

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 23, 2021**

**Call to Order:** Council met in regular session on Tuesday, February 23, 2021 via ZOOM Teleconferencing. The meeting was called to order at 7:17 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 February 10, 2021 Regular Meeting were approved unanimously.

**Presentations/Proclamations/Communications:** — Gerald Salzman and Greg Shumate, Desman Design Management, discussed the City of Hazleton's Municipal Parking System Operations Assessment Study.

Perry said Desman Design Management will be discussing the City of Hazleton's Municipal Parking Study that was done. He said it was very well done and Gerald and Greg did a great job. Perry said it is one of the important things in the City. He said everyone has a copy of this presentation. The Power Point was displayed, on the screen, for everybody to see. Perry stated they could ask questions at the end of the presentation.

Gerald Salzman of Desman Design Management said his colleague, Greg Shumate, is with him. He said they are very pleased to speak with us, today, unfortunately, not in person, but, hopefully, one day. Salzman stated they have been working on this study and is here to present an operation assessment of the entire parking system, both on and off street. He said the goal was to achieve and sustain a level of financial solvency, improve the level of service for the customers, and to achieve operating efficiency and effectiveness. Salzman said they have been working on this for several months and with COVID-19 has been more challenging. He stated they worked through this, and they have some interesting findings and some recommendations. He said, Greg, his colleague, will go through and tell them about the existing conditions, recommendations, and ultimately, get to some questions.

Greg Shumate thanked everyone for taking the time to sit in on the presentation. He said he will try to be brief and "to the point".

Shumate said, the City of Hazleton, has 350 on-street meters and 440 off-street parking spaces, meaning the garages, parking lots and street right of way areas, that are also treated as lots and street meter areas. Shumate said as he looks at the downtown, the Broad Street area, and said they could not do surveys when they were "out there", but, based on the land use and make-up of Broad Street with the institutions that line the street, this is the highest demand parking area of the system. He said there are some zones without meters and some on-street zones with permit parking allowed as well as metered parking.

Shumate spoke of the more detailed inventory of the City. He said they were not able to conduct surveys, but a good number of the City's off-street spaces are already committed to permit holders, 58%, of the

440 off-street spaces are taken by renters or monthly customers that pay either annually or monthly. He said the meters were divided by inventory, called "the neighborhood commercial districts versus the Broad Street area". He said the system equipment and hardware is basically in the garages. He said the City made an investment to put new pay stations that accept cash and coins and also reactivated the gate system in the garages. Shumate stated the meters are in varying stages of condition. He said they are all Duncan meters and a bit dated in terms of their functionality. He said they saw an issue of signage, throughout downtown, with off-street parking facilities that are not very well signed. Shumate said there is no indication, anywhere, in the system, as to where there is public parking, in the City, either on websites or downtown business sites. He stated there is not much information as where to park and what is public or not public.

Shumate spoke of the permit program. He said there are a lot of different rates and is not sure of the rationale of the rate structure. Shumate said that some people are paying either annually or monthly. He said there are discounts for large groups and students. He said, as they looked at it, the rate system, and are not challenging the pricing structure, but the City needs to balance the cost of parking on-street as to the cost of parking off-street. He said it cost \$1.00 hour to park on-street and most of the off-street parking rates reflect rates that are far less than this. He said a monthly rate that allots for \$40.00 with 22 work days, a month, people are paying less than \$2.00 a day, for the permit. He said if they choose to park at a meter, in a lot, this would not cover but a "handful" of days. He said they want the meter parking to be pricier that long-term parkers are driven to off-street parking locations. Shumate said the City may want to consider pushing up these rates a bit. He said the City is not covering the cost for the permit program.

Shumate said all the record keeping, from the system, is manual. He said the City keeps track of payments on basic Excel spread sheets. He said it was hard, for him, to figure out, from the spread sheets and numbers were hard to sort through on who is paying and how many payments they had. He said the City is producing plasticize hang tags for all off-street lots. Shumate said the cost of the production for all the tags and disseminating this is a costly burden. Shumate said he will talk about how the City could get out "from underneath this" administrative headache and still provide permits. He said the hang tags are, somewhat, of an impediment because the enforcement officer needs to position, themselves, see and read the tag before they could confirm there is a permit holder there. He said this could slow down the process when they have to, look up a plate, go to the dashboard and confirm there is a violation "in play". He said the parking equipment and garage has eliminated the hang tags. He said, before, people could go in with their permit and then had to enforce, inside the garage, because the gate system did not work. Shumate said this has all been changed with the upgrade of the equipment in the garage.

Shumate said they were not able to get up-to-date figures. He said he obtained some from the City's 2019 budget proposal. He said some are actual and some are budgeted. Shumate said the revenue has fluctuated. He said most of the revenue is coming in from the meter system. He stated the monthly permits represents about 1/3 of the revenue. Shumate said the transit parking fees, in the garage and lots, were low. Shumate said the pay-by-phone program represents less than 1% of the City's income. He said they were not clear if this revenue, \$3,000, in 2019, was assumed to be part of this \$277,000, projected for 2019 or is it a separate fund altogether. He said they were able to detail out the pay-by-phone transactions and revenue. He said they saw a gain in utilization, but not where it "ought to be" with four years in the program. He said they attribute this to "less than stellar" rollout and advertising campaigns. He said, now a days, people are accustomed to paying by credit cards or by cell phones. Shumate said he will talk a little more about this. He said there is a possibility to "drive" more people to pay-by-phone service. Shumate said if this is not possible, the City may need to look at changing their cell phone service provider.

Shumate spoke of the parking enforcement and collections. He said the numbers seemed to have gone down from, a ticket issuance, from 2018 to 2019. He said this is pre-COVID-19 and attributes this to some changes in staffing levels, but "all in all", with some inconsistency to the level of enforcement. He said, on average, there is about 25-38 tickets written, per day, with 3 people, on the streets. Shumate said all the numbers are all citations written and include street cleaning. He said some are not related to the meter system exclusively. He said, from an enforcement standpoint, the fines being collected represent a large portion of the system income, about \$400,000 projected, in 2018, and a little less in 2019.

Shumate said their takeaway is that the enforcement program is understaffed or inconsistently staffed. He said the ticket writing process is a bit labor intensive because the City is writing paper citations rather than hand-held ticket writers that could speed the process in issuing tickets. He said when they talked to staff about the way meters are collected, it occurs on Saturdays. Shumate said one person does the collection. He said the way the meters are collected, they open the meters, dump the coins in the buckets and go to the next meter. Shumate said it is an open system that means that there is a potential for pilferage. Shumate said most meter systems adopt a closed-meter system. He stated the canister sits inside the meters and designed, in a way, that the only way the coins come out, of the canister, is when the canister is inserted inside the box and is twisted. Shumate stated the canister is open, releases the coins when it is pulled back out, and put back into the meter. He said, currently, the coins are dumped in the box, collected on Saturday's, and taken to the bank on Monday. He would suggest the City adopt a program first to do an intensive audit, of the collections, to see how much revenue, over a months' time, is collected from the meter system. He said the City may want to wait until COVID-19 is under control and gets back to normal. He stated the City needs to do a full accounting of what the system is producing over a month's time, deposited and have a better tracking of collections. He said this should be done if the City is going to keep the same type of meters. Shumate said the City should go to a cashless or coinless system where the payments are coming via credit card payments.

Shumate said some recommendations they have for the system include auditing the system collections, tightening the collection procedures, promoting pay-by-phone, and invigorate a new campaign towards promoting pay-by-phone. He said the City's hardware needs to be upgraded. Shumate said he will talk about a couple different options and costs. He said the City, like this, could promote a pay-by-plate payment method. He said rather than people putting coins in the meters, people could pay-by-phone and put in their license plate or if there is a pay station, people could put in their license plate or at the pay station. He said these could be located at the lots or on the streets. He stated when people pay by phone, they, do so, by recording their license plate. Shumate said if the City goes to the pay-by-plate method, then, this opens the possibility of acquiring automatic license plate recognition enforcement software, cameras and capabilities so that the City could conduct mobile enforcements, driving around the City, at 35 mph, and the cameras mounted on City vehicles, could detect cars that have not paid to park. He said citations could be issued from there. Shumate said the City should go to an electronic ticketing device capability, both hand-held and mobile units, would give the City this capability. He also suggests the City transitions to virtual permits. Shumate said this is also possible, but these three suggestions go together. He said people pay and have a permit for one, two or three different vehicles that may be in the household. He stated only one permit could be found to be parked on a lot or in the streets in given areas. He said there needs to be a comprehensive signage program as to identify the lots and help orient people to where they should and should not park in the downtown. He said one approach to upgrade the existing meter hardware is to install free-standing multi-space pay stations. He said one multi-space pay station could service eight or ten existing meters on the streets. Shumate said they have a self-diagnostic capability. He said if they are down, if they run out of receipt paper, solar panels are not working, or anything goes wrong with the units, the system will alert the City to this problem. He said the City would not lose revenue and is designed to be Daisy-chained connected. Shumate said if they were strung-along Broad Street, on each block, people could still cross the street

and still pay their for their parking by entering their license plate and declaring how long they want to park by cell phone. He said these units allow for contactless usage. Shumate said someone could hold up a credit card and pay. He said they have real-time analytics and get realistic utilization figures. He said the City could understand where the demand is occurring and where the turnover is highest in the City. Shumate stated the system could be audited before collecting the funds from these units. He said the City would already know how much money is in them. He said they have 5G wireless capabilities and programmable to accept citation payments. Shumate said these are kind of expensive but are replacing 8-10 meters with one of these units. He said the other option would be smart meters. He said other cities have these and could use credit cards to pay an individual meter. Shumate stated this is, also, an option. He said the City has Duncan meters and are considered obsolete and take nickels, dimes and quarters. Shumate said the City should be getting away from collection of coins and getting people paying by credit cards or cell phones.

Shumate said these are four different options and "rough" cost estimates to implement each of the four options. He said the first option is to replace the entire 350 meters with new pay stations at a cost of \$6,500 per unit. He said the total price would be \$325,000. Shumate said some areas, in the City, existing meters are hardly used. He stated the City may not need to buy that many pay stations. Shumate stated this ratio is about 7:1, pay stations to meters, the City would have to buy about 50, in Option 1. He said, in Option 2, the City would remove all existing 350 Duncan meters, upgrade the Meters, now located in the neighborhood districts, and upgrade to credit card enabled meters and put pay stations along Broad Street, about six blocks and a couple side streets, to the south, that have on-street meters that is considered the Broad Street district. Shumate said the City could install 12 pay stations and eliminate about 115 existing single-spaced meters in the Broad Street area. He said Option 3 is to simply eliminate existing 115 Broad Street meters which would reduce the count of Duncan meters to 235 and put in the pay stations. He said the City is not buying the newer technology but buying pay stations for Broad Street. Shumate said Option 4 is to eliminate all the meters and go to pay-by-phone zones only, in the neighborhood, and on Broad Street, put in pay stations. He stated what he means by pay by zones is to take all the meters off the street, in the neighborhood, and put up signage directing people how they could pay for parking using a cell phone app or texting a number. Shumate stated pay-by-phone only zones have started to grow, in popularity, and he feels, in about 8-10 years, cities will start to phase-out parking meters altogether. He stated this eliminates the capital expenditures costs for maintaining and servicing hardware on the streets, takes away a lot of labor associated with equipment, improves customer compliance because they know they are expected to pay and their actions, in paying, is not dependent on getting to a meter because it is associated with electronic and mobile enforcement. He said it provides multiple payment methods of credit card, debit card, and pre-funded accounts. He said when the City has the "lion-share" of the customer base, paying in this fashion, it reduces the administrative costs. Shumate said it takes away clutter, on the street, eliminates expense of meter collections, and the system allows cities to change rates. Shumate stated the City could establish special-day rates, such as a big festival and where parking is allowed and not allowed on certain days of the week, depending on what is going on. He stated it relies heavily on cell phone users and the use of cell phones is so common, such as in Star Bucks, where people use debit and credit, through their phone apps. Shumate said the more the City could drive the customer base to this kind of solution, the better, and the only requirement, to get it in place, would be an investment in new zone signage. He said Amarillo, Texas, decided to take this route, in 2019, and established pay-by-phone only zones throughout the downtown for on-street parking. Shumate said they had a similar rate structure. He said then they would put up certain signage that would be installed, in the city, how it works on the phone app. Shumate said people could download the phone app, scan a bar code on the sign, or text message. He stated they tell you what zone it is, the regulations, and how long a person could park. He said if a person is a regular user, there are pre-loaded license plates, in the system. He said if there is a two-car family, the person may have both license plates loaded in the app. Shumate stated the person needs to pick which vehicle they are driving that day, pick the zone, the duration of stay, and make the payment.

He said it is working well in Amarillo. Shumate stated a lot of cities have done this, not completely city-wide, but in certain areas.

Shumate spoke of the City's enforcement program. He said the City would need to require ALPR Enforcement Technology, upgrade the ticket process, upgrade citation processing and adjudication platform. He stated the City is doing everything manual. Shumate said it does not have to be this way. He stated there are a lot of systems and software that would streamline, simplify and give the City data matrix how the use, of the system, is changing over time and the needs and demands, of the customers, are occurring. Shumate stated pay-by-plate ALPR Enforcement allows the City to cover greater areas with far more frequency and potentially reduce enforcement staff. He suggested only one vehicle would be needed to enforce the entire system in the downtown and in neighborhoods in Hazleton. Shumate said he knows part of the enforcement staff is devoted to street cleaning and said, maybe, two vehicles are needed so one could be doing street cleaning in some remote areas of enforcement. Shumate said as people pay by phone, these transactions are forwarded to the enforcement vehicles, so they know, as it happens, in real time, who is paying and not paying, so there is no latency that would cause erroneous ticketing. Shumate stated virtual permits work the same way. He said permits would be recognized by the vehicle identifying license plate, and this would indicate, to the enforcement staff, that this is a permit holder. He said citations could be understood by block, time of day, and zone. He stated the City would get a "much better picture" of what the demand is over time. Shumate said the City would be operating very "lean and mean", with the least number of staff, reduced expenses, and heightened "intel" about what is going on. He stated, typically, what happens with revenue, after adopting ALPR Enforcement, there is usually an adjustment and are surprised how quickly they receive a citation from these. He said, in most cities, people see an enforcement officer walking down the street, and drop a few coins in the meter. He stated when a person is driving around in a vehicle, they do not know when they will drive down their street if they did not pay. Shumate said there is a heightened sense of compliance and this is what the City wants to see. He said there is, initially, a surge in citation activity, and it "levels off" after this. He stated it is a bit higher because of the efficiency of the enforcement practice that the ticket issuance increases.

Shumate said the signage program is lacking in the City. He stated the City of Toronto has branded their parking facilities, and extended it to mapping, pay stations, off-street garages, apps, and applied and related to their bike rental program. Shumate stated these are all doable and would even help orient people to what the parking rules are, in downtown, but guide them to where parking is.

Shumate said, in a "nutshell", these are the ideas they have. He said they think the best way to go is to move toward pay-by-phone only zones and install pay stations along the Broad Street commercial district. He said the expense, for the City, would be less than \$100,000. Shumate stated the City could completely get away from the maintenance of the existing inventory of some 300 meters. He said they feel strongly about adoption of ALPR Enforcement and electronic ticket writing. He said this would lead to make the way for virtual permitting.

Perry asked for the cost of the mobile enforcement technology and the ticket devices. He asked if this is in addition to the \$6,500 for the kiosks. Shumate said the City would be putting cameras on their vehicles, equipped with a laptop station and cellular communication that is linked to the pay-by-phone service and pay stations. Shumate said the equipment could be installed on a City vehicle and have it branded. He said the total would be about \$40,000. Perry asked if the City would still have hand-held ones if the City wanted to have meters. Shumate said yes. He said if the City would want people, walking on foot, they would use hand-helds. He stated the hand-held units are, about, \$3,000, at most, per unit, and the City would need about two to three. He said police officers would still be writing paper tickets, but most police officers avoid writing these parking tickets. Shumate stated the absence of them not having hand-held is not a big loss. He said if the City would go to ALPR Enforcement, mobile

enforcement, and hand-helds, the need for them to write citations is diminished because the City is becoming much more efficient, effective and the coverage ratio is greater. He said the police, rarely, have to delve into this kind of element of their responsibility. Perry said the City of Scranton has something like this with vehicle like these with kiosks. He stated he was not sure if it was a private company because they were all "marked-up". Salzman said these are in the City of Scranton. Shumate said it is so prevalent, currently, that cities are looking at this very closely. Perry stated the City is in the "dark ages" when it comes to parking and meters. He said the City needs to come "out of this", sometime.

Perry thanked Shumate and Salzman for sharing this information to all city council, mayor, and all citizens, on the ZOOM call, because it is something the City needs to look at in cleaning up and honoring the City.

Salzman said he made it hard, for the City, with the four options. He said these are the options and is worthwhile, to decide, how much money the City wants to spend and what they want their system to look like. He stated all of them are quite viable and one is more expensive than the others. He said all of them will get the job done and get the City where they are to "way more modern", better customer service, and more revenue. Salzman said the City needs to decide where they want to go and let them know. Perry said a combination of smart meters and the pay stations would be ideal. Shumate said the thing about smart meters and/or retaining exiting meters is that the City would get out from the burden of maintain them, buying parts for them, and fixing them when someone hits them. He said this is very difficult. He said the price schemes are better to eliminate, the meters, rather than put the pay stations, on Broad Street and keep the Duncan meters. He said if the City would do this, they are not getting out from the maintenance burden. He said the City would spend more money to get less, in income, and are more difficult to enforce. Perry asked if people could use coins, in the smart meters, or just credit cards. Shumate said people could use both coins and credit cards, in the smart meters, but the City's 235 units would still have to be serviced.

Krista Schneider, Downtown Hazleton for Alliance Director, said one of her concerns, over the years, is convenience for the customer to not have to "run out" to put more coins in the meters. She said with the existing Pango meters there is not a lot of use for them, either from communication, signage or marketing campaigns. She asked how it would make it easier, for customers, with the systems they are recommending, to shop, park, go downtown, and add more time, in a convenient way. Schneider asked if there is flexibility, built into the systems, to allow for shared parking. She stated the downtown is growing and getting more residential and there is more nighttime demand than in the past. She asked if the system could be more flexible that permit parking zones, that is not needed, during the nighttime, would be used for other purposes. Salzman said the answer to Schneider's second question is yes. He said the answer to the first question is all of the systems, even Pango, pay by cell phone systems, allows an initial payment, one hour of time, and the credit card and license plate information are in the system and they pay the dollar. Salzman stated then most of them give a text to a person which says, "you better get out, to your car, because there is ten minutes left", add an hour or half an hour to avoid getting a ticket. He stated it is a wonderful system, and customer friendly. He said there are also ways to do merchant validations which are more complicated. He said the systems are flexible. Salzman answered her second question about the permits at nighttime. He said once the City has a license plate system, a residential license plate, and a person has a parking permit and could park on Broad Street from 7:00 p.m. until 5:00 a.m., a nighttime permit, the City could control all of these. He stated anything that is imagined, the city could do. Shumate said the same could be said for pay-by- phone only zones. He said the sign would give them an indication of what zone they are in. Shumate said when they go to the app, the rules for parking are there with time limits, rates, and rules. He said the rules could change during the week, different times of the day, and on weekends. He said the City could pre-program different parking regulations and rates depending on what time the person arrives in the zone.

Sacco asked what the warranty is on each unit they provide, basically the kiosk. Salzman said they do not provide the units. He said what they typically do, and helping to procure for cities, they could request a five or seven-year warranty or service agreement to be included in the cost. Salzman said there is no cost for about seven years, and after seven years, the City would get a service plan and the technology needs upgrading. Salzman said the housing would not need to be upgraded, but the “innards” would be new. Sacco asked with the solar technology, and the recent snowstorms, would the City need to have employees clean off the unit to perform a transaction. Salzman stated usually not, the batteries are good and use little electricity. He stated the batteries last a long time. He said it is not a significant problem. Salzman said as soon as the “sun comes out” they clean up. Barletta asked what the electric cost is. Salzman said they are all solar. Shumate said there would be battery replacements with 2–3-year life cycle. She asked how much the battery replacement is. Salzman said about \$20-\$30.00 each. He said it is more than a single-space meter, smart meter, but not “ten times” the amount.

Mundie asked what encryption is used to protect credit card information. Salzman said it is all PCI compliant. He said the meter firm has a system, in place, that is PCI compliant. He said the City could spend their whole life trying to be PCI compliant.

Max Castillo, Hazleton City resident, said Google came up and enrolled a parking system that everyone uses. He said when one person comes from “one town to another”, they could be familiar with the actual system that is used. Castillo said most people use Google, about 60-70-80% of the population, and is user friendly. Salzman asked Castillo if he is talking about Google maps. Castillo said Google released an update so that people could pay for parking, hold a parking space, and pay for a parking space for a wife. He asked if this is compatible. He said, with Google, the person only needs a machine. Shumate said this company, pay-by phone mobile, partners with Google. He said when going into a town, with Google mapping, the person does not need an app. He said, through Google, the person could be directed to where the meters are and this company has a business linkage with Google maps. He said not all pay-by-phone companies do this. He said Google was very selective on who to partner with. He said it is not available with others and not available with Pango. He stated it is compatible with this system. Shumate said the mapping gets the person oriented to where they are in the City. He stated the person does not need the app. He said this particular company finds several different ways using the app, scanning the sign, texting, or dialing up the number. He said the person could pay in all different ways and put the license number in. Shumate said all these payments are pushed to the enforcement apparatus, without delay, and knows, driving down the street, who paid.

Mayor Cusat thanked them for their presentation. Perry also thanked them.

**Bid Opening:** None

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Mark Rabo, 1<sup>st</sup> Street, Hazleton, spoke of Ordinance 2021-7- City of Hazleton’s Business License Ordinance. He stated there are some many problems, with the ordinance, he does not know where to begin. Rabo said if a City has ordinances, on the books, with similar subject matter with violations or any sort of topic, these need to be repealed and replaced with something that would overtake this with a new ordinance. He stated 2021-7 has a lot of “stand-alone” ordinances, on the books, that need to be repealed or replaced by this ordinance. He asked if the solicitor could expound on this and there are several other issues. Rabo said this needs to be tabled and discussed at a WORK SESSION meeting prior to be putting back on a voting session.

Rabo also spoke of Ordinance 2021- 4- Amending Ordinance 2013-8, Defining and Prohibiting Sound/Noise Disturbance and Providing Penalties for Violations. Rabo said this could cause, a problem, down the road. He said the City would have construction with loud music overnight. He said it would be a problem, with enforcement, and uniformity standards.

Rabo also spoke of Ordinance 2021- 5- An Ordinance Requiring Snow and Ice be Removed from the Sidewalks and Other Walkways in the City of Hazleton and Regulations on How Snow and Ice May Be Removed. Rabo said he does not want to see anything like what happened, as in Plains Township, in snow removal. He said details need to be worked out in this ordinance. He asked if this could be “hashed-out” at a WORK SESSION.

He also had another question about Ordinance 2021-7. Rabo asked Mayor Cusat, administration, and Atty. Logsdon if this would validate the building conversions that happened in the past. He asked if there are any more rental units to be allowed only to pay a permit as a business.

Lisa Racosky, 175 Birch Knoll Drive, Hazleton, said in the past, the City had a problem with people working at night, 10:00 pm.- 7:00 a.m., seven days a week, and their worst nightmare that “came true”. She said it was horrible. Racosky said it disrupted everything and everybody. She stated along with the music, it was horrible. She said one side there were people working, and the other side there was music playing. Racosky said they should not be allowed to work from 10-7 a.m. She said if her neighbor would work from 10:00 p.m.-7:00 a.m., she will go “over there and choke them”. She said it is wrong.

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## **ORDINANCES AND RESOLUTIONS:**

### **ORDINANCES:**

#### **(1<sup>ST</sup> READING)**

##### **Ordinance 2021-6**

An Ordinance Requiring that the Providing of Cable Television Service be Authorized by Franchise; Granting a Franchise to Service Electric Cablevision, Inc, a Pennsylvania Corporation and the Successor in Interest to Service Electric Cable T.V., Inc., Its Successors and Assigns, to Install, Operate and Maintain a Cable Television System; Prescribing Terms and Conditions; Also Providing Regulations for Use of the System; and Other Legal Requirements **(1<sup>st</sup> READING)**

Presented by Perry. Seconded by Sacco.

##### **On the Question:**

Perry said to be “clear to everyone”, the City is locked into this process. He said there was no one else competing for this. Mayor Cusat said if there was someone competing, they could give the City a deal. He stated this is not exclusive rights to provide service, but for compensation for wires hanging over the streets. He said it is not a “no-compete contract”. He said if Comcast or Blue Ridge wanted to come into the City they are welcome and could “run their wires”. Perry stated the City is not excluding anyone else with one group offering, their services, to the City. Perry asked if



the contract was reduced from 30 to 10 years. Atty. Logsdon said yes. Perry said the amount of money, the City is receiving, has been dwindling. Mayor Cusat stated it is 5% of their gross. Perry said they were “locked-in” and the City cannot ask for more. Mayor Cusat said yes, that is their statute.

Barletta asked if someone comes into, the City, within 2-3 years, and offers cable service, would they be allowed. Mayor Cusat said yes. He stated they would need to put their own infrastructure in and pay the City for the “air-right” over the City. Atty. Logsdon said the City would get a call, from a contractor working for a cable company, to lay their own wires and infrastructure. He stated they would not be allowed to “piggyback” off of Service Electric infrastructure that is, already, here. He said if Comcast or Blue Ridge would want to service this area and provide the City with an overhead map discussing where they would put lines. He said it would be a different process, quite a bit of work, and this is why the City did not see anyone “knocking down the doors” for this. He said they would need to deal with the City’s pave cut ordinance. Mayor Cusat said they would also need an agreement with PP&L on using their poles. Perry stated it is not worth it for anyone to do it. Mayor Cusat said it is a “ton of infrastructure” to put in and would mainly be wireless. Perry stated this excludes Dish TV and Direct TV. Mayor Cusat said yes. Barletta asked if this is not making the resident’s being “locked in”, not held “hostage” and not making a monopoly. She said these were the concerns of a few of the residents. Mayor Cusat said correct. Barletta said the City does not have another service right now. Mayor Cusat said this was a 30-year contract, and now is the time is up, for the City to renew this. He said AT&T which owns, Direct TV, they operate Dish TV, and they are in the contract. Mayor Cusat stated Service Electric could sell, their lines, to Blue Ridge, or Cable Vision, to do it. He said the City is getting paid “air-rights” of the wires hanging over the streets. Barletta said she wanted to confirm that the City is not forcing people to use this. Atty. Logsdon said if a person moves into the City and wants Direct TV, they could call Direct TV, and they will install the satellite and give them “the box”. He stated if a resident wants hard-wire cable, called Comcast, and live on Vine Street, they would say, “I am sorry, we do not have service there.” Then, they would have to call Service Electric. Atty. Logsdon said this is how they get their local news, through Service Electric, and does not come through Direct TV. Barletta said, then, the City could not deny someone coming in if they offer. Atty. Logsdon no. He stated it would be “on them” to create the infrastructure they would need.

Perry asked if the City saved money in this process. Mayor Cusat said he negotiated that they would supply all the City-owned buildings with free cable.

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

### **ORDINANCE PASSES UNANIMOUSLY ON 1<sup>st</sup> READING**

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**Ordinance 2021-7**

City of Hazleton Business License Ordinance (1<sup>st</sup> READING)

Presented by Sacco. Seconded by Perry.

**On the Question:**

Atty. Logsdon said Rabo brought up the subject of the repealer. He said when they were creating this, they were working off the new codification, as well. He said he wanted to bring this ordinance, to city council, earlier because they are a little “bit off” on the codification. Atty. Logsdon said he

forgot to add the repealer clause. He stated this ordinance would need to be amended to add the repealer clause that would take care of anything, inconsistent, with this ordinance. Perry said they are trying to tie "all the loose ends" in the codification. He said they worked hard on this. Mayor Cusat stated because they are codifying this, they took seven or eight other business ordinances, mobile trucks, pawn shops, etc., all that was added to the 2002 book. He said they took 84 pages, out of the current book and consolidated all in one ordinance. He said this gives the City "more teeth" to go after an operating illegal business. He stated it also has a better "due process" for any businesses that are shut down or missing parts of their application for the business license. Atty. Logsdon said Rabo also referenced if the City would be authorizing illegal apartments to open up in residential structures. Atty. Logsdon said they would still need zoning, building permits, and code work, and this is required under the business license ordinance. He stated the City is not opening, this up, to illegal apartments or anything, like this. He said people would be in a zoning violation if residents sublet different rooms in their house as a boarding home. Atty. Logsdon said this would not surpass this. Perry asked if anyone has a rental property would have to pay for a business license. Mayor Cusat said if it is owned occupied, a double home, then the resident does not. If it is on the same deed, then the resident does not. If the resident has a "mother-in-law" house, in the back, then this would be exempt. He said if the resident lives in one side, and the mother lives on the other side, this house would be exempt because it is on the same deed. Mayor Cusat said if a resident has rental properties, all over the City, then this would be operating as a business. He stated this is not new because, in the past, the resident would pay a mercantile tax. He said the City was still considering the type of business they had. He said this limits how many different locations, the resident could have, within the City. Mayor Cusat said everyone who has a business owned by an LLC needs a business license for this. Barletta asked if someone owns 10 different properties', how many business licenses would they get. Mayor Cusat stated each LLC needs its own business license. He said someone will buy five different homes, with five different LLC's, each one would need its own business license. Mayor Cusat said the reason they do this is for insurance purposes and protection from lawsuits. Barletta asked if a resident has three rental properties, not on the same deed, and is not an LLC, would they need three business licenses. Mayor Cusat said each owner would need one. He stated if an individual owns five properties, one individual would need one business license. He said if one LLC owns ten properties, they would need one business license. He said each LLC or corporation/entity would need one business license. Barletta asked if she owned three properties; does she need three business licenses because they are separate deeds. Mayor Cusat said one person would have one business license. He said the exemption talks about the deed. Mayor Cusat said Article 4. Barletta said Article 3 states, "a separate license shall be required for each business." Mayor Cusat said this refers to residents who have two restaurants. He said if one operates on Broad Street and Wyoming Street, they still need two business licenses. Barletta asked if a resident has a business and a storage location to store the equipment or product would the resident need a license for this. Mayor Cusat said as long as they are not renting out to someone else. He stated if Cusat's Café owned a storage unit and rented it, as long as Cusat's Café is showing the revenue, as rental, then no. Barletta asked if someone started to sell some of their product, from this location, would need a business license. Mayor Cusat said yes. Atty. Logsdon said the ordinance states, "a separate license shall be required for each place of business and for each separate business operated out of one place. A separate license shall not be required for a person who rents a dwelling unit within the same two-family dwelling unit or on the same deed." Mayor Cusat said this states the person would not need one. Atty. Logsdon agreed. Barletta said the resident is not required, if it is on the same deed, but a separate deed would need one. Mayor Cusat said this is talking about rental dwellings. He said a person cannot have two primary residence's anywhere. He said if he would own two homes, one would be considered a rental unit. Barletta asked if the business license has nothing to do with a business, only the dwelling. Mayor Cusat stated this would be a rental unit. He stated if he owned five houses, in the City, and let his brother live at one, and his sister at one, they would be "letting", not renting, someone live there for free, and would need a business license. Barletta asked if she is the owner of the house and lets her mother, brother, and sister live at each house, would

she need a business license for each one. Mayor Cusat said no. He stated they would only need one because they would personally own it. He said a lot of people do this, do not collect the rent from the family, but still write-off the expenses, acting as a business. He stated they would write off the property taxes, heat, and all the utilities, bringing in zero revenue, but putting the expenses on there. He said a lot of people do this. Barletta asked about the application area- 4C, which states, "the name, address, and phone number, of the tenant, that is occupying the dwelling unit, at the time of application." She asked if this is an invasion of privacy. Barletta said the City needs to put on the application who is living in the house. Mayor Cusat said yes. Mayor Cusat said this was taken right from the rental registration ordinance. Perry said his wife and her brothers own an apartment, a whole property but are only renting two. He said they got their application and are filling this out. He stated they need to put down who lives there, one is occupied, and one is being refurbished, and it needs an inspection. He said this is also part of this. Mayor Cusat said when one becomes three units, it becomes a commercial property and would fall under UCC. He said, definitely, they would need a business license for this. He stated two does not need a license and this is where the exemption came in. Mayor Cusat said this is part of the rental registration ordinance. He stated he took all the ordinances and combined them into one to make it more uniform for enforcement. He said they have been working on this for, nearly, one year and started this before COVID-19. Perry said he brought Sacco, into City Hall, and worked on this for many days, because she is a business owner. Perry said there has been a lot of work on this and does not mean it cannot be worked on more. Mayor Cusat said he is trying to get these done to add them to the new codification. Perry said this will help make people responsible, and not fall "through the cracks".

Barletta asked about Section I- Notice and Service for Appeal Rights. She said it has posting of businesses, but she thought it was not allowed to post a business. She stated it has to be hand delivered or signature received. Atty. Logsdon asked if she is referring to the statement, "personal service, posting, or by regular United States mail." Barletta said yes. She said she was, under the assumption, that they were not allowed to do posting, and if this went to court, this is not acceptable. She stated the service would need a personal service or by signature to prove this when it went to court. Mayor Cusat said this would fall under the definition of posting. He said it would be part of the definition for hand delivery, posting, and certified mail. Barletta said it states posting a business and would need to be added for personal or signature to prove it. Mayor Cusat said they will add the definition of posting. Barletta asked, under Section J, Appeal Rights, she said it states there is a charge of \$500.00, non-refundable deposit. She asked if the resident would pay this fee to have an appeal hearing in front of council. Mayor Cusat said this is for the court reporter. He stated if the resident schedules a hearing, the City would bring a court reporter in, and if the resident does not show up, then the deposit covers the court reporter. He said the City would have to advertise the hearing, and have the court reporter come in. He stated the City does not want to be "on the hook" if the resident does not show up and then the City would pay "out of pocket". He stated court reporters are expensive. Barletta asked if this is for the court reporter. Mayor Cusat said yes; for the court reporter and advertising. He stated this was not "so clear" in the other ordinances where the appeal process took them a long time to do. He said they needed to make sure the appeal process fit all seven or eight ordinances that were put together. Perry said then the City would need to send out all the licenses, if this passes, to people who qualify. Mayor Cusat said this could take effect in 2022 because 2021's already went out or could state any business that is not, in effect, right now. Perry stated it would be a lot easier to do it this way.

Barletta asked about the Fee Schedule, referring to Chapter 24. She asked if this is something they need to fix or repeal. She said the fee schedules are for \$350.00 and \$250.00 for the business licenses. Mayor Cusat said for the business license fee, they just changed the ordinance to a flat fee of \$100.00. Barletta said it does not reflect that on here but reflecting the Chapter 24 fee schedules. Mayor Cusat said when they changed the business license fee, it automatically goes onto Chapter 24. Barletta asked if this needs to be amended. Mayor Cusat said no. He said the to \$100.00 and will always be part of Chapter 24. Barletta said when "she pulled" Chapter 24, it is

not showing these rates and reflecting the changes. Mayor Cusat said Chapter 24 just needs to be updated because the ordinance was passed a couple months ago. He stated it will be changed to reflect the last ordinance that was passed.

Mayor Cusat said they need two amendments: One to add the repeal of verbiage and one amendment to add the definition of posting. Sacco asked if they could do these together or do they need two. Atty. Logsdon said they could do one. Mayor Cusat stated they could try as one, and if it fails, could do two. Perry asked about the start date. Mayor Cusat said they need to pass this on the first reading and then make sure the effective date does not interfere with anything else. He said this will be put in before the final reading.

Perry made a motion to make some changes. He said he wants to add a repealer. Mayor Cusat said it is common verbiage. Perry said also to add the definition of posting. Mayor Cusat stated this includes certified mail, mail, and physical posting.

Presented by Perry. Seconded by Colombo.

**MOTION TO AMEND:**

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

**MOTION TO AMEND PASSES UNANIMOUSLY**

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

**ORDINANCE PASSES 3-2, AS AMENDED, ON 1<sup>st</sup> READING**

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**(2<sup>ND</sup> AND 3<sup>RD</sup> READINGS)**

**Ordinance 2021-4**

Amending Ordinance 2013-8, Defining and Prohibiting Sound/Noise Disturbance and Providing Penalties for Violations (2<sup>nd</sup> **READING**)

Presented by Sacco. Seconded by Perry.

**On the Question:**

Barletta asked if she is understanding this ordinance correctly. She said anyone could come in, get a permit, and do anything on their house from 10:00 p.m. to 7:00 a.m. Mayor Cusat said anyone could request and “plead their case” why they need to do non-emergency work. Barletta asked who they would need to go to the code department. Mayor Cusat said they would go to the code department first, and then, it is, ultimately, his decision. Barletta asked if this needs to be added in this ordinance, and in “black and white”, because it is affecting the resident’s quality of life. She said, ten years, “down the road”, “pulls” a permit, when elected officials are gone. Atty. Logsdon said they could clarify this better when a permit is requested and approved by the mayor. She said it would be safer “years down the road.” Mayor Cusat said it should state requested to the code

department and approved by the mayor's office. Barletta asked under what guidelines would he accept this. Mayor Cusat said it is just "common sense". He said if the resident wants to jackhammer a swimming pool, he said this is not a necessity. Mayor Cusat said if a resident wants to pour concrete, and we have an "Indian summer", then there is not problem for them starting at 5:00 a.m. to get the mixing trucks in. He said if it gets too hot, then it would peel and dry too fast. Barletta asked if a resident wants to put a roof on at 11:00 p.m., where does the City stand. Mayor Cusat said a roof is not a necessity. Perry said only if it is an emergency. Mayor Cusat stated if they wanted to work an extra hour or half hour, maybe give them this time, but it is dangerous to work, on the roof, in the dark. He said he would never approve this. Perry spoke of the Birch Knoll resident complaining about the other residents working seven days a week and all hours of the night. He said it would be a noise complaint. Mayor Cusat said the resident could file a complaint and then the City could re-address this. He said there is a limit of 30 days, and if someone objects to this, then at "worst case", after 30 days, the City does not re-approve it. Barletta said after 30 days, they would need to get a new permit. Mayor Cusat said he may give them a half hour or 3 days. He said he does not have, the right, to give them more than 30 days without re-applying. Sacco asked if the resident comes back three times, is there a number they are "maxed out" at. Atty. Logsdon said the resident would need to re-apply and be approved for a new permit. Mayor Cusat stated it may not be every day, but one day a month. Perry asked what the purpose of this is. Mayor Cusat said if the City wants to go out and pave, they could not do this before 7:00 a.m. or stay late. He said if the HCA wants to do work, they cannot. He asked when the emergency is over. Mayor Cusat said if there is a burst pipe, and it is leaking, once it is closed, the emergency is handled. He asked if they would be allowed to fill the street. He said the same thing with the Hazleton Sewer Authority. He stated once the pipe is fixed, is it a necessity that the pipe is open. He said once the City had a sink hole open and asked if it is an emergency. Mayor Cusat said they put up barricades up but had a large hole enough to swallow a car. He asked if the City has the authority to dump dirt into this hole. He said, currently, under the ordinance, this type of work needs to be held off. Barletta said emergencies would be exempt. Mayor Cusat said yes.

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

#### **ORDINANCE PASSES 3-2 ON 2<sup>nd</sup> READING**

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**Ordinance 2021-4** Amending Ordinance 2013-8, Defining and Prohibiting Sound/Noise Disturbance and Providing Penalties for Violations (**3<sup>rd</sup> READING**)

Presented by Perry. Seconded by Colombo.

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

#### **ORDINANCE PASSES 3-2**

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**Ordinance 2021-5** An Ordinance Requiring Snow and Ice be Removed from the Sidewalks and Other Walkways in the City of Hazleton and Regulations on How Snow and Ice May Be Removed (**2<sup>nd</sup> READING**)

Presented by Perry. Seconded by Sacco.

**On the Question:**

Colombo asked what happens if a resident left on a Sunday evening and returned on a Friday, and there is snow. He said they are not at their residence. He said he was asked this by a resident. Mayor Cusat said the City will not go out and look for this. He stated only if they get complaints. Mayor Cusat said he does not care if anybody cleans their sidewalk, but if someone falls on their sidewalk, it is the resident's responsibility. He said if the resident makes someone walk on the road, and gets hit by a car, they would have to deal with the consequences. Mayor Cusat said if a resident has an emergency, the sidewalk is not cleaned and expect the police or fire department to get there, they would slow them down. He said if there is a medical emergency "in there", and cannot get a gurney to them, that is their problem. He said the shoveling of snow, on sidewalks, has been around for many years. He said the purpose, of this, is combining two ordinances again. He said this part, of the shoveling, has been, "on the books", for a long time. Mayor Cusat stated the City is spending money on plowing the streets, salt, and cinders. He said, then, people are snow blowing onto the streets or pushing snow, across the street, and leaving trails. Mayor Cusat stated when they snow blow, there is fine powder, in the air, and causes a sheet of ice. He said the people are causing the City time and making, a danger, in the street. He said this is why they wanted to make a new ordinance. He stated they combined the old shoveling ordinance with putting snow into the driving lanes of the roads. He said they could change the 72 hours. Mayor Cusat said he is not concerned about this part, but is concerned about the kids walking to school, the people, or a property on Church or Laurel Street. He said, ultimately, it is up to them. Mayor Cusat stated if someone falls, they would get sued and if someone gets hit by a car, and dies, they would have to live with this due to not shoveling the sidewalk. He said the size of the path, how fast they need to do it, or what if they throw snow back on the sidewalk has been around forever. He said he is trying to stop from the City spending the money and residents throwing snow, into the middle of driving lanes, causing a danger. Perry said this would, basically, be someone complaining, or the City would see this. Mayor Cusat said yes. He said it is a courtesy for the children, neighbors, elderly, and the handicapped. He said this is a safety issue for the residents and the other residents. Perry said this is unusual snow, and may not get to it because it is snowing everyday, but this refers to ordinary times. Atty. Logsdon said it clarifies, "snow on their property stays on their property. He said it is "black and white", unless they have permission to put the snow somewhere else. He said it cuts down on any "grey areas". Atty. Logsdon stated if they say, "it is close to my neighbor's area". He said no unless they have permission. If the snow falls on their property, it stays on their property. Mayor Cusat said he is not taking his snow and throwing it on their car. Perry said this leads to "crazy stuff" going on. Mayor Cusat said he does not want anything happening to the citizens. Atty. Logsdon said abandon properties will not have people shoveling the sidewalk and the City knows where they are. He said this gives the City a mechanism by which to file a lien against this. He said if the City employees need to clear it, then the City could "hit them" with a lien and an invoice. Mayor Cusat said there are some very dangerous ones, in the City, and gets calls about the shopping center on Broad Street, PP&L, and St. Gabriel's cemetery. He said these are dangerous, and pushing people into state roads. He said 309, on Church Street, is dangerous, and are concerned about these.

Perry said a lot more people are walking on the streets. He said they are combining two ordinances. Mayor Cusat said it is creating a new one and combining with parts of the old quality of life. He said parts of this are from the property maintenance code. Barletta said she thought it was common sense and already "on the books" to shovel a path and is up to residents. She agrees with Mayor Cusat that this ordinance is necessary. She said, today, she saw three people

throwing snow onto the City road. She said this is very irritating with cleaning the roads and keeping it safe. Barletta asked if someone could take a video and call the cops. Mayor Cusat said he does not know how video evidence works with the police department. She said former Police Chief Speziale said videos do work, but this is a concern that some residents have. Police Chief Schoonmaker said this would need to be addressed with the county DA office to see what their standing is for prosecution. He said it may be difficult, but they would make an effort. Atty. Logsdon said discretion is key because every property is unique. He said if a resident hires someone to shovel, and does not do it, he said there will be discretion used. He said if someone is being rude and inconsiderate, this is different. Mayor Cusat said he does not want an elderly or sick person doing this and then they may have a heart attack or "freezing to death". He said this has happened in the past. He stated it is safety for residents, people walking the streets, people in electric wheelchairs, children, and people with baby strollers. Perry said people just need to take care of their neighbors. Sacco stated there needs to be a Crime Watch group. Colombo agreed and said this was an exceptional snowstorm. Barletta said this needs to be stressed, especially to the elderly, who are worried about removing the snow. She stated this needs to be in place so as to not putting snow in other peoples property or onto the road. Mayor Cusat said this is more of a safety issue, on and in the property. He said there are small fires, with overheating, and getting the fire department and medics in there. Atty. Logsdon said if a person needs a couple more days to clear the snow, i.e.- elderly or disabled, that is fine, or an absentee landlord, then the City "has something for them", a daily fine for every day it is not cleared.

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

**ORDINANCE PASSES 4-1 ON 2<sup>nd</sup> READING**

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**Ordinance 2021-5**

An Ordinance Requiring Snow and Ice be Removed from the Sidewalks and Other Walkways in the City of Hazleton and Regulations on How Snow and Ice May Be Removed (**3<sup>rd</sup> READING**)

Presented by Colombo. Seconded by Sacco.

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

**ORDINANCE PASSES UNANIMOUSLY**

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**RESOLUTIONS:**

**Resolution 2021-12**

Resolution Authorizing the Submittal and Modification of Pennsylvania Department of Transportation DotGrant Objects

Presented by Perry. Seconded by Sacco.

**On the Question:**

Perry said it is just authorizing the Director of Public Transit for the PENN DOT Dot grant.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2021-16**

Authorizing the Filing of a proposal for funds with the Department of Community and Economic Development, Commonwealth of Pennsylvania

Presented by Sacco. Seconded by Colombo.

**On the Question:**

Perry stated this is for \$275,000.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**New Business:** None.

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**Old Business:** None.

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**Comments from the Audience:** Mark Rabo, 1<sup>st</sup> Street, Hazleton, said he wants to let council, mayor, and administration know that Luzerne County Council passed the acceptance for the rental assistance through the CARES ACT. He asked Mayor Cusat or Zeller if they would let the residents, of Hazleton, and landlords know they could apply for rental assistance through the second round of the CARES ACT. He said it was worth \$9,500,000 that Luzerne County was awarded.

Rabo said he wants to go back to the Business License Ordinance. He asked Mayor Cusat and Atty. Logsdon if a person gets a different permit for rental units, and is over the capacity for a building unit, if they would take this into consideration. He also asked if the Third-Class City Code and Optional Plans were reviewed for conflicts with the state laws. He said he saw the BYOB and Nuisance Ordinances and



asked if it takes into consideration these things. He said he did not see appeal or enforcement measures carried into this one.

Mayor Cusat said the overcrowding is in the definition under nuisance and the City could revoke a business license. He stated if an apartment building, or dwelling is overcrowded, the City could revoke their license. Mayor Cusat said the appeal process is in there and asked which one Rabo is looking for. Rabo asked if the resident could go to the Court of Common Pleas or to the UCC Appeals Board. Mayor Cusat said if a business license is revoked, for any reason, they have 10 days to come to city council. If the resident does not like the decision, then they could go to the Court of Common Pleas. Atty. Logsdon said it would operate as a stay on enforcement while appealing to city council. He said once the city council makes a decision, if it is upholding the City administration's decision, and appealing to the Court of Common Pleas, they would have to petition, the court, for a stay of enforcement. He said they would still have their business license while council is hearing the appeal, but if council upholds the removal, when filing the appeal to the Court of Common Pleas, the resident will have to ask, the court, for a stay, otherwise the business license would be gone pending this appeal. Barletta stated she thought that it was an automatic stay. Atty. Logsdon said it is an automatic stay for council. Barletta said it should, also, be with the courts. She said if you "go to an appeal, it should be an automatic stay", when filed. She said this is under Section K & L in the ordinance. Atty. Logsdon stated until the appeal is heard by city council. Barletta said until the resident goes to the Court of Common Pleas. Atty. Logsdon said "Section L" states, "when appealing to the Court of Common Pleas, they have within 30 days mailing a decision to the applicant. An appeal of a decision of city council will not stay enforcement of the notice unless the stay is granted by the Court of Common Pleas." Rabo said this is the same as the zoning, with the "hookah" lounges.

Perry asked if a resident does not pay their bills would they not get their license. Mayor Cusat said correct, under this ordinance. Atty. Logsdon said there is a delinquency section. Perry said they could have their license taken away. Atty. Logsdon said yes, and it is pretty expansive in the definition. Perry said it is pretty thorough.

**Comments from Mayor:** Mayor Cusat said after a lengthy time working with HCA, about the garbage that is let in the streets, he was able to have the HCA purchase a sidewalk vactor system, to "suck up" stuff on the garbage. He said this vehicle will arrive tomorrow. Mayor Cusat said when the spring "comes around", the City could have a means to pick up some of the litter or something that is blown around on the sidewalks. Perry said this is every winter with open containers that get blown all over the place. Mayor Cusat said it is a smaller vactor that could go on sidewalks where the street cleaner cannot get. He said they will try it out on the bigger streets as Wyoming Street. Perry asked if it needs to be transported. Mayor Cusat said it is like a little ATV. Perry said it may take a while to get from "location to location". Mayor Cusat said they will be getting a demonstration, tomorrow, on how it operates. He stated he is trying to get the City cleaned up a little at a time. Sacco asked if the DPW or HCA employees would operate this. Mayor Cusat said he is still working out the details, but it would be either DPW or City Hall maintenance because they are union jobs. He said, most likely, it would be a DPW job.

**Comments from City Administrator:** Lynch thanked Desman for the great presentation.

**Comments from Council:** Perry asked Lynch if the City is waiting on the Hazleton's 2018 audit to get the refinancing done. Lynch said yes. Perry thanked Lynch for putting out a new RFP for the auditors.

Colombo thanked DPW with the last couple snowstorms. He said they kept the roads fantastic; were open and kept them open even though they were short-staffed. He stated the fire department were working on opening up hydrants, and police enforcing the snow ban. He said the City residents are

cooperating with COVID-19, using universal precautions, and moving forward. Colombo said “we will get through it”.

Perry said the DPW guys are working around the clock. He thanked police and code for working on issues with parked cars and were taken care of quickly. He said the City saved money on the Smart Watt project. He said the City has more money coming in than expected. Perry stated the City is not, actually, making money.

He thanked everyone for attending the meeting and have a safe rest of the week.

**Comments from Junior Council:** None.

**Adjournment:** Perry motioned to adjourn the meeting. Meeting adjourned at 9:08 p.m.