollar increase. Lynch said it would be about \$76.00. The increase went from 18% to 12% for the Real Estate Tax.

Perry stated City Administration and City Council have “trimmed” the budget as much as they could to make it a “workable” budget. He stated he hopes this does not happen again. He read some of the City of Hazleton’s expenditures for year 2025. Perry stated it is not easy to raise taxes on residents who are on a “fixed” income.

Lynch agreed with Rabo regarding the 511 taxes. He said the PA legislature should investigate how to give municipal government more options, with changes to the 511 rules.

Perry said he enjoyed working with Lynch on the City’s 2025 budget. Perry stated there is an option to pay the City taxes in a “five installment” program without being penalized.

Lynch said for most taxable households, their taxes are almost “level” to where it was six years ago.

Perry stated the FLOCK System was paid by ARPA money, and they do not want to get rid of it. Perry thanked Mayor Cusat for all the work on the budget.

Roll Call: Bruno-yes; Colombo-no; Nilles-yes; Ondishin-yes; Perry-yes

ORDINANCE PASSES 4-1 AS AMENDED

Ordinance 2024-23

An Ordinance of the City of Hazleton Fixing the Tax Rate of Real Estate Located in the City of Hazleton, Pennsylvania, for All City Purposes for the Fiscal Year 2025, Beginning January 1, 2025 and Ending December 31, 2025 **(2nd READING)**

Presented by Ondishin. Seconded by Nilles.

Roll Call: Bruno=yes; Colombo=no; Nilles=yes; Ondishin=yes; Perry=yes

On the Question:

Lynch stated their would be one amendment to General Fund to 8.182 mills. The total millage would be 9.132.

ORDINANCE PASSES 4-1 AS AMENDED

Ordinance 2024-24

Reenacting the Code of Ordinances of the City of Hazleton, Part II, Chapter 490, Taxation, Article IV Earned Income and New Profits Tax **(2nd READING)**

Presented by Nilles. Seconded by Colombo.

Roll Call: Bruno=yes; Colombo=yes; Nilles=yes; Ondishin=yes; Perry=yes

ORDINANCE PASSES UNANIMOUSLY

Ordinance 2024-25

Re-Enacting Ordinance 2021-24 which Continues in Force and Effect for the Period January 1, 2025 through December 31, 2025, Imposing the Payroll Preparation Tax for the City of Hazleton **(2nd READING)**

Presented by Ondishin. Seconded by Perry.

Roll Call: Bruno=yes; Colombo=yes; Nilles=yes; Ondishin=yes; Perry=yes

ORDINANCE PASSES UNANIMOUSLY

Ordinance 2024-26

Re-Enacting Ordinance 1931 which Continues in Force and Effect for the Period January 1, 2025 through December 31, 2025, Imposing the Real Estate Transfer Tax (**2nd READING**)

Presented by Nilles. Seconded by Colombo.

Roll Call: Bruno-yes; Colombo-yes; Nilles-yes; Ondishin-yes; Perry-yes

ORDINANCE PASSES UNANIMOUSLY

RESOLUTIONS:

Resolution 2024-59

Council Meeting Schedule for 2025

Presented by Ondishin. Seconded by Perry.

On the Question:

Atty. Logsdon said the December meeting should “line-up” with the budget passage. He said there is only one meeting, in November, for the presentation of the City budget. He said the first reading of the budget would be on December 2nd, and second reading would be on December 16, 2025. Perry asked if these dates are all Tuesday’s. Atty. Logsdon said yes. Nilles stated November 18th meeting gives the City six weeks, instead of five weeks, to pass the budget. The meeting date was changed to November 13, 2025. Mayor Cusat asked City Council to, possibly, add a third meeting date on September 30th due to late LSA grant applications. The City Council members agreed.

Roll Call: Bruno-yes; Colombo-yes; Nilles-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES UNANIMOUSLY AS AMENDED

Resolution 2024-60

Substituting the required designated positions for two ex officio members of the Firefighter Pension Board of Managers

Presented by Perry. Seconded by Ondishin.

On the Question:

Mayor Cusat said the Third-Class City Code requires a board of members, for the Hazleton Fire

Department, to have a public safety director and controller. The law states if the City does not have these positions, then they could choose an officer of the City of City Department manager. Mayor Cusat said he would like to choose the Chief of Police for public safety director and the Human Resources Director for the controller.

Roll Call: Bruno-yes; Colombo-yes; Nilles-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES UNANIMOUSLY

New Business: None.

Old Business: None.

Comments from the Audience: Mark Rabo, 1st Street, Hazleton, said the ACT 511 reform that was reconsidered was the office of Governor Dick Thornburgh, in 1987, to overhaul the state and local tax code. He said the only reason it did not pass was for Philadelphia. Rabo said Philadelphia stated by increasing the PA state sales tax, this would “kill” their local businesses. He said, currently, our county, school district and City are suffering.

Rabo stated the Luzerne County Redevelopment office received a proposal for the Luzerne County SPCA to build a new facility. He said it will be a new, expanded home. Rabo suggested Mayor Cusat and City Council send a letter in support for the new facility.

Rabo said he hopes the HCA and City comes to a resolution for the water usage. He said the City cannot become a mess, as the city of Wilkes-Barre, with the garbage issue.

Dee Deakos, 43 Mine Street, Hazleton, stated the current lease agreement for the building on the corner Cedar and Broad Street is for \$1,000/month. She asked Mayor Cusat how long the lease agreement will last. Mayor Cusat said there is about 15 years left on the lease. He said there were several leases that were automatically renewed. He said it was costing \$38,000 to operate the building, and the City is “bringing” in \$12,000. Mayor Cusat stated he is, currently, working with the lessee, and that is how they got State Representative Watro and Argall in there. The agreement is if the City could get the building occupied, the City could “take the building back” once it becomes profitable. He said the City has been working on this for three years. Mayor Cusat said the City will be “putting in a grant” to redo the back room as a community room. The City is “in talks” with “congressman-elect” to move his office there. He stated it will be one government center.

Gene Babula, North Lee Court, stated he is still having problems with feral cats. He stated he called the Hazleton Animal Shelter and they told him that City Council needs to pass an ordinance to have the issue taken care of.

Atty. Logsdon said this is a “tricky” issue. He said the City will continue to work on this. He said several municipalities have passed an ordinance penalizing people who feed feral cats. He said it is hard for the

district magistrate to enforce this law. He said Vector Control service has been something the City has been talking about. Atty. Logsdon stated the City has not found a satisfactory solution for the cat issue. He said a lot of municipalities have this problem. He stated enforcement is, also, difficult.

Comments from Mayor: Mayor Cusat said the City is working with Mr. Green with the local government study commission and State Representative Argall to change the requirements for the ACT 511 EIT. He said if the changes do not occur, the City will look to change their form of government to Home Rule.

Mayor Cusat said Santa Claus will be visiting the Northeast section of the City on December 22nd, 2024. There will be Clydesdale horse rides, in the City, from 3:30 p.m.- 6:30 p.m. There will be 144 free rides. He said there will be a Christmas Event at CAN DO park, also.

Mayor Cusat said there will be a City Fireworks Event on December 31st at 7:00 p.m. at City View Park, courtesy of the DeAngelo family.

Mayor Cusat wished everyone a Merry Christmas and Happy New Year.

Comments from City Administrator: Lynch wished everyone Happy holidays.

Comments from Council: Bruno wished everyone a Merry Christmas and Happy New Year.

Nilles wished everyone a Merry Christmas and Happy New Year. He reminded all to use safety measures with their Christmas trees. He wished John Leshko a speedy recovery, and hopes he resolves his issue with the City.

Colombo stated many people are coming out to see the Live Nativity. He said on December 23rd, City Council will be distributing Christmas meals.

Colombo wished everyone a Merry Christmas and Happy New Year.

Ondishin wished everyone a Merry Christmas and Happy New Year.

Perry wished everyone a Merry Christmas and Happy New Year. He thanked Ondishin for filling in for him for two City Council meetings. He also commended DPW for making the City look "amazing" with the Christmas decorations.

Adjournment: Perry motioned to adjourn the meeting. The meeting was adjourned at 7:27 p.m.