

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, JUNE 9, 2021**

Council met for a WORK SESSION on Wednesday, June 9, 2021 in Council Chambers and via ZOOM Teleconferencing. The WORK SESSION began at 9:30 p.m.

In attendance were City Council President James Perry, Vice-President Anthony Colombo, Allison Barletta, Lauren Sacco and Jack Mundie. City Officials present were Mayor Jeff Cusat, Atty. Sean Logsdon, Dan Lynch and Police Chief Brian Schoonmaker. Donald Leshko, Ralph Sharp, Joe Zeller, Mary Malone- Hazleton Chamber of Commerce Director, and Krista Schneider, Director of Downtown Hazleton Alliance for Progress attended on ZOOM.

Mayor Cusat spoke of Ordinance 2021-15- Special Events, Parades, and Public Gatherings. He said the City is moving on here "pretty well". He said it is not his job to write ordinances and get "beat up". He stated he spent four hours on this today to get ready for tonight. He stated he will help them as much as he could.

Mayor Cusat asked council what they want to reject or allow. He said the document city council has, in their hands, is from four hours of work and added some additional stuff. He asked if they want to allow any political action i.e.- campaign speeches, campaign rallies, election speeches or political gatherings on City properties. Barletta said no. Mayor Cusat stated these are very controversial to do, and he is not doing these. Barletta said this is "her take". Mayor Cusat stated these are "brainstorm" words that came to mind.

Mayor Cusat said city council needs to go through the reasons for denials and has 13 of them. He stated they need to get back to them on which ones they want to keep. He said he added outstanding costs, for prior costs, due to the City. He said, #13, states, "if any of the following safety measures are inferred with". Mayor Cusat stated there are seven or eight of those. He said he came up with 13 reasons, for denial, he came up with. He said he put some limitations on what a block party could be, and if it is in a business district, no more than two blocks, of the closure of one cross street. Mayor Cusat stated with Funfest going from Wyoming Street and Church Street, the only street to be blocked would be Laurel Street. He said they need the majority of the occupied businesses or residents to approve. He stated if it is a residential area, maximum one block, with no streets closed, and the majority of the resident's approval. Perry asked if he gets people asking for this. Mayor Cusat said yes, all the time, for churches: MPB Church, St. Gabriel's Church, and Our Lady of Grace Church. Perry stated most people do not do more than a block. He said there have been requests for Wyoming Street to be closed to have block parties. He said he defined it according to the Zoning ordinance where and in what locations. Colombo said Funfest would be from Wyoming to Church Streets and closing Laurel Street. He asked if this is for events, asked about a parade and if they would only have two blocks. Mayor Cusat said parades are different. Perry asked if the \$1,000,000 insurance policy is standard and what is the cost. Mayor Cusat said a "couple dollars", and it would be for a one-day event. Barletta asked how the parades work; resident comes and puts an application in. Mayor Cusat said he broke down parades into utilizing a pedestrian walkway or using a driving lane. He said utilizing a pedestrian walkway, basically, they need to follow all pedestrian laws. If using a driving lane, and acquiring a lead or tail vehicle, he has a time-limit, in Section 4, 1-B, time limitations states, "no special event, using driving lanes, shall exceed, 60 minutes, in duration, from the approved scheduled starting time. He stated if they start a half hour late, "too bad". Barletta asked if they need to have a police officer. Mayor Cusat said they need to have a vehicle, equipped with emergency lights, in the front and back. He said the maximum distance length states, "no special event utilizing driving lanes shall exceed two miles or 10,560 feet, in distance, from their approved starting location". Perry asked if there is a reason for this. He asked if MPB Church could

still have their parade. Mayor Cusat stated their parade is not more than two miles. He said two miles equals 48 blocks. Barletta stated two miles is reasonable. Mayor Cusat spoke of blocking of traffic, roadways and intersections. He said if it is a "vehicle-only" special event, each intersection of all streets that will impede the normal flow of traffic. He stated if there are stop signs and traffic lights, each needs to be either blocked, barricaded, or have a crossing guard. Mayor Cusat said a combined vehicle and non-vehicle, each intersection must have someone to block, for pedestrians. He said, for a non-vehicle, then everyone needs to be either blocked, barricaded, or have a crossing guard. Barletta asked what the cost is. Mayor Cusat said there is no cost for the application, but the cost they need to get. Mary Malone asked if they would give some examples to what the potential costs are to an entity or an organization. She asked how quickly they will "hit the \$300.00 cap". Mayor Cusat stated this will not be ready until the end of the year with one city council meeting in July and August and will not effect, anything, this year. Malone said it is important to include this in the ordinance. Mayor Cusat stated this is in Section 8- Applicant costs and will be pretty-well defined when they get there.

Mayor Cusat said public gatherings should be broken down into two kinds, one with a street closure, and one without a closure. He stated one with a street closure is a block party. He said it does not need to include a band, but this needs to be broken down into two classifications. Mayor Cusat said the public property gatherings with no street closure, i.e.- park or playground, that was discussed two meetings ago. He said he wants to break it down to reserving a venue or the exclusive use of a venue. He stated reserving a venue would be to use a pavilion for a birthday party. For the exclusive use, they would want the "entire park". He said for the "entire park", the City needs to set a fee, \$1,000, but with this cost, they would have police presence, one officer, and the \$1,000 fee would cover this. He stated he is just "throwing out" \$1,000 for talk. He stated with a reserved event, the event coordinator shall have the right to call 911 to enforce any interference with the approved special event. He said if anyone gives them a hard time for the special event, being at the pavilion for a birthday party, they will enforce the reservation. He stated if there is an exclusive use of a venue, the officer will be on site and address the situation. He said there are some big events coming this year, - i.e.-wine fest. He said it is not "out of line" to what other municipalities are doing. He stated, currently, there is a security deposit for garbage clean-up. Mayor Cusat said insurance is something else they need to talk about. Perry asked if this is in effect now. Mayor Cusat said no.

Mayor Cusat spoke of parties on private properties. He said he put into the ordinance for a fundraiser or financial commerce. He said if they want to use their own parking lot or property, downtown, or a carnival, they will still have to file an application with the City. He said there is no charge, but still needs to be filed. Barletta asked for every private property. Mayor Cusat said only if it requires special assistance from the City. He said if they want fireworks or a food truck coming onto the property. He said if someone wants to run a flea market. He stated someone wanted to use Center City, downtown, and put tables up and charge them to use the park. He said they would set up on the grass area and use City property to charge people. He said this is an issue to use the City property and charge to run their business without paying anything. He stated, currently, there is nothing that states he cannot do this.

Mayor Cusat spoke of sporting events. He said they need to be defined, the short-term events, a single event, a seasonal event, and the multiple year agreements.

Mayor Cusat stated he has exceptions for are funeral processions and wedding processions, and events-parades and events sponsored by the City of Hazleton. He said if they have a "Tony Colombo Parade", this would be exempt.

Mayor Cusat spoke of Section 7- Limitations on Events. He said each City-owned property shall have a list of approved usages. He said council does not have this on their list because he made this change today. He said this is, basically, the spread sheet he distributed. Mayor Cusat stated if someone wants to have amplified sound or music, there will be a list for every park. He said live music will only be allowed

at City View Park. He said he updated it several times. He said they need to make them aware of the potential costs at the time of the application.

Mayor Cusat spoke of potential charges for street closures, vehicle operator, refuse removal, electric costs, traffic control and parking convenience and an impact fee. He said if someone has a financial event at City View Park, the City should talk about getting \$2.00-\$3.00, per car, that goes for the impact of the land. He spoke of excess trash and clean up charges. He said the City should be able to bill afterwards. He said if someone has a birthday party and leave 50 cardboard boxes there, this is excessive trash, and the City could bill them. Barletta asked what the deposit is. Mayor Cusat said, right now, it is \$50.00, but the City needs to set this. Barletta stated it should be higher. Mayor Cusat said there is no ordinance that allows him to get anything higher. He also spoke of lost revenue from parking meters, parking spaces, and/or parking garage. He stated if someone wants to use the parking lots, for one week, and the City approves it, loses revenue, the City should be able to recoup some of this.

Mayor Cusat spoke of political rallies. He said if the City considers this an executive use and pay a fee to use the parks. Perry asked what other cities do because they have political speeches. Barletta asked if these are speeches or fundraisers. Mayor Cusat stated he does not know how to do this. He stated there were registrations, this year, on City property, and the phone did not stop ringing. Barletta stated she does not know if the City should go down "this path". Mayor Cusat said he asked them to please use a private lot and they did. He stated it is pretty hard to eliminate all political events. He said Melania Trump was supposed to come to the City in 2020. He said, "how do you tell the President's wife she cannot come to the City". Perry said they had a rally at Columbus Park with Columbus' statue. Mayor Cusat said what if they want to have a rally, and not rent a restaurant, and want to use City View Park, and invite people to pay \$100.00 a person. He said he does not want anyone making money on City property.

Perry said city council could go through this and see if there is anything. Mayor Cusat said he will send them where he is "at now". He stated he put a "bunch" of new definitions in the ordinance. Perry said they need to look at the costs. He said he utilizes the zones, from the code book, and the Zoning ordinance. Perry asked if the City could deny anyone. Mayor Cusat said there are a lot of ways to deny people. He said, for example, if someone has to have a picnic, in the park, with the family, and then, they have live music, this misrepresents their gathering, the City could "shut it down", and deny them in the future. Perry asked if, over the years, he denied anyone, or would be now. Mayor Cusat stated this ordinance "spells out" what not to do. He said if there is money owed, from a prior event, or if there is damage, they could deny. He said this "opens the door" to a lot of other things. He said he does not want to deny anything but wants to be on a "level field". He said if he lets them do this, this "opens the door" to a lot of other things. He said as long as the City says no, to anyone, this puts them in an "appropriate area". He said he thinks Columbus Park is not an appropriate area for a gathering, especially, with food trucks. Mayor Cusat stated there are only 16 parking spots and the traffic volume is high.

Krista Schneider said Mayor Cusat stated there is a chart or "matrix" that he is referring to, to provide uses could be allowed in what parks. She asked what he has, as an allowable use, for the CAN-DO Community Park downtown. She asked if live music is an allowable use. Mayor Cusat said, currently, live music is eligible for a City-approved function, on Friday and Saturdays, between the hours of 4 and 9, and Sundays. He said for Center City, no picnic tables; amplified music-yes, amplified sound-yes, live music with stipulations, food vendors-yes, merchant vendors-yes, flagpole availability-no, open flame permit-no. Schneider said they want to have live music, and always part of the plan, with the stage area, and was not able to be funded with the last phase. She said Friday, Saturday and Sundays "makes sense". Mayor Cusat said the picnic tables are the ones that utilizes the concrete tables, he purchased, and would not be available there. He stated he put two tables at the James Street, Beech Street, East End, and West Court at these playgrounds. He said Memorial Park does not have them. Schneider stated she does not want to see anyone that will not be able to have food or a picnic. Mayor Cusat said

he is referring to stationary picnic tables. He said, "as it goes", the list will expand. He said someone asked him to have horses at their event. He stated the only place, for livestock, in the City, he would allow this is at City View Park. Schneider asked how this ordinance affects the Farmer's Market. Mayor Cusat said it should not. He said this would be a gathering, on public property, with financial commerce and did not define this yet. He stated this would be allowed. He stated the only thing that refers is the only thing not allowed would be someone to do a Farmer's Market that is not a recognized organization. He said a recognized organization is defined as, "a legally created organization by the means of a license, EIN # or a charter". He said this would fall under this. Malone asked if they would need to submit an application for the series of the Farmer's Markets in 2022. Mayor Cusat said correct. He said they would be approved because they are a recognized organization, having a commerce event, as a public gathering. Mayor Cusat said he does not want someone having their own yard sale on City property. He said anyone having an EIN # created through a charter or license is okay. He asked them if this works for them. Schneider stated yes, but she cannot speak for Malone. Malone stated she understands what Mayor Cusat is trying to do, and in, essence, at all times, the parameters, hours, and operations are and goes back to the business licensing, and not the zoning, that the Farmer's Market had an exemption or a different price. Schneider said yes, there was a reduced price for Farm Market vendors that was made, as an exception, to the last fee schedule. Mayor Cusat said these were addressed in the business license ordinance. Schneider said the Farmer's Market, currently, is from 10 a.m. -2 p.m., on Fridays, and they have had live music, or amplified sound, during the market hours. Mayor Cusat asked if they have a live band or a DJ. Schneider stated they have had live musicians, in the past, and not recently, with guitars. Malone said senior citizens have come to do "show tunes". Mayor Cusat said he does not want someone requesting a block party, at Center City Park, all day and disturbing others, during business hours. Schneider said if someone is permitting an event, it should not be a problem. Mayor Cusat stated if it is a City-approved event, it would be exempt. He said they could work on this as part of an exemption. Mayor Cusat asked Schneider if this would work. Schneider said yes.

Perry stated the City should send them a new WORD copy of the Parade Ordinance draft. Mayor Cusat said he will send this to the City Clerk and could be put on the City of Hazleton's website.

Schneider asked if City car cruises is covered under this ordinance. Mayor Cusat said car cruises are under a parade or a procession, and limited to one hour of driving time, and a total of two miles, which consists of the entire downtown. Malone said the old ordinance stated, "cruising around". Perry said they could "block one block off" just like Funfest. Mayor Cusat stated if they "block one block off", it would be a public gathering with events that need street closures within a business district. He said they would be able to close off two blocks off streets to park the cars. Malone said this would work, with a maximum of two blocks. He said two blocks with one intersection, and the downtown, they would have 800 feet, because the downtown blocks at 400 feet. He said they would close from Wyoming to Cedar Street. He said one street closure would be Pine Street. Malone said okay. She said, as always, the "devil is in the details", and could make this work. She said when they post this, they could review it. She asked if he would allow two blocks in the other direction, Spruce Alley and Green Streets. She asked if it is two blocks in all directions. Mayor Cusat stated it is to limit the amount of street closures, would only block off one cross street, and is confused of where she means. Malone said this is just a WORK SESSION meeting, will review, and send in her questions. Mayor Cusat asked her if she wants to use Spruce and go down the side street. Malone said yes, almost similar in talking about Funfest last week, doing it in a "cross". Mayor Cusat said Funfest is considered a City function. Malone stated, "two blocks, I get it". Mayor Cusat said she could close off Church to Wyoming Streets, because they are already closing off Spruce to Mine Streets. Malone said yes, needs a map, but he answered her questions. Mayor Cusat said Malone could come in this week and they could work on this. He said he tried to go through every event in the City and accommodate it as much as he could without having any limitations that could be questioned. Mayor Cusat said fireworks has to be done by professionals, but does the City want to charge more to do this. He said for Wine Fest and wants to do fireworks at the end of the night, he asked

if the City wants to charge them, a fee, to do this. He said the City should not, because they are already giving the City \$1,000 for exclusive rights to the park. Perry stated it would cost them money already. He said the City needs to address that fireworks need to be set off by a professional licensed company. Sacco agreed. Leshko said they would need to apply for a certificate of insurance for \$1,000,000. Mayor Cusat said this is already in the Fireworks Ordinance. Leshko said yes, but any event, the City has done, even for private citizens who have hired people, this needs to be documented. Mayor Cusat said okay. He said whatever professional company is willing to do it. He said the cheapest show costs \$7,000. He stated he does not know how many people will come "out of pocket". He said he knows how much it cost the City to do their fireworks. Leshko said they make their own, fire department "person", to provide this for the City.

Mayor Cusat said he will put this together, will send it out, and come up with something for the "political". He stated this is all for council to decide and is not "touching it".

Perry adjourned the WORK SESSION meeting at 10:07 p.m.