

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, MAY 12, 2021**

Council met for a WORK SESSION on Wednesday, May 12, 2021 in Council Chambers and via ZOOM Teleconferencing. The WORK SESSION began at 8:10 p.m.

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

Mayor Cusat spoke of Ordinance 2020-15- Special Events, Parades and Public Gatherings.

Mayor Cusat said he, Atty. Logsdon and Sacco gave some ideas to put this together and start something. He said he started laying "this out". He said he put in here some of the things that are the most important but still have a lot of other things, to discuss, and find a "home" in the ordinance. He stated the biggest thing will be the spread sheet where he listed the properties the City owns, the location of it, and what he feels okay to do on these areas. He said if someone comes to him and wants to have a family picnic, with no music, then any park, with a picnic table, could be used. Mayor Cusat stated if someone wants to have a rally, with a speaker, and amplified sound, it will fit into any of these parks. He said if they want to have amplified music, with a DJ or amplified music, they could only use the ones he has marked. He said City View Park is the only spot to do just about anything. Perry said Mayor Cusat is writing the rules down and will just give this to any resident requesting an event. Mayor Cusat said if someone wants to do a run or walk, he has been looking for donations, for City View Park, and has received \$35,000 to create and pave the old walkway. He said it is a total of 3,020 feet long. He wants to maneuver it where it will be one mile and the walks or runs could be there. Sacco asked if it goes around the outside. Mayor Cusat said it goes up and around the pavilions and the dog park. He said they will be working on this, in 2020, when they find the time. He stated he does not want to say no to anyone. Mayor Cusat said any requests that have been made has been worked into something into the ordinance. Perry asked about block parties. Mayor Cusat said he wants to set limitations on the length, duration and time of the events. He said they need to set a maximum of how many streets could be blocked off. He stated two blocks is the maximum number of streets to be blocked off, at any given time, even Funfest. He said from Wyoming Street to Church Streets is two full blocks. He said if someone wants to block off Wyoming Street, they could have a maximum of two blocks and closing only one intersection. He stated the City is too busy to block off a lot of streets. Mayor Cusat said this is one thing to discuss. He said if someone wants to have a large event, City View Park is available.

Mayor Cusat said they also need to discuss available parking spaces. He said Columbus Park, also called Memorial Park, is dangerous to have events there because there is no parking on Diamond Avenue and Church Street. He said it is set up like a "triangle". Sacco said the parking issue should be included in this ordinance. Mayor Cusat said it could. Sacco asked if City View Park has a restroom. Mayor Cusat said no. He stated it will by the end of the summer and hoping to have them done by July 4th. He said it has electricity and the only park that has it. Sacco asked if a place does not have electricity, could someone bring in a spotlight. Mayor Cusat stated after dark, the parks close at dusk, unless approved by him.

Mayor Cusat said looking at Section 4, Page 2, there are three categories: Parades and processions, gatherings, and sporting events. He said then it was broken down further: 1. Parades and processions would be one, utilizing the pedestrian walkway with a couple of rules. 2. Parades and processions utilizing driving lanes of City-owned streets, such as church picnics and block parties. 3. 1-2B- The length limitations. He said he would like to set a time length and distance length for a parade. He asked how

big the City wants to let these parades go in blocks, miles and time. Perry asked if the longest parade is the Funfest parade. Mayor Cusat said most of theirs was not in Hazleton. He stated the MPB parade is the longest because it “zig-zags” through the streets. Sacco said this will be fixed, in 2021, because she said the City cannot be made an “ass” of this year. Mayor Cusat stated they need to talk about blocking of traffic, roadways and intersections. He said there are more details to discuss but he started this. He said gatherings were broken down to public property and private property. He said, under public property, would be protests and the fundraisers that have financial commerce, family and personal events. He said they also broke it down into private property which would be a fundraiser with financial commerce, family and personal events. He said one would be a communion party or relay for life party. He said under sports, short-term or long-term, which would be a single event, seasonal, and multi-year agreement with certain leagues. Perry asked if this is for any possible event in the City. Mayor Cusat said they are trying to include everything that has gone on, in the City, that he could remember. He said this is why it is taking so long.

Sacco asked Mayor Cusat to talk about alcohol at these events. Mayor Cusat said this is a separate ordinance and will deal with this later. Sacco said the people asking about the alcohol, technically, alcohol is not permitted anywhere. Mayor Cusat said only City-sponsored events permits this. He said he included this, in one section of the ordinance, today, about violating other City laws.

Mayor Cusat said the only exceptions are funeral, wedding processions or any City parades or events will have their approval. Perry asked if this covers the previous firemen parades. Mayor Cusat stated they would need to fill out an application.

Mayor Cusat said Section 8- Applicant costs, needs to be discussed. He said, depending on each contract and if they need to have streets blocked off and is on a weekend, the City needs to call out DPW employees and put-up barricades. He said they will need to pay them overtime, according to their contract. He said it will be a two-man, four hour minimum, and paying eight man hours, with a prevailing wage. Mayor Cusat said the requesters will be responsible to pay them. He said they will define the costs because they change every year, by pennies. Sacco asked about street closures if the organizations need to come to him and write down the streets they want blocked off. Mayor Cusat said yes, this is how it was done, in the past. He said they have made some suggestions to change the routes to make them more acceptable. He said if they want to go onto a state route, PENN DOT needs to approve this. He said there are also emergency routes. Mayor Cusat stated there are a lot of events, this year, with City View Park booked every weekend. He said on May 21st there is a dance recital. Perry asked if the City is asking for a security deposit only. Mayor Cusat said they have been asking for a security deposit. Mayor Cusat said there is nothing that states they need to pay a fee. He said it is a park and people should be able to utilize it. Perry asked if Community Park pays to use this park. Mayor Cusat said yes and has a copy of their fee schedule. Barletta asked where Rotary Park is. Mayor Cusat said it is down by the Dee Deakos building, the little side building, and small. She asked where Candlewood Playground is. Mayor Cusat stated it is in Candlewood Circle, but nothing is left there. Perry said it is next to Franklin and just an empty lot. Mayor Cusat said next to the Grand Smoke Shop is a little City park. He said there is, also, a “triangle piece” on Diamond and Locust Street with a little City park.

Mundie asked Mayor Cusat if he checked other cities ordinances. Mayor Cusat said he has a lot of their ordinances, but theirs do not pertain to the City’s needs. He said theirs involve large venues that their cities own. Mayor Cusat stated Allentown has their fair grounds and fields. He stated a lot of the City’s needs come from private individuals asking to do smaller functions. He said one he received today was a gender reveal at the City View Park. He said he took the word permit, out of everything, and will be an application. Perry asked if there will be one application fee. Mayor Cusat said it will be, basically, one application and they need to describe their event and the streets to be utilized. Perry asked if the City is covered for the liability and holding them “harmless”. Mayor Cusat said yes, the City’s insurance covers the majority of issues. He said if the City parks are used, the City is covered, but the questionable ones

come on the sidewalks or streets. He said if they use the sidewalks and streets, they need to follow the pedestrian laws. Mayor Cusat said council could take this ordinance and make notes.

Mayor Cusat said Section 4 needs more details or any more requirements with limitations. He said they could think of an example he did not. Perry said the parking lot, across from Frankie's, could be utilized. He said they used it and the rules could be used in the area. Sacco said they put tents at the MPB parking lot. She asked if this event would have to conclude by 8:00 or 9:00 p.m. Mayor Cusat stated they could say anything, at this event, and would follow the guidelines as the playgrounds.

Atty. Logsdon stated they tried to leave things flexible because there are many different events. He said there could be medieval events, role playing or larping events, a show, or yard sale. Mayor Cusat said it could also include a car show. Sacco asked if the run they are having, on July 3rd, is good. Mayor Cusat said he is meeting with them on Tuesday to go through everything. Mayor Cusat said Rails to Trails is in Hazle Township.

Mayor Cusat spoke of Section 8 in the ordinance with the costs. Sacco said she likes the security cost of \$500.00. Atty. Logsdon said they are trying to be cautious of a "crushing" type fee situation. He said they got a lot of input from the last ordinance. He said, in the old version, there was a \$1,000,000 insurance policy. He said even the bigger events, in the City, such as church or little league events, will not be easy for them to get a big insurance policy. Colombo said it is cheaper for people to pay a \$300.00 littering fine than just litter. He said if there is a "bite", into it, of \$500.00, they may think twice. Sacco said any event, she attends, they need to pay a registration, give a separate check, and if the area is cleared, they give it back. Mayor Cusat stated people have the right to use the parks no matter what. Colombo said they do not have the right to leave it "a pig sty". Mayor Cusat said if someone goes to James Street playground, leaves garbage everywhere, the City cannot charge them, but still is the City's responsibility to pick it up. He stated he does not want to charge someone \$500.00 who wants to go to a playground, use the picnic tables for a birthday cake and use the sandbox. He said they do not want to talk people out of using the City stuff but wants to keep people in the City. He said larger events the City could charge. Mayor Cusat said, at City View Park, people could utilize the stage and all four pavilions. He stated he has no problem charging people. Sacco said it is a beautiful spot. Perry asked if they would need to clean up garbage. Mayor Cusat said there are trash cans up there. He said he and Gary Perna want to make reserved signs. He said he wants the baseball, softball and hockey leagues to fall "into this" and making a commitment to reserve these fields or basketball fields. He said 17th Street, St. Stan's field, is the City's. He stated the Hazleton Little League fields are owned by the Hazleton Water Authority. He stated two fields are in Hazleton, and two fields are in Hazle Township. Atty. Logsdon said they were specific about being content neutral. He said this is something the administration could sit down when an application comes in with either a gender-neutral party or an outlaw bike rally to figure out the difference and the environment. Sacco asked if they could take the application fee and put it in, We Are Hazleton, and turn it around to put it back in the community. Mayor Cusat said most of the fees, currently, go into the recreation department. He said they are always looking to improve the City. He said there are a lot of plans for City View Park. He said there are always hundreds, of people, at Community Park, during the summer. He said the City needs an area like this. He said a few companies have reached out to have their events somewhere. He said, in June, Father's Day weekend, a big pole climbers' event may be in the City, with 1,200-1,400 people, that will last for three days. Perry asked if the City needs to work on the entrance. Mayor Cusat said they need to repave it because it gets washed out every year.

Barletta asked when the ordinance will be ready. Mayor Cusat said about 2-3 council meetings from now. He said it is too late for 2020. Perry said it is a work "in progress". Mayor Cusat stated he would like to get something to put into the codification and make minor changes later.

Mayor Cusat said some events have overlapped and had to deny some. He said he is getting a lot of requests. Perry said council will review this ordinance. Mayor Cusat said they will keep working on this

with issues that come up every week, taking precedent, and stuff gets “bumped out”. He said other municipalities may have an event that the City does not.

Perry asked if Mayor Cusat if he received any information on the payroll preparation tax. He said he was working on this and is looking at who would be exempt from this tax. He stated PEL got him another list. Perry said in order to compensate for the mercantile tax, they would need to see what the cost is. Mayor Cusat, currently, it is .3 mills, if he is right on all the exemptions. Lynch said it is probably about half if not a little less. He said the biggest exemption would be Lehigh Valley Hospital. He said most businesses would save money. Barletta asked about a loss to the City. Mayor Cusat said it would become neutral. Lynch said the City would not be allowed, arbitrarily, to bring in more than what was received before. Mayor Cusat said the first year could not exceed but could increase in the second year. He said that would be good due to COVID-19. Lynch stated most businesses would not exceed gross sales.

Barletta (*inaudible*). Colombo said he was speaking with Mr. Fred Kudlick and the problem of noises by the railroad tracks. Colombo stated Kudlick spoke to a railroad representative and they acknowledged they had a problem and was working on it. Colombo stated Kudlick said they never addressed the noise and the issue continues. Mayor Cusat stated the last he heard was the hospital fixed what they thought the issue was. Perry said there, may be, about ten homes along this stretch. Barletta (*inaudible*). Sacco asked if the noise is only overnight. She said she was cleaning up this area, about 45 minutes, and did not hear anything and nothing “popping out”. Lynch (*inaudible*). Sacco asked if the City has a “decibel” thing to go out to a property. Colombo said this is why the state police cannot do anything with motorcycles. Perry said this would be good to purchase for the police department. Mayor Cusat (*inaudible*). Colombo said, in Mr. Kudlick’s defense, he has heard the noise at the firehouse. Sacco asked Colombo what it sounds like. Colombo stated it is a noise that he cannot describe. Mayor Cusat (*inaudible*).

Perry made a motion to adjourn the WORK SESSION meeting. Meeting adjourned at 8:23 p.m.