

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, MARCH 13, 2019**

Council met for a work session on Wednesday, March 13, 2019 in Council Chambers. The work session began at 7:10 p.m.

In attendance were City Council Vice-President Allison Barletta, Jean Mope, Anthony Colombo, and James Perry. City Council President Bob Gavio was absent.

City Officials Present were Mayor Jeff Cusat, Daniel Lynch, and Atty. Sean Logsdon.

Ryan Hottenstein, Vice-President of Financial S&olutions, spoke of the financial options, for the City of Hazleton, regarding the street lighting replacement improvement project proposed by Smart Watt.

Mr. Hottenstein said there are two ways to finance this project. The first option is a lease option. The second option is a general note. He stated a bank note is considered outstanding debt service. He stated a bank note would increase the cost for the City. He said if the City would opt for leasing the project there would not be a lot of closing costs. Mr. Hottenstein stated this project is for public safety. Mr. Hottenstein said the City would receive savings immediately. Mr. Hottenstein said the City is borrowing to invest. He said the savings, for this project, would be \$76,000.

Mr. Lynch stated this would be a step in the "right direction". Lynch said this is borrowing for actual infrastructure investment and savings.

Mayor Cusat stated the City does not need to buy a bond for \$5,000.

Gerald Cross, Executive Director Pennsylvania Economy League, Central PA LLC, stated this project is ultimately the City's decision. Regarding the expenditures, the City needs to realize the historical cost of the street lights. He stated it will take ten years to realize actual savings.

Ordinance 2019-2- Amending Ordinance 2014-15, Prohibiting the Drinking of "Alcoholic Beverages" Upon Any Public Access Property, Or In Any Vehicle Being Operated or Parked Thereon, And to Prohibit Any Person to Have in Such Person's Possession Or In Any Vehicle Under Such Person's Control, Any Open Container, Any Alcoholic Beverage; Upon Any Public Access Property; And to Provide Penalties For the Violation Thereof was reviewed.

Colombo said he spoke with Atty. Logsdon to revisit this ordinance with fines. He said residents would need to come to City Hall for prior permission, prove that there is PA Liquor Control Board access and licensing, and have the liability to cover the event in the City. Atty. Logsdon said as long as the vendor has a liability insurance policy, in place, and the City is listed as additional insured, on the policy, then the City would not be "on the hook" for anything.

Atty. Logsdon stated he did include a fee in the ordinance. He said he wanted to check with Mayor Cusat and city council before placing the amount. He also placed a clean-up deposit in the ordinance, but also is verifying with Mayor Cusat and city council as to the amount of the fee. He said the general liability insurance policy can be in the amount of \$1,000,000 or \$500,000.

Barletta asked if the vendor would need to provide their own security. Mayor Cusat said the vendor would need to provide their own security, unless it is Funfest or the Fourth of July celebration where the City provides security. Mayor Cusat stated security would be listed as defined by the Pennsylvania Liquor

Control Board (PLCB). Atty. Logsdon said there are two types of events in the City: 1. City sponsored. 2. Private.

Mayor Cusat said the City has an open container policy. He said the LCB law is different. Mayor Cusat said the law allows a resident to have an open container with a malt based liquor, i.e. - beers and wine coolers. He said this is not against the LCB law, but against the City ordinance to go outside with a mixed drink or bottle of wine. He said it must be "corked" with the original receipt tapped to the bottle. He said the City is trying to draw people to our town. Mayor Cusat said the wine festival had 980 people visiting from surrounding towns. He said, in the past, the Pioneer Fire Station had a liquor license. Mayor Cusat stated this includes Pioneer, East End, and Heights fire stations. He said they were allowed to apply for an extended premises permit for block parties.

Mayor Cusat said a lot of vendors are requesting to have their events on City-owned properties. He said an off-premise site permit is under a different license. He said vendors need to get approval, from the City, to have their events on City-owned property. Mayor Cusat said there is also an off-site catering license available. He stated Mr. Colombo wants to change some content in the original ordinance.

Mayor Cusat stated the Diamond Fire Company needs to apply for an off-site catering license for them to cater any party elsewhere within the City.

Lynch stated as long as the City has a general liability policy, in place, and may include a specific event clause in the policy. He said if the vendor is a "reputable" vendor then they would have all their permits needed. Mayor Cusat stated the processing fee should be \$50.00 and the refundable deposit fee should be \$500.00 on a contingency the event is not cleaned up. Atty. Logsdon said he will include a time-frame for the event to be cleaned up.

Mayor Cusat said this needs to be addressed before the City parades start. He said this is now an LCB issue versus a city issue. He said anything happening "inside" a fenced area would come under the LCB law. Mayor Cusat stated anything outside would be the responsibility of the City. He said the City cannot mandate a vendor to have security guards at their event.

Mayor Cusat discussed parking school buses on City streets. Colombo stated he was a former school bus driver. He said he always would drive his school bus back to the bus garage. He stated the bus drivers were never allowed to park on the City streets. Mope stated it is the school's responsibility to provide transportation for their employees. She stated the school should promise parking for their buses. Mope said the Head Start buses, originally, started this problem.

Mayor Cusat said there is a 53-foot street permit fee. He said Charlie Pedri, Code Enforcement Manager, had spoken with Rohrer Bus Company. Mr. Pedri stated the company does not want any liability.

Perry stated there is "not much" city council can do.

Barletta adjourned the WORK SESSION meeting at 8:00 p.m.