

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
WEDNESDAY, APRIL 14, 2021**

Call to Order: Council met in regular session on Wednesday, April 14, 2021 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 7:24 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 March 23, 2021 Regular Meeting were approved unanimously.

Perry said, at this time, city council will go to the resolutions in honoring Tarone's Supermarket on their 80th Anniversary. Perry read the resolution.

Presentations/Proclamations/Communications: City of Hazleton Federally Taxable General Obligation Bonds, Series A of 2021, General Obligation Bonds, Series B of 2021-

Ryan Hottenstein, Vice-President of Financial S&Lutions, said he is a financial advisor to municipalities, throughout the commonwealth, but particularly, for the City of Hazleton. He handed out, to city council, an overview of the City's existing debt as to review what the City's debt looks like and what they are looking to do. Hottenstein said the City is looking to fund some of the pieces of existing debt, that is outstanding, and do a "high to low" refunding, and at the same time, borrow some new money for the fire trucks that have been ordered and are scheduled for delivery at the end of 2021 or the beginning of 2022. Hottenstein stated the City has currently, four pieces of debt, outstanding: the 2005 bonds, the 2015 note as well as the 2017 DCED loan, and 2018 note. He said these mature from 2021 through 2027 and debt service is, approximately, \$1,300,000, a year, through 2025, and drops off "significantly" and then, finally matures, in 2027. He said average interest rates range from 4.2% down to 0% for the DCED loan and low-interest loan. Hottenstein stated they are looking to take these pieces of debt that the City could refund; 2005's, 2015's & 2018's, while they issue the new money for the fire trucks, for cost savings and structure the new money portion so it would be level, through maturity, at approximately \$260,000, a year, through 2040.

Hottenstein spoke of the City's current debt service and new debt service. He stated, in the next few years, the debt service would "go up" slightly to pay for the trucks, \$30,000 a year, then, it would be the increase of the trucks, through maturity, of 2020. He said even though the City is borrowing this new money, the debt service will "drop off" significantly, in 2026, with \$1,000,0000 less than the current maximum. He stated, in total, the refunding portion will save, the City, about \$170,000 based on current market rates and this is for the portion of the refunding. Hottenstein spoke of the preliminary timeline. He stated, on April 14th, he is here to explain, to city council, the process and outline this timeline. He said, on city council's approval, he will be back, in front of council, on April 27th to have the introduction of the bond ordinance which is the ordinance that has been circulated to a number of the members of administration which is authorizing the incurrence of the debt. He said while "we are sitting and waiting for adoption", the administration, himself, and PEL will be working to get a bond rating from S&P. He said they will get the preliminary, official statement, which is the offering document to "go out" and sell the bonds, and upon council's approval and adoption of the ordinance, on May 12th, they would print the official preliminary statement and price the bonds. He said this would be the end of May, close

at the end of June, and the money would be wired into the City's accounts. He said there would be \$3,000,000 of new money, at the end of June, to purchase the new trucks when delivered.

Perry asked if the amount is \$3,000,000. Hottenstein said this is the amount the City has discussed, but if they want to talk about changing this, they could. He said if anything would change, the ordinance would need to be updated to include the correct amount. Perry said there are blanks in the documents. Hottenstein said they would present "not to exceed number", per DCED requirements. He said this would be a high number, and once they price, they would finalize the numbers with a bond purchase agreement which would be, ultimately, signed, and then close.

Mundie asked if the City is getting the lowest interest rates that they have been in the last couple months. Hottenstein said the interest rates have climbed up over the last month. He said there has been recovery and some reduction, in interest rates, but, overall, in a "historic" sense, over the last couple weeks, are still very low. Perry asked, "what are we talking about". Hottenstein stated on the "refunded" portion, that only goes out to 2026, 1.06% and on the other portion, 1.9%. Mundie asked if the bonds are "callable". Hottenstein said there is a five-year call and after five-years, they could be called, anytime, without penalty. Mundie stated it would not affect the City but the people who buy the bonds. Hottenstein agreed. He said it would only affect the City if they would need to re-structure them. Mundie asked if the bonds "go more" to individuals or to institutions. Hottenstein stated they go more to institutions. He said they try to push some to retail, but with minimum \$5,000 "blocks" and to buy one maturity, they would need to buy \$5,000 "blocks", primarily, as institutional buyer. Hottenstein said they do have some and try to "push" this because retail investors will lower the interest rates. Perry asked if the City would keep the same debt service. Hottenstein said as soon as the bonds are priced, the price is locked in and fixed. Hottenstein said if they are including the \$3,000,000, and they are, for 2021, borrowing the \$3,000,000 is an increase of \$6,000, in 2022, an increase of \$34,000, in 2023, an increase of \$31,000, in 2024, an increase of \$23,000, and in 2025, an increase of \$14,000. He said in 2026, an increase of \$80,000 from the current debt service, but \$1,000,000 less than the previous year. He stated when talking about "impact", to the taxpayer, it is only the numbers in "D", but everything else is a reduction in years 2026 to maturity and a minimal impact, on the budget, of \$35,000 a year. Perry said the City will be getting new money, lowering the debt service, and do the things they need to do at the current rate. Hottenstein said, "basically". Perry said the City needs to maximize, what they buy, with \$3,000,000. Barletta asked what the total is for the fire trucks. Donald Leshko, Hazleton Fire Chief, stated \$2,400,000. Perry stated, at this rate, the City has gotten a good deal. He said the cost of steel is high. Leshko said he cannot "even imagine" what the price is now.

Perry thanked Hottenstein for his presentation. Hottenstein said he will "see them" at the next meeting along with Brian Koscelansky to, formally, introduce the ordinance. He said they will get working on getting everything distributed and getting rating agencies, on board.

Perry stated the City will decide how to allocate the \$3,000,000. Barletta stated, "\$2,400,000 is going toward the fire trucks". Lynch stated the City wants something that has a long-service life piece. He said there will be a "little room", but most of it is going towards the fire trucks.

Bid Opening: — Presentation and awarding of previously opened bids for the City of Hazleton- Public Transit Hazleton Bus Storage and Maintenance Facility-City of Hazleton- Public Transit Hazleton Bus Storage and Maintenance Facility-

1. **General Construction**
2. **Mechanical Construction**
3. **Electrical Construction**
4. **Plumbing Construction**
5. **Special Inspections**

Perry said he has spoken to Ralph Sharp, Hazleton Public Transit Director, and he stated in excess of \$25,000,000, combined, and being very tedious on the awards. He said the bids will be read and awarding will be done at the next meeting on April 27th, 2021.

Atty. Logsdon read all bids. He said the bids results will be announced, this evening, but will have the resolutions, after the analysis, is done, on April 27th.

Atty. Logsdon said there was only one bidder, Panzitta Enterprises, with the total bid of \$16,999,999.

Atty. Logsdon said the bids for the Mechanical Construction portion, there were three bids. Bid from Master Mechanical of \$4,491,464, Myco Mechanical- \$5,237,000, and Yannuzzi, Inc. of \$4,741,707. He said the apparent, low bidder, was Master Mechanical.

Atty. Logsdon stated the bids for the Electrical Construction are, with three bidders, Schauer Electrical- \$2,996,000, Arc Electric - \$2,200,000, and Hayden Power Group at \$2,164,000. He said, as of right now, Hayden Power Group was the apparent low bidder.

Atty. Logsdon said for the Plumbing Construction contract, there were two bids with Myco Mechanical at \$1,673,000, and second bidder was Yannuzzi, Inc. at \$1,530,000. The apparent low bidder, right now, is Yannuzzi, Inc.

Atty. Logsdon said the Special Inspections bids, with two bidders, Geo Science Engineering and Testing LLC- \$66,171, and United Inspection Services- \$164,826.040. He said the apparent, low bidder, for this, is Geo Science Engineering and Testing, LLC.

He said, as city council is aware, they are in the process of analyzing the bid packages and the bids of the, apparent, low bidders, betting their qualifications and conducting virtual interviews with the apparent contractors. He said they will have the resolutions, if appropriate, to council, on April 27th.

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Maria Rodriguez, 444 Allen Street, West Hazleton, and Jessica Rodriguez, 441 Allen Street, West Hazleton, PA 18202.

Maria said she is here for the food trucks. She said she has a story. She stated she lives here since 2004, and got a food truck license in 2005. She said, in the summertime, her younger son needs to come permanently to help with the truck because she has a shop. Rodriguez said, with the current ordinance, she would not be able to go. She said she raised her kids, here, and went to the university, and paid for all her trucks.

Jessica stated, "she is a product of this work", and graduated from Kings College. She said one of the things, she wanted to point out, if they need to move the truck, and does not have "set wheels", on them, will delay the construction, they have, and is a great project with the Chamber of Commerce. She stated Krista Schneider is working with them. She said this will bring something new to Hazleton. She said they would lose their profit moving their truck every 2 hours or any regulations they are going to implement. Rodriguez stated they would like to bring this project here, this year, because people need a little bit "of

color". She said it has been a tough year. She stated it would be hard, for food truck owners, to move every 2 hours. Mundie asked where their truck is located. Rodriguez said it is located between Wyoming and Tamarack Streets. The physical address is 113 North Wyoming Street. Perry asked Rodriguez if they have a building behind it. Rodriguez said yes. Perry stated they are finishing it. Rodriguez stated, "with God, by their side", they could finish construction. Perry said, eventually, they will not have a food truck. Rodriguez said this would be "their situation". Perry said they will be a "brick and mortar", and "set there". Rodriguez agreed. She said they would like to put more food trucks around town. Mundie asked if Jessica came before council years ago. She said she was not before council before. Perry asked if it was in front of zoning. Rodriguez said the ordinance was "way back". Maria said it was in 2019.

Mary Malone, 101 St. Charles Drive, Hazleton, said she is here, tonight, as the Chamber of Commerce President. She said what the Rodriguez's were talking about was the Downtown Hazleton Alliance for Progress and have gone through all of permitting, codes and zoning to get the "brick and mortar". Malone said Maria has a passion for food trucks and would like to continue this "in fine fashion" in other locations.

Malone said she would like to discuss two ordinances, tonight, Ordinance 2021-7- Business License Ordinance. She thanked Mayor Cusat for the work done on it. She said the license fees are going to a flat fee for all businesses. Malone stated this is a great thing, in these challenging times, coming out of the pandemic, to try getting people back "up and going". She suggested at the time of license renewal, with any intended changes or proposed changes, if there could be some kind of notice attached to any changes or proposed changes and due to people not paying attention or staying "logged in". She said the Chamber of Commerce is more than willing to work, in coordination, with the City, and all the departments, to use their communication channels to "push" the word out to their members. She said all of their 600 members are not all residents in the City.

Malone thanked the discussion, that was held, earlier in the week, to hear all the concerns and challenges, on the Mobile Food Truck Ordinance. She stated the Chamber of Commerce is for all businesses, but they want to make it the "healthiest and safest" for everyone, involved, both business owners, residents of the City and all that come into the City, to enjoy it. Malone stated she has two thoughts on other mobile food trucks for consideration. She said the cities of Reading, Lancaster and York has food truck committees that are made up from personnel in the cities. They limit the total number of licenses allowed in the City and have a direct channel to the feedback. She said this may be something incorporated into it. She said every year, at the license renewal, they receive a copy, again, of what the ordinance is that pertains to their business.

Malone said there is a different initiative on the City clean-up with city council members and the Chamber of Commerce is partnering with them. She said this works well for the food trucks. She said she is not trying to "judge a book by its cover", but an appealing, clean location will drive the people of the City of Hazleton to frequent these, add revenue to the business owners, and for the City and be the best possible thing there.

Nicoral Soto, 206 Berner Avenue, said the ordinance brought a lot of commotion, to the City, and to the small business owners. She said this was due to the two new clauses added to the ordinance and with a misunderstanding of this. Soto said it was the confusion on the definition of a permanent location. She stated they would need for the community to understand what it means or how it impacts the food trucks, in town, right now. Soto stated the food trucks, in service, right now, that have a permanent location, would need to get a foundation and connect to utilities. She said they may need to get a loan to get a foundation, a water line, gas, lights, etc. Soto said this may cause them to go out of business. She stated it only means "either/or". She said she wanted to clarify this because there was a lot of commotion. Soto said the community is worried about the timeframe of the ordinance. The ordinance states the food trucks have to move every two hours. She said taking into consideration, the food that the food trucks serve is a different type of food when this ordinance was made. She said it is a different type of food, currently, then what was back then. Soto said the food is fried food and goes in accordance with

the Latino population. She stated this is the food they would get “back home”. Soto said the ordinance states, “every two hours the trucks need to move in districts and professional office districts. She said this puts the people in “high risk”, dealing with hot oil that needs to be between 150-200 degrees. Soto said this puts, not only the City, put the employees, at risk. She said the City needs to take this into consideration and re-shape the ordinance because it puts them in danger moving them every two hours in business districts. She said she knows council is doing the second and third readings tonight. Soto asked if they could table this, bring it back, so they could continue, council and the whole community, to re-shape in a way that would benefit them and not put them in danger. Soto said she knows council does not want to put lives, in danger, during the pandemic, and income is hard to get.

Jerline Rodriguez, 441 Allen Street, West Hazleton, said regarding moving the food trucks every two hours, in Section 5, Part 8, Part 2,4 & 6- to operate and moving every two hours the mobile facility. She said it was stated, at the last council meeting, the state wants to regulate it this way. Rodriguez said she reviewed the PA Agriculture Borough Food Safety guide. She said in Chapter 1, under the definition of the mobile food facility, it states, “one physically could be located, at one site or location, for 14 consecutive days, in one calendar year, regardless of whether or not the facility operates continuously during this time period”. She said the guide is focused on food safety, permits and licensing. She said it is up, to the City, itself, to decide on an ordinance or resolution, for the mobile food trucks. Rodriguez said this was also confirmed with the Department of Agriculture. She asked council to consider them. Rodriguez stated she has seen her mother work 16 hours, a day, on the food trucks, ever since she was a little girl. She said it means a lot because it showed her how to be a business owner. She said she does not claim a City, because she has lived, in Hazleton, since the age of seven. Rodriguez stated this is the same story for a lot of people. She said the Hispanic community feels “attacked” because they feel it was decided “behind their backs” with the girl showing up and closing them down. She said they felt attacked, did not have a voice, and did not consider them. She asked them to give them an opportunity to talk, and may be, table this, to come up with a community, and come together, as a community, to decide the best for them.

Dr. Robert Childs, 860 Seybert Street, said he is speaking on Ordinance 2021-11. He said when a new ethnic group moves into a community, such as Hazleton, they bring new customs and practices, each has to be evaluated on their own “pluses and minuses” He stated the mobile food trucks, that have come to the City, that have served the working population, on a day to day basis, as a convenience, to the workers of the City, have come, with the Latino population, subsequent to 2000. Childs said this does not include the food trucks at Funfest or festivals. He said he is here, as a physician, tonight, to speak about the advantages of the food trucks. Childs said it was mentioned that COVID-19 is the big issue of “the day”. He said, with the current pandemic, having outdoor food services is a great benefit to the community. Childs said no one is going to argue that outdoor versus indoor is not better when serving food to the population. He said, being an outdoor facility, using masks, social distancing, and all this “comes down” and, from a medical, point of view, is important. Childs said the contact between the service provider and the patrons, is lessened, in an outdoor situation, as this. He said the people could see their food being prepared and the transparency, of the food production, is enhanced. He said he spoke as a physician’s, point of view, to the advantages of having mobile food trucks to the workers of the community.

Lisa Racosky, 175 Birch Knoll Drive, Hazleton, spoke of the “disaster” that was put behind their houses. She said they were promised they would have a “barrier” back there, but the only thing that was put there were a couple of trees that would take 20 years to grow. She said she “will be dead”. Racosky said it caused damage to her house and shed. She asked who is going to pay for this. Racosky stated it is not her. She said they did not keep up to their bargain. She stated it was “put on the side” for a couple of years. Racosky said this is not her problem. She said they did not give them the “common courtesy” to let them know it was going to be done. Racosky said council never approved this project and was a disaster. She said there is going to be a burn project, there houses will go up “in one minute, if something goes wrong. She stated fire hydrants do not work up there. She asked what they are going to do, needs

her house fixed, and is not paying for it. Racosky said they are causing a massive amount of problems back there. Racosky stated she will have Andy Mehalshick up there and anyone else. She said they cannot be ignored, are not "trailer trash", are normal people, and want to be treated this way. She said her house needs to get fixed. She said she is asking for their help.

Anna Wilkus, 172 Birch Knoll Drive, said she needs something done, with Route 309, because there is going to be someone killed up there. She said going into Birch Knoll is bad. She said the traffic is "unbelievable" even with the Auto Spa across the street. She said there are warehouses going up there. Wilkus said going south, going towards McAdoo, from Buttonwood and up, there are 50 people with homes and 100 people in the park, with businesses, on the left-hand side. Wilkus said they need a turning lane because there is no way to get in and out of Birch Knoll. She said with the warehouses, coming there, it will be even worse. She asked if someone could come up to check why there is not a turning lane there. She said there was a turning lane at Buttonwood, but not for the other businesses. She said there is a light at the beltway. She stated the two lanes do not do any good and is hard to move to the right lane.

Vianey Castro, 1117 West 15th Street, Hazleton, said he comes tonight to talk about the food trucks. He said he is the president of the Spanish Business Association. He said he has a couple points to speak on. He said, as Jerline stated, he thinks the main point to put attention to, is the timeframe of two hours. He said the two hours to do business is not enough time and is dangerous. Castro stated, under the Federal Motor Carrier Safety Administration, they state, "if the trucks are moving, they have 50% more chance of accidents". He said more than 4,000 people die from these accidents. Castro said the food trucks are not exempt to this law. He said he knows the food trucks are down for a long time and are doing, their best, to support their families. He stated the food truck industry makes about one billion dollars of revenue, a year. He said this is a lot of money, and in Hazleton, does a lot of business and families rely on this. He said he wants all to come to a common point where they could agree, with each other, to expand these two hours to ten, eleven, or twelve hours. He asked if this ordinance could be tabled, talk to code enforcement, to see if this could be delayed. He said they waited about three years to apply this law. He said they could wait a little more to have the food trucks to comply to the law. Castro said he wants all to follow the law and be sure the City is safe and clean and is good for everyone. He said his association has a plan to work with the food trucks. He said they want to paint the trucks, fix and clean the area of the trucks, and make them more presentable. Castro said, hopefully, in the future, everyone will be proud to look at them.

Luis Polanco, 115 North Kennedy Drive, McAdoo, said he has been doing business for eleven years. He said they practice accounting, and as accountant and a business owner in Hazleton, all the food truck owners are his clients and affects him. He said he is proud to support six kids, with five of them graduating from college. Polanco said, according to the Motor Carrier Safety Administration, with the trucks moving at a certain time, and any insurance company, declines to give insurance due to the constant moving. He said without insurance, they are unable to get a business license. Polanco said talking about "real numbers", any of these trucks have income, to support families and build the businesses, between \$176,069 a year, and represents a nice chunk, of taxes, to Uncle Sam. He said he could be called a "peacemaker" between Uncle Sam, Revenue Department, and Berkheimer. He said that is the only reason they come to him. Polanco stated he advocates them to be properly licensed, and when people renew this, they receive a call, from his staff, to make sure they comply with the City, state and federal government. He said if City council could take into consideration, of at least, a twelve-hour shift of operation with the ordinance. Polanco said it is a tremendous hazard to the employee, patrons, and drivers. He said if the trucks move, so often, the unemployment insurance will go up, and is highly dangerous.

Raul Gonzalez, 70 North Church Street, said he has been here for thirteen years. He said he does not own a food truck but is looking to open up business, and is looking at a few locations, to open up a food truck park. He stated he is looking at spending, at least, \$15,000-\$20,000 on the area with getting

permits. He said this will help the food truck industry, get some picnic tables, and a lot of games, with a stage and entertainment, comedy and local bands. He said he disagrees with the two-hour moving of the trucks. Gonzalez stated he disagrees with the ordinance. He stated it will mess-up, the business, he wants to open up. He said he is trying to bring people to Hazleton, family and a little entertainment. He said when he goes to other cities, people ask him why he is coming to Hazleton. He said they ask him if he is going to buy drugs or do bad things "out there". He said he could, hopefully, open up his business and things go good with the two-hour "thing". He said he will bring positive entertainment and family events to Hazleton.

Mark Rabo, 8 West 1st Street, Hazleton, spoke of Ordinance 2021-7 & 2021-11. He said he has said these things in the past. He asked when the Hazleton Planning Commission had their last meeting. Mayor Cusat stated two weeks ago. Rabo said this was proposed, as a suggestion, for mobile food trucks and license ordinances. He said, under the state planning code, the planning code states the planning commission is involved with issues pertaining to businesses, code, zoning, subdivision, and land development. The Planning Commission answers to city council and not the mayor. Rabo said it would be in council's best interest, in the future, to have the Planning Commission have meetings on these issues. He said he suggests, strongly, this happens in the future. He said they are required to have a meeting once a month and is required by state law. Rabo stated it would be best to table this to "hash" this whole thing out. He asked Atty. Logsdon if these ordinances compliment the zoning ordinance. Rabo stated the zoning ordinance would have to be amended to compliment the stand-alone ordinances since the codification is not ready yet, as per Mayor Cusat. Rabo said council would have to amend the zoning ordinance to include these. Rabo asked Lynch or Mayor Cusat when the grants would be applied for and what money is involved in terms of the funding amounts.

Ricardo Santos, 1133 Route 93, Drums, said regarding the business of a food truck, everyone has a dream and passion. He said some do it for business and some do it for a passion. He said that is why he left New York, for the passion. Santos said being on a food truck is not easy. He said they do everything right. Santos said he sees a story behind every food truck. He said he used to sleep on his food trucks. He stated moving the food trucks, every two hours, is very dangerous. He said, may be, moving them every 10 or 12 hours, but it is up to council because they represent the City. Santos said this community, himself, as a community are asking to reconsider the law. He said the law is right above and this is the City. He said, "you do not know what you are missing" if you did not try their food. He said he was called an outsider before, but now lives in Hazleton, and is no longer an outsider. Santos said we are all "one". He said he loves his community. Santos said they all need to stick together. He said, in New York, you learn to live together and is a very unique community. Santos told everyone to try the food trucks, try them, and get to know them. He said no one needs to be separate and argue. He said his passion is cooking.

Bob Nemeth, 63 Center Hill Road, Sugarloaf, said he does not think anyone is married to Latino-decent, or whatever. He said he is the native, of the area, that has the longest relationship, going, with the Spanish community. He said 34-35 years ago, a Spanish family came to Hazleton, went to Catholic Social Services, for help, and they sent them to his house, asking for food and a job. He said for the past 35 years, he has been involved with the Spanish community. He said no one could say he is racist because this is the furthest from the truth. He said there are some issues, in the town, that are caused from people from New York and New Jersey, and are of Spanish descent. Nemeth said he has been around, for a while, 72 years. He said some people ask, "where is the police force". He said, "you would have to be "living in a cave". Nemeth said our police force is out everywhere. He stated their response time is tremendous. He said he had numerous occasions in being involved with them where they did an excellent job and very professional. He said the same goes for the City's fire company. Nemeth stated they have been very busy the last few years and they are out there; they respond quickly and do a very good job. He said he would like to see an officer, on Wyoming Street, just to take care of the people that "double-park" to go and have something to eat. Nemeth said also for the people who park in the "NO PARKING" here to corner when there is a parking space two spaces "down". He stated the City could

earn about \$1,000 a week in fines. Nemeth said all they have to do is go across the street or go down two spots. He stated if people cannot understand the signs, they should not be driving the car. Nemeth said he is on the street, "morning, noon and night". He said on one-way streets, a car will pass him going up Church Street in the wrong direction and on 15th Street. Nemeth stated the police cannot be everywhere. He said if the mayor needs more officers, the council should provide him what he needs. Nemeth said he is in the process, with some developers, doing the project that will be between \$15,000,000-\$20,000,000. He said, one thing he always hears, "are the garbage people on strike". He said the town looks terrible. Nemeth stated garbage needs to be put in a box, bag or an approved container. He stated no sofas, refrigerators, and bedroom sets everywhere. Nemeth stated it is a "black eye" to the City when they are trying to do big things. He said things are "moving along" in the right direction.

Brandon Gonzalez, 70 North Church Street, said he does not agree with the food trucks moving every two hours. He asked how much business you could get in two hours. Gonzalez stated he worked at Senape's Tavern. He said it could be a "high or a low". He said his father has a good idea to put food trucks in one area. He stated when people think of Hazleton, they say to put a cop on Wyoming Street. Gonzalez said because he is of Hispanic descent he feels "attacked". He stated there are a lot of Hispanics on Wyoming Street. He said he does not see a problem on Wyoming Street. Gonzalez said everyone sees a lot of food trucks there, especially Chase Apada with great tacos. He stated, as a community, we all need to be one. He said Spanish food, Italian food, Frankie's Pizza, Senape's Tavern, and Jimmy's Hot Dogs should be Hazleton. He said everyone says, "oh, going to Hazleton, it is a bad area". He said, instead, they should be talking about the good food trucks. He said someone told him this was done "behind their backs". He said he hopes council listens to all their concerns. He said maybe ten hours, because two hours is not enough.

Perry thanked everyone for "speaking up". Perry said it is not easy to come and speak in front of council. He said he appreciates it. Perry said they represent the diversity of this community with 80-year-old businesses and new businesses. He stated he "likes the passion". He said people are caring about their community. Perry stated he hopes this continues with other ordinances the City has. He said everyone needs to come to a conclusion. Perry stated the City does not have the racial issues, even though they are diverse.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

None

(2ND AND 3RD READINGS)

Ordinance 2021-7

City of Hazleton Business License Ordinance
(2nd READING)

Presented by Perry. Seconded by Barletta.

On the Question:

Perry asked if there are any changes from the last time it was on the agenda. Atty. Logsdon stated the changes made are the "legacy lease", and are in yellow, from two or three meetings ago. Barletta said the legacy lease is very important. She stated they will file a yearly application for business license that shall be exempt from paying the business license fee. Perry asked if this takes the place of the rental registration. Atty. Logsdon said no. Perry said it is separate and would not take effect until 2022. Mayor Cusat disagreed. He said this would take effect in 10 days, from now, but does not take effect until fiscal year 2022. Mayor Cusat stated it would go into effect so the billing is okay. He said he wants it to go into effect but will not be implemented until 2022. Perry said this will affect the entire community. Mayor Cusat said if it was not put into effect, it would not be included in the new codification. He said it needs to be passed, in effect, and sent to the codification company to be part of the new code book. Perry asked if this happens, could it still be amended. Mayor Cusat said correct. Perry said a question council has, in Section 4, #1, "if a resident owns a building with five apartments, they need to get five licenses". He said it states each unit receives its own license. Barletta agreed. Perry said, Section 4 states, "an Occupancy permit must be obtained before the premises is leased/let or within 30 days of becoming an owner. In the case of multi-unit buildings, one application is required per unit, and each unit will receive its own occupancy permits". He asked if it would be \$100.00 for each one. Atty. Logsdon said this was meant for the CAN-DO building with a restaurant or architecture firm. Perry said this is not clarified enough in there. He said, then, it does not refer to a resident with five apartments. Mayor Cusat said no. He asked if the person would need one license. Mayor Cusat stated every business needs its own business license. He said the Markle Building has 51 businesses. He said the business owner would have a license, and every business in there. Perry said this applies for separate businesses. Mayor Cusat said yes. Sacco asked if they could add commercial. Perry said they are "mixing" business with rental and is very confusing. He asked how to separate the rental from the business properties. Mayor Cusat said, Section 4, A-1, refers to occupancy permits. Barletta said it states it also goes into licensing. Perry said Mayor Cusat is referring to a building with multiple businesses. Mayor Cusat this would refer to the Hazleton Shopping Center. Perry asked how to separate this from a rental place. Barletta stated it needs to be easier when people read the ordinance and not questioning it. Sacco asked if it could read in a case of multi-unit commercial buildings. Atty. Logsdon said it could state mixed use commercial buildings. Mayor Cusat said each unit needs its own occupancy. He said the last word, could be changed, from license to its own permit. Barletta said own occupancy permit. Mayor Cusat agreed. Perry said there was some confusion.

Barletta spoke of the legacy lease added at the last meeting. She said if transferred from one family member to another, where the original owner continues to occupy. She asked what would happen if a family member just lives there and the original owner moves out. Barletta said, for example, she has a house with her aunt living in it. She asked if she would need to get a business license for it, not living in this house, anymore, but has a family member in the house. Mayor Cusat said it would not be considered a legacy lease. Mayor Cusat said her mother gives the house to her, she would be allowed to stay there, and this is considered a legacy lease. Atty. Logsdon said sometimes it is called a life lease. Mayor Cusat asked who is considered a family member, how many "eights or sixteenths" related, to the person, do they need to be. He said this problem arose in 2011. He said "where do you draw the line" of who could live there, even though there is no rent, but off the "let live", not "rent to live". Perry said he had a question on Article III, Section B, license requirement. Mayor Cusat said this refers to the big buildings or shopping center. Perry said it 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 dwelling units within the same two-family or multi-family dwelling unit, or on the same deed.” Mayor Cusat stated this is if he lives in one half, and his brother lives in the other, or if a property has the “mother-in-law” house, in the back, or two properties, on the same deed, would be exempt. He said these are most of the family situations with an apartment above the garage or half doubles. Mayor Cusat stated these would be exempt. Perry said they are mixing businesses and renters. Mayor Cusat said the City is making the process of rentals a business. He said, before, if renting a property, the resident was covered under the mercantile tax, and still supposed to pay this stuff. He said this will hold, the resident, responsible for inspections and everything else. Mayor Cusat said this clarifies all of this. Perry asked if this would replace the rental registrations. Mayor Cusat said the paperwork will be the same. Perry said one “paperwork” for everything. Mayor Cusat said when a resident fills out their business license form, one there, it asks who is living there, and is the same as the rental registration. Mayor Cusat said they could amend the rental registration ordinance, later, or get “rid of it”, this does the same thing. Perry said, eventually, “phasing it out”. Perry asked if a resident owns five apartments, would need one license. Mayor Cusat agreed. He said if his business owns five buildings; he would need one license. He stated, for example, if someone buys 742 Alter Street, starts an LLC business, and then buys 900 Alter Street, LLC business. He said they are starting a business for every property in place, and each one is a business. Barletta asked if this business has five locations, and is operating out of three of them, would they need three business licenses. Mayor Cusat each LLC needs one. Sacco asked if the City would “walk into each one” to make sure it is up to code. Mayor Cusat said this is the plan. He stated once it becomes a business, it will be treated like a business. Barletta asked if the City could go into the renters house to “check it out”. Mayor Cusat said this is the “object” or have the fire department check it. Perry asked if they need to make an amendment to this. Mayor Cusat said yes. Barletta asked if the fee is included, in the ordinance, for \$100.00. Mayor Cusat said the business license is \$100.00. He said, with the new codification, the City is trying to get all the fees into one chapter, Chapter 24, not amending and changing things “down the line”. He stated this will set one fee schedule. Barletta asked if the Planning Commission reviewed the ordinance at their last meeting. Atty. Logsdon said no.

Perry said council needs to make an amendment to change the word to occupancy permits. He said Section 4, #1, will be changed from license to its own occupancy permits, the last word. He said this is for the City Clerk to make the changes. Mayor Cusat said also “to accept all the yellow highlighted areas”.

Perry made motion to amend. Colombo seconded.

The City Clerk said council needs to make a motion to take the ordinance, off the table, as it was tabled, at the last city council meeting, on March 10, 2021.

Perry made motion to bring off the table. Barletta seconded.

Roll Call (To Remove from Table): Barletta-yes; Colombo-yes; Mundie-yes; Sacco-yes; Perry.

MOTION TO REMOVE FROM TABLE PASSES UNANIMOUSLY

Perry makes motion to amend, Section 4, to change license to occupancy permit. Colombo seconded.

Roll Call (To AMEND): Barletta-yes; Colombo-yes; Mundie-yes; Sacco-yes; Perry-yes.

MOTION TO AMEND PASSES UNANIMOUSLY

Roll Call (AS AMENDED): Barletta-no; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

ORDINANCE PASSES 3-2 ON 2ND READING

Ordinance 2021-7

City of Hazleton Business License Ordinance
(3rd READING)

Perry stated council has received concerns, and calls, from people who want to get together and look at this further. He said he wants to cover everyone who has questions and could be changed later on.

Mundie asked if council needs to table the third reading. Atty. Logsdon said if it is not being presented, for a third reading, council does not need to table it.

NO 3rd READING- HELD

Ordinance 2021-10

Amending Ordinance 2017-11, Outdoor Burning Ordinance **(2nd READING)**

Presented by Barletta. Seconded by Colombo.

On the Question:

Perry said, he is assuming, Birch Knoll is a part of where the burning will take place. Mayor Cusat said no. Fire Chief Donald Leshko said, at looking at the ordinance, in place, the City amended it to have it only in an industrial zone. Leshko said when he read the ordinance, he got scared because of the 100 feet boundary because some yards the City would get to 100 feet to do this. He said talking with Tino Nocchi, Atty. Logsdon and Mayor Cusat, they wanted to amend it to industrial zone only. Leshko said it will only be in an industrial zone only where this could occur. Perry asked if Birch Knoll could start burning there. Leshko said yes, but needs to follow all the stipulations as in the ordinance. He said they need to do an inspection with amenities, on site, before this occurs. He said there needs to be a greater than 100 foot "buffer zone" around the burning. He stated there will be a time limit. Perry said he does not know how far Birch Knoll is. Leshko stated they are "grubbing" there and moving a lot of earth. He said this would have been beneficial, to them, when they cleared the lot. He said no one has come to the City about this lot. Leshko said they would do it furthest from Birch Knoll. Leshko said they are digging, moving earth and ground already. He said he does not see them coming to the City. He said Birch Knoll residents could be assured there is plenty of room, hundreds of feet away from homes, on the "back side of the property", that burning would occur. Leshko said this would not be allowed, and they would monitor it closely. Perry asked if there is supposed to be a light on Route 309 by Birch Knoll. Mayor Cusat stated the Birch Knoll light would be the responsibility of the Birch Knoll community. He stated if they want a light there, they could go through the occupancy permit, spend about \$1,000,000, put a light there, and maintain it. Perry said there is no turning lane there. Mayor Cusat said it is the responsibility of the development owner. Mayor Cusat said the biggest "hold-up" is widening of the road and the owner, of the new development, had to purchase, pieces of land, off every owner, up there. Perry stated there would, then, be an extra light on Route 309. Barletta said yes. Leshko said the dredge site, the other site, would be closely monitored if this would occur there. He said this is "well away" from

any type of residential or commercial building. He said nothing like this, could happen, in the residential areas, of the City. Leshko said that is why this was amended to industrial area. He said he “went out” to measure one yard, “his own included”, and it would have happened. Barletta asked if they are “on the scene” the whole time while they are burning. Leshko said they will monitor it. He stated they will be there before it is started, monitor it, and periodically, throughout the day. Leshko said they need to be done by 4:00 p.m. every day. He said they will go back at 4:00 p.m. and they will be well aware to have it completed. Barletta said they also spent \$2,000,000 for insurance.

Leshko agreed. He said they have covered all boundaries. He stated that is why they added the industrial site and not for residential. Barletta asked Leshko if they have someone to burn. Leshko said no, no one has come to the City to say they wanted to do this, but they are ready. Leshko said he wanted to make sure they did everything correctly. Barletta said the permit fee is \$500.00.

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

ORDINANCE PASSES UNANIMOUSLY ON 2nd READING

Ordinance 2021-10 Amending Ordinance 2017-11, Outdoor Burning Ordinance (**3rd READING**)

Presented by Colombo. Seconded by Barletta.

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

ORDINANCE PASSES UNANIMOUSLY

Ordinance 2021-11 Amending Ordinance 2018-25, Regulating Mobile Food Service Establishments (**2nd READING**)

Presented by Sacco. Seconded by Perry.

On the Question:

Mundie made a motion to table. Perry asked if they table it, then they cannot open. Mayor Cusat said if council tables this, then the ordinance, from 2018, is in effect. He said if it is tabled or not voted on, then they are in violation. He said, either way, council could change it and “do better” for them. Perry said if this is tabled, they would still be stuck. He stated the current ordinance states, “cannot exceed two hours at any time or eight hours per day. Barletta asked if this would go, in effect, 30 days after passage. Mayor Cusat said whatever it states. He said the other one stays in effect and is, still, in violation. Barletta stated it seems like a major concern with the time after hearing all the public comments. Perry said if council amends the time; they could open up tomorrow. Mayor Cusat said it needs to be a minimum of 10 days. He stated this is the statute. Perry said they want the people to get back in business. Sacco asked if they want to amend this, council needs to vote on the table. Mayor Cusat said council needs to act on the motion to table. Perry stated no one seconded the table, and this motion dies.

Sacco made a motion, number 4, to amend from two hours to eleven-hour span. She asked if they need to do each amendment one-by-one. Mayor Cusat stated council should discuss them. He said if they change #4, to move every so often, they will need to change #2, which states, cannot serve for more than two hours, or a total of eight hours, at one time. Sacco asked if they could both stay at eleven hours. Mayor Cusat said they could operate for eight hours, but be there, for eleven. Barletta said it was, originally, a duration of two hours, and now eleven. Mayor Cusat said it stated, "not to exceed eleven hours". Mayor Cusat said if the object is to give them eight hours of work time and a total of eleven hours, to be on site, and one hour and a half hour prep. He said, then, council needs to change #2 to eight hours, and change #4 to eleven hours. Perry said he would like to change it to twelve. Sacco agreed. She stated, "two to open, two to close". Barletta asked if cannot be in a location more than eight hours, and not to exceed twelve hours. Mayor Cusat said they would need to move every twelve hours in an O, CC and CH zone. Barletta stated this is very reasonable. Mayor Cusat said council could have the ordinance to go into effect immediately, but the statute of the 10-day wait period would go. He said if the City Clerk would get the paperwork ready for him, tomorrow, he could sign it, and it would go into effect immediately. Perry stated he wants to get them back to work tomorrow. Mayor Cusat stated there is a total of three amendments to be made. He said one is Section 5, Letter A, #2- change to not to exceed eight hours. He stated they could sell for eight hours. Amendment #2- Section 5- A #4- needs to move every twelve hours when operating in an O, CC or CH zone. He said Amendment #3 would be the ordinance would take effect immediately. Sacco asked for their example of "their situation", and becomes effective immediately, could council give a grace period. Mayor Cusat said no. He stated council could not interfere with zoning or code. Sacco asked if this would go back in front of zoning. Barletta asked what this situation involves because she is not familiar with it. Mayor Cusat said they have a food truck that is stationary on Wyoming Street. He said they are a building in a service area does not know what this is considered and wants an exemption as to not move from this area. He said the City cannot do this. Sacco asked if they go to zoning with the contractor's information, with "x, y and z" with a finished date and time, would this help. Mayor Cusat said this is up to zoning.

Mary Malone (*inaudible*).

Perry said the City's recommendation would not carry much weight. Mayor Cusat said it is two separate bodies and should not get involved. Perry stated that is why there is a separate zoning board. He said he does not know if they would wait to get a notice of violation, for not moving, and then time to answer it. Atty. Logsdon asked if there is a notice of violation pending. Sacco said no. Mayor Cusat said zoning or code would need to give them a notice of violation and then be acted upon. He asked the owners if they came to talk to them. They said yes. Mayor Cusat said there was nothing issued. Perry said they were trying to be fair. Mayor Cusat said the City is not trying to put anyone out of business but build for the future.

Perry stated this is to benefit the food truck owners to get out there as soon as possible. He said they would, then, be back to square one. He said if there is a problem, in the future, they could come back to council, fix and amend any ordinance the City has. He said as things change, they need to change to. Perry said they received communication from multiple organizations, as the Dominican House and business owners. Perry said this time thing is "handcuffing" them, and they want to be cognizant of that. Barletta asked if there were any other concerns that were spoken of. Perry said he does not think so, but the time was the big one, they could go back to business, and follow everything else in the ordinance.

Perry made a motion to amend Section 2, 4 & 11 to immediately.

MOTION TO AMEND:

Presented by Perry. Seconded by Sacco.

Roll Call (TO AMEND): Barletta-yes; Colombo-yes; Mundie-yes; Sacco-yes; Perry-yes.

MOTION TO AMEND PASSES UNANIMOUSLY

Roll Call (AS AMENDED): Barletta-yes; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

ORDINANCE PASSES 4-1, AS AMENDED, ON 2ND READING

Ordinance 2021-11 Amending Ordinance 2018-25, Regulating Mobile Food Service Establishments (**3rd READING**)

Presented by Perry. Seconded by Sacco.

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

ORDINANCE PASSES 4-1

RESOLUTIONS:

Resolution 2021-30 Honoring Tarone's Supermarket on its 80th Anniversary

Presented by Colombo. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-31 Approving Application for a Greenways, Trails, and Recreation Program (GTRP) Grant

Presented by Perry. Seconded by Colombo.

On the Question:

Perry said this is for Pine Street only.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-32 A Resolution Requesting Department of Conservation and Natural Resources (DCNR) Funds for the City of Hazleton's CAN-DO Community Park Phase III

Presented by Perry. Seconded by Sacco.

On the Question:

Perry said this is a long time coming in getting this done. Krista Schneider, Downtown Alliance for Progress Director, said they are trying to fund the third phase. Perry said this is the for the section, off Broad Street, the back end. Schneider said correct. She said it is for beautification, landscape, brick, oval walk, retaining walls, staircase, stage and all utilities.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-33 A Resolution Requesting Department of Community and Economic Development (DCED) Greenways Trails and Recreation Program Funds for the City of Hazleton's CAN-DO Community Park Phase III

Presented by Sacco. Seconded by Barletta.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-34 A Resolution Authorizing Equipment Purchases

Presented by Perry. Seconded by Sacco.

On the Question:

Barletta said they would need to take public comment because this resolution was not on the council agenda. Perry asked if anyone has any questions because it was not on the agenda and added on.

No public comments received.

Colombo asked if the sanitation truck is a garbage truck. Frank Vito, DPW Director, *(inaudible)*. Atty. Logsdon said there were two other items he missed to include in this ordinance. He stated he included the Vactor truck, the street sweeper, the sanitation vehicle, and four portable light towers. He stated there were two he missed: a loader for \$208,006.60 approximately and a road patcher for \$238,357 approximately. Barletta asked what fund this is coming out of and the total. Mayor Cusat said they are "picking and choosing" from whatever money is left over from the fund he has. He said they want to start shopping for these. Perry asked if he is going to get all these items but use the money that is left over. Mayor Cusat said they would love to get them all but needs to see what the prices are now. He stated the price of steel is going up and the price of Caterpillar items are "through the roof". He said he wants to pick, choose and see what they could get now. Barletta said this is a resolution to get prices. Mayor Cusat said yes. Perry said this does not include the \$17,000,000 from the CARES ACT funding. Mayor Cusat said no. He said if that money could be used, the City would get them all. Vito *(inaudible)*. Mayor Cusat said this includes the "pothole killer", the one the City had up the Heights, about two years ago. He stated they want to be authorized to look and will utilize the money, out of refinancing, to make the purchase. He said there is a lot of items the City could get, but payments will not start until 2022. He said whatever the City could get, "get now", before the price increases. Vito *(inaudible)*. Perry said the City, probably, will not be able to get all the items due to the costs. Mayor Cusat said he wants to get, everything in place, in case the CARES ACT money is opened up. He said if all municipalities get the money, the orders will be "flooded". He said he wants to be able to call "Medico up" to order and sign the paperwork. He stated the "flood gates" will open at some point. Barletta asked how much money, the City, could use for the items. Mayor Cusat said the City could use about \$700,000. Lynch said if council changes their mind or want to do more, and not do two bonds, he said it might affect the debt service, in 2022, but could see how minimal the impact is now. Perry asked if the City could go up by millions. Lynch said no. He said beyond equipment, anything that is on the horizon could be done now. He said there will be some left over and that what the City is looking at here. Lynch said there will be money coming for equipment. He stated once the laws are signed into effect, the vendors know this, and the prices go up. Lynch said "out of the clear blue", he gets calls and emails from vendors to talk to him regarding COVID-19 items. He said, once it goes out, it will be competitive. Perry asked Vito if he needs a salt shed. Vito *(inaudible)*. Barletta stated these are only quotes. Mayor Cusat said estimates. He said the only accurate estimate he has is for the loader is \$208,006.60. Lynch stated most lease purchase arrangements the City could go up to one year before making the first payment. He said council still needs to authorize it, because it is a monetary purchase, it does not affect this year's budget. Lynch stated the City may come back and say the money, left over from the bond, the City could get four, of these things, but want to get the fifth one, and need another \$50,000. Lynch said the City is just getting these things, lined up, in advance, for when the bond is ready to close.

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

RESOLUTION PASSES UNANIMOUSLY

Old Business: None.

New Business: None.

Comments from the Audience: Luis Polanco, 237 West Broad Street, thanked council for “opening their doors” to listen to the concerns of the community. He also thanked Mayor Cusat for willing to listen and work together. He said this community will give the best to Hazleton. Polanco said he lives in McAdoo. He stated when he moved, over here, and helped a friend move, on Saturday, and Sunday, he was renting an apartment. He said this was twelve years ago. Polanco stated when he started to look, for information, on a high school, he was living in Allentown. He said before he moved here, from Allentown, people in Allentown asked him, “what are you going to do in that ghost town”. Polanco said his answer was, “be another ghost, and try to make a living”. He said the experience, he had, living in Hazleton, has been the “best of the best life”, in the last eleven years. He said to keep up the hard work, let’s keep together, and do better for everyone.

Nicoral Soto, 206 Berner Avenue, thanked council and Mayor Cusat for working with them. She said they are “one community and could work together”. She said she wants to confirm the ordinance. Soto said “they will work eight hours in a period of twenty-four hours and move every twelve hours”. She said this is her home, came to the City when she was 50 years old, her City, and glad they are working together.

Mark Rabo, 1st Street, Hazleton, said last night, at the Luzerne County Council meeting, they were going to vote on the county’s Comprehensive Plan. Rabo said he was very disturbed about very important details that were omitted, or left out, regarding Hazleton. He stated Perry’s brother did another amazing job, as councilman, at the Luzerne County meeting. Rabo said he brought this to the county council’s attention. He said the City’s drinking water, West Hazleton’s and other municipalities drinking water draw off the Lehigh River. Rabo said this was left out of the Luzerne County’s Comprehensive Plan. He said the City draws about three million gallons of water per day. Rabo said leaving this detail out, which impacts the area for ten years, could irrevocably, effect grants in terms of state and federal, and if something would happen to the water distribution network or the filtration plant. Rabo said he would hope that Mayor Cusat or Alan Wufsus who worked with the county, on the Comprehensive Plan, would give them this detail. He said, fortunately, they tabled the Comprehensive Plan for the end of the month. He asked if this could be included, along with housing issues, that effected the City. Rabo said there was also an issue with Cranberry Creek for future housing development. He asked should there be an environmental impact study done for future housing. Rabo stated there is also mine subsidence in this area. He said this needs to be put in for future exploration, not only Cranberry Creek, but other housing land opportunities. He said Luzerne County Council asked him to have the agencies and officials come up with the language to put in there.

Vianney Castro, 1117 West 15th Street, Hazleton, thanked Jack, Jim, Tony, Allison, Lauren, Jeff and everyone, for the help today. He said, for the Spanish Business Association, they appreciate this and their understanding. He said, hopefully, they could keep working together and be a better City.

Comments from Mayor: Mayor Cusat said there was a great crowd and discussion tonight. He said this is what the City needs to move a lot of the ordinances forward. He said a lot of things, have changed, in the last 22 years since the last code book was codified. He stated he is trying to get this together to get it finished and give everyone, an opportunity, to read the code book, online. He said once the code book is done, it will be in multiple languages. He said the food business is “tough the way it is” and the City does not want to hurt anyone. Mayor Cusat said there is no one more in the restaurant’s then him. He said he has been cooking for 35 years, cooking since the age of 9, and is a tough business.

Mayor Cusat said the City has lost Mr. Gennaro. He said every time there was a tough meeting, Gennaro would call him. He said he was good and a great guy.

Mayor Cusat stated he wanted to talk about the little “blue elephant” up the Heights. He said, from the City’s standpoint, a gentleman came in, applied for zoning for an auxiliary structure. He stated under the current zoning ordinance, the structure is legal, and there is nothing the City could do. Mayor Cusat stated they went through the application, and everything they could do. He stated, currently, it is a civil issue. He said if someone would want to challenge it, on his original deed, they could do that. He stated there is no, current, violation, under the zoning ordinance. He said under the zoning ordinance, the City presented, weeks ago, this would have not happened. Mayor Cusat said the zoning ordinance, in place now, is from 1996. He said pole barns were not an item back then. He stated this is why it is important to get the new zoning ordinance put through. Mayor Cusat said there are a lot of other things, going on, that some people do not like. He stated, according to the ordinance, it is legal. He said some people, up in the Terrace area, thinks the City “dropped the ball” on this one, but they did not. He said they looked at it from every angle and spent a lot of time, on this one, to make sure it was done right. Perry asked if the property, on Laurel Street, with the owner knocking down the house to put a pole barn up, would be in the new ordinance. Mayor Cusat said it would be considered an auxiliary structure. He said there is a limited size, with anything over 1200 feet, would need a variance, under the new ordinance. He said it is up to a two-car garage. Malone said the 35-feet was what the ordinance was for the set back. She said it was all curbing with no entrance. Mayor Cusat said anybody could ask for off street-entrance ways and this was approved. He said this was part of his application. Malone asked if the height, of the building, that was put up, was also acceptable under the old ordinance. Barletta asked if there are any setbacks. Mayor Cusat said the setbacks are all good. He said the owner has become aware of several complaints from his neighbors. He stated it has stopped while it “pans itself out”. Perry stated he does not know how much of a chance someone would have in civil court.

Comments from City Administrator: Lynch said he has no comments.

Comments from Council: Mundie said one of his clients said he sent in two checks, to the City, one for \$650.00 and \$127.00 on January 4th and were never cashed. He asked if there is a reason why thy City would hold the checks. Mayor Cusat said no, and nothing he is aware of. He said this is when all the problems, with the post office, were going on. Mayor Cusat said the City has not cashed one of his checks yet. He said as long as it was not cashed by someone else. He said there should not be anything sitting. Mundie stated he has a business in town. Mundie said people are taking checks from other people’s mailboxes. He said it is a big problem. Mayor Cusat said a lot of mailboxes, in town, have filled in the slots, with an insert. He said, now, only one letter could be put in at a time.

Barletta thanked everyone for their input tonight. She said we are definitely one community, wants to listen to all the concerns and make it work for everybody.

Colombo thanked everyone for coming to the meeting. He said he spoke with Charles Gennaro’s son. He said he reiterated how much Charlie loved the City. Colombo told him that the City loves him. He said there will be a memorial service, the early part of May, for him. He stated he was 99 years old. Colombo asked everyone to keep Charlie in their thoughts and prayers. Barletta concurred.

Sacco thanked everyone for the turnout and voicing their concerns. She said this is how council could get a “full-angle” view of everything. She said council is happy to have everyone and looking forward. She stated there is a good voice in the community with a gentleman who is strong, smart and very respectable.

Perry extended his condolences to the Gennaro family. He said city council will be having a proclamation, to honor him, at an upcoming council meeting. Perry said everyone could learn from him with his smile and loving the City so much. He said he was an amazing man.

Perry thanked everyone for coming. He stated this is the way it is supposed to work. Perry said he hopes this is a start of something else. He said with the business license, council would like to have a particular time to listen to everyone, with a WORK SESSION meeting. Perry stated this one is very detailed and will affect everyone in the community. He said, currently, there is a Parade Ordinance on tonight's WORK SESSION agenda. Perry said they could receive questions on this. He said council also has trouble understanding the nuances. He said council wants to give time for everyone to absorb it in the community. Perry stated, "the best is yet to come".

Barletta told everyone to "stick around for the Parade Ordinance".

Perry said the City's goal is not to shut anyone down or pick on any particular group of people. He said the City is evolving and wants to be there to be successful. He said everyone could work together. Perry said it is changing for the good. He said he wants the City to be the "pillar" for everyone around us to say the City could work together. He said he lived here all his life. Perry said the City is getting more people, more housing, and more businesses. He said he wants everyone to live in harmony.

Comments from Junior Council: None.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 9:35 p.m.