

**MINUTES  
HAZLETON CITY COUNCIL  
WORK SESSION  
WEDNESDAY, JUNE 10, 2020**

Council met for a WORK SESSION on Wednesday, June 10, 2020 via ZOOM Teleconferencing. The work session began at 7:14 p.m.

In attendance were City Council President James Perry, Vice-President Anthony Colombo, Allison Barletta, Lauren Sacco and Jack Mundie. City Officials present were Mayor Jeff Cusat, Atty. Sean Logsdon, Dan Lynch, Fire Chief Donald Leshko, Charlie Pedri, and Police Chief Brian Schoonmaker.

Perry said the PARADES and PROCESSIONS Ordinance will be discussed. He said this has been discussed in the past.

Atty. Logsdon said the City has been discussing this for several years. He said the City has been trying to get this “back on the radar” but with the coronavirus pandemic occurring there are still parades and processions being scheduled. He stated the issue is the previous ordinances were complex. He said he is trying to “come up with” every scenario “in the book” that the City has experienced. He said trying to turn it into parades/block parties, gatherings, or demonstrations. He said this “got away” from what the City was trying to do. He said he took one of the last versions, of the ordinance, and cut out a lot of this. He said it deals with parades and processions. He said cut out were demonstrations and gatherings. Atty. Logsdon said these issues will be dealt with in another ordinance. He stated an organization would need a permit and to fill out an application. He said then the City would need 30 days to review. Atty. Logsdon said the organization would need to inform the City their staging area and what streets will be utilized. He said there needs to be an emergency vehicle in the front and one in the back. He said this is how the whole thing was “cut down”. Atty. Logsdon said the ordinance will state the information to receive a permit if the permit is denied or approved. He said some of the “basic stuff” is in there. He said the organization not only needs to give the City 30 days but give a person who will be the lead. He said the City does not have the administrative staff to process these applications as the larger cities can. He said the City has smaller parades with organizations who have been doing these for many years and know what they are doing. He said if someone is sponsoring a parade, they will need to get a permit and if exceeds \$300.00 for traffic control, they will be responsible for the cost. He said he included a certificate of insurance regarding maintaining insurance that would protect the persons and the City of Hazleton from any claims. He stated this can be “kicked around” and is a point of contention when discussed in the past. He said it is a \$1,000,000 policy, or something like this, which is “not bad” for a large organization or well-funded organization but for a small parish or community group finding an insurance policy might be an issue. He said, aside from that, he took definitions that a lot of things that were not important and just related to procession, parades, and streets. He said it has been “stripped” down and can head “back to it”. He said if there are limits on insurance, this can be addressed. He said it needs to be determined if there will be one vehicle in the front and one vehicle in the back, what streets to be used and block, or cross streets to block. He said will it be a huge gathering or convention that will have “hundreds and hundreds” of people. He said then the City would need to go to the next level. He said rain dates would need to be determined, vendors, where to stand, and where not to stand. He tried to include every possible scenario. Atty. Logsdon said the City can talk about this for another two years. He said you cannot cover every possible scenario. He said the ordinance lays out how to apply for the permit rather than dealing with the appeals and denial process. He said these items were all in the previous ordinance. He said the City is not denying anyone a parade. He said the only reason the City would deny a parade or procession would be a day conflict. He said it is another way to see what works and what does not work. He said if an organization wants to use a staging area, the City can see if this works. If an organization wants to hold a festival or food truck gathering, the City can work with them. He said there is a “wealth of knowledge” of city officials from professional who have dealt with this issue.

Perry said Mayor Cusat stated he would never turn anyone down. He said there should be a list of previous organizations from the last few years.

Mayor Cusat said it is the “out of the ordinary” ones that are questionable. He asked where the people would be coming from, how big the event will be, how many cars, and how many streets they want to “zig zag” up and down. He said he can compromise and change their minds, but there is nothing to say that he can deny them. He said MPB conducts a three-hour walking procession, on Good Friday, with the Stations of the Cross walking down Wyoming Street. He said this stops a lot of traffic. He said of all church parades, only MPB is elongated. He said the other ones are small. He said there is Funfest and Trot-N-Brew but does not know if this will happen again. He said events, like these, have been brought to his attention. He said if there is another Trot-N-Brew there will need to be streets blocked off. He said the City needs to review the length, participants, time of the day, and holidays. He said if an organization wants a parade, on a Saturday, from 4:00 p.m. until 12 midnight, there is nothing that says the City cannot do this.

Perry asked if this limits any organization. Atty. Logsdon said he put in the ordinance conditions in obtaining a permit as the City has discretion to permit time and duration. He said it is not as well-defined as the some of the previous versions, but allows the City’s administration the authority to designate alternative days and times as long as there is no abuse of discretion, or arbitrariness, that is attached to the City’s actions. He said this should “pass muster” and be enough to dictate without limiting anyone’s “fair shake” to have a parade who wants one.

Mayor Cusat said he would like to see some limitations, on the ordinance, for legal reasons, saying they are being discriminated against. He said a Catholic Church can say they want to walk three miles or an organization who would want to block certain streets as the Funfest can. He said there needs some limitations on time and length of the event. He said it is a lot to discuss but the City needs to get something because the City might come up with a bad situation. Atty. Logsdon said, God willing, if the Hazleton High School Football team would win a state title there could be a lot of people walking down Broad or Alter Streets. Mayor Cusat said he might have an idea to have a high school graduation parade, through town, with 800 people. He said there are some organizations that would like to have an 800-car parade.

Perry said there may be someone, running for office, who would want a parade. Perry asked if the City should send this ordinance out to CAN DO and other organizations to look at it. Mayor Cusat stated these organizations should come to the City, if they have concerns, and not go to them. He said the City is working on this from 2013 or 2014. He said there comes a time where the City needs to “get it” before there is a situation. Atty. Logsdon stated the most important people, to look at it, are the fire, police and DPW Departments; the men and women who are tasked to these events. Mayor Cusat said the City would need to determine how much they will spend on an organization’s parade. He said, at one point, will the City start charging for blocking off streets, have a lead, and protect the parade. He said the City needs to define where the City’s obligation starts and ends and where they need to “pick-up” from it.

Sacco asked if the City can come up with something that allows a police officer in the front and back of the parade for a two hour time limit. She stated with overdue hours or another officer added, then the organization would be responsible. She said there also is a fee for a vendor. She said the City is paying for the vendor and insurance. She said it should not be for free.

Mayor Cusat said some churches are doing their parades for over 100 years and do not make a lot of money. He said some churches are very small and some organizations are very large. He said Funfest is the biggest and most expensive event costing \$12,000 to the City. He said it is good to get notoriety, for the City, and generates business that comes to the City. He asked how the City can give a parade \$12,000 worth of protection and coverage and the next is charged \$300.00. He said he and city council need to sit down and talk. He said Funfest has been going on for over 40 years, put on by the Chamber of Commerce, a local business organization, and is not a City function. He stated if another business or organization wants to shut down the streets, for three days, and have a parade, how can the City say no.

He said, in 2019, there were a lot of gatherings, but the majority canceled on their own. He said the City needs to be fair and cautious of the legal ramifications of saying no. Perry (*inaudible*). Mayor Cusat said he may need "to go" to Funfest and tell them they need to "cough up". He said it is not easy, but a decision the City needs to make. He stated he likes Funfest but if they can pay bands thousands of dollars to come in with thousands spent on advertisement, they can make a partial payment to the City. Perry asked if there is private security. Mayor Cusat said this is the only time the police department is mandated that every person must work. He said this is 8-hours of overtime for 15 officers. He stated the fire department and DPW need to set and clean up with a lot going into it. He said there are a lot of hidden costs. He said the DPW employees put up over 400 banners on Broad Street. Perry asked if the City can get any reimbursement. Mayor Cusat said the City does not get anything directly, but there is a "trickle down" effect. He said it is a very touchy situation. Mayor Cusat said when there are 52 parades on the weekend, someday, it will bankrupt the City. He said the City cannot say no. He asked when the Alter Street and Wyoming Street business districts would want to get together for a parade, and block off the streets, for three days, would they get the same police, fire and DPW protection.

Sacco asked (*inaudible*). Mayor Cusat said some other cities like Wilkes-Barre has an entertainment director who puts their own parades on with the two or three parades they run. He said it is completely run by the City. He said the City would not be able to take the money off a percentage of their sales and could not pay people to come and entertain the City. He said it is not the City's job. He said if someone wants to do this on their own that is fine. He said the Recreation Department does the Fourth of July event and they do everything. He said it is not partnered with an outside organization that is collecting and spending money. He said they have a board that makes decisions. Mayor Cusat said it will not be easy but there needs to be something in place and let it fail. He said at least the City tried.

Perry said the City's hands are "tied" with an event like Funfest. He asked how the City cannot let another organization have the same type of protection.

Atty. Logsdon suggested circulating the ordinance and getting some input as what city council members and department heads feel what is missing in the ordinance. Perry asked if it should be brought back for discussion. Atty. Logsdon said members can "break into" small committees with two members of council who will meet with Atty. Logsdon, Mayor Cusat and Frank Vito or Atty. Logsdon, Mayor Cusat or Dan Lynch. He said it needs to be more than two meetings a month to get something moving here. Perry concurred; he said it is getting late and there are the same issues as presented years ago. Atty. Logsdon said once this "gets out" through the media and "word of mouth" that the City is discussing again, there will be feedback from the Downtown Alliance, Chamber of Commerce and different organizations.

Mayor Cusat said once the parade ordinance is done, the City needs to work on the City parks for other locations, the City owns, for gatherings. He said there are no limitations to what the gathering may be. He said there are parties, church services, and fundraisers at these locations. Perry said the biggest thing is the expense for parades.

Mayor Cusat said the City is spending \$12,000 on Funfest. Mayor Cusat said Funfest is, definitely, the most expensive. He said nothing is even close to this. Mayor Cusat stated the second is the Dominican Parade, where, in 2019, there were 6-8 police officers blocking the streets. He said it was about two hours long. He stated if the City calls in someone for overtime, the City is on the "hook" for a minimum of four hours, and about \$50.00-\$60.00/hr., if not more, depending on their ranking. Perry said especially, at this time, where the City does not have money to begin with. Mayor Cusat said some of the parades are small. He stated Our Lady of Grace Church is walking seven blocks, from 5<sup>th</sup> to 12<sup>th</sup> Streets. Perry stated there will be no Run for the Cannoli and the Trot and Brew will not happen. Perry stated city council will have to look "at this" and come up with a time where everyone can meet. Mayor Cusat asked if Perry wants to get a committee together and pick some council people, to sit "on it", to start meeting. Perry said sure. Mayor Cusat said there is no Sunshine violation if there is only "two". Perry said he does not know what the best time of the day is. Mayor Cusat said the easiest, for us, would be right after one of his staff meetings, on Thursdays, with Frank Vito, Donald Leshko, and Ralph Sharp attending these meetings. He said the meeting, this week, is at 1:00 p.m. and possibly be over by 3:00 p.m. He said the day can be re-

arranged to try to correspond. He said then he would have to reorganize. Perry asked if this should be shared with them first. Atty. Logsdon said the departments can give their input as to what they think. Mayor Cusat said it can be two different people. He said it does not have to be the same two people. Atty. Logsdon said if there are scheduling issues, there can be a ZOOM meeting. He said all members do not have to be in the same room. Perry asked if next week is okay. Mayor Cusat said the meeting can be next month. He said he does not, for see, anyone having a parade. He said most parades are canceled for this year. He said the City starts getting parade requests, in October, for 2021. Mayor Cusat stated there may be one in August. He said as long as the City has "something down" before the fall to start in January, 2021 because this will be, in effect, for 2021. Perry said then a meeting can be scheduled for next month. He told Mayor Cusat to let him know. He said at least one council member will be there, if not two. Atty. Logsdon said it can be put on the agenda for the city council Special meeting on June 24, 2020.

Perry adjourned the WORK SESSION meeting at 7:42 p.m.