

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 13, 2022**

Call to Order: Council met in a Regular Meeting session on Tuesday, September 13, 2022 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:22 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; Ondishin-present; Perry-present

Minutes of Previous Meetings: The minutes of the August 23, 2022 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: North Point Development regarding a LERTA designation for development projects along Route 424.

Mr. Thomas Williams, Development Manager of North Point Development, and Brian Stall, North Point Development spoke of their project on Route 424 along the Arthur Gardner Parkway.

Mr. Williams said he would like to present who North Point is. North Point is an industrial development company, based out of Kansas City, MO. They have been developing, in Eastern Pennsylvania, for the last 8 years. He stated North Point is only a "10-year-old company". They have been happy with development in Eastern PA. They have 140 million square feet of space, across the country, in their portfolio. They are long-term lease holder of properties. He stated they have a lot of partners in the Hanover area of Wilkes-Barre Township. Williams said North Point uses earth tones in their buildings they do and constructed of concrete "tilt-up" walls. He said they have additional properties above the City of Scranton. He stated State Senator Yudichak and David Argall have been strong partners with North Points development efforts. He said buildings, in PA, have created 16,000 jobs and \$800,000,000 wages and benefits for the employees who work in these facilities.

Williams stated their development plan, in Hazleton, is between Hazle Township and the City of Hazleton. He said their proposed plan are three buildings which will be located in the City of Hazleton, and three buildings which will be located in Hazle Township. He said the property has refuse from mining work deposited on the City. He said coal needs to be reclaimed from the site but is proud they are cleaning up the environment in their project. He said this project will correct some stormwater issues and correct some ecological issues there. He stated there will be a proposed LERTA district in this area. There are four development areas and the land they are developing is the former Butler Enterprises property and a portion of the Schiavo Estate. He said it is a total of about 500 acres that will be utilized, on the southside, of Route 424.

Williams said about 1,750 jobs will be created from these development sites. He said about 900 jobs will be located in the City of Hazleton. He said a land tax impact, for buildings within the City of Hazleton, would be under \$52,000/yr. He said for 20 years, the City would realize about \$1,000,000 in revenue. He said \$6,600,000 would be realized, over 20 years, for the City of Hazleton. The other permits captured, by the City of Hazleton, include the building permit fees, wage taxes, land development fees, and many other fees.

Williams said they are requesting a term of 10 years. Ondishin asked if the amount of \$51,899 is the combined tax of the City of Hazleton and in Hazle Township. Mr. Stall stated it is the combined land tax, for the proposed three buildings, located in the City of Hazleton only. Mundie asked if the City would abate the \$51,000 for ten years. Stall said the City would continue to receive the tax revenue. Mundie asked how long a commercial lease “typically” runs. Stall said it is about 7-12 years. He said their tenants are matching their investment that North Point puts in with computer systems, etc. Stall stated there is a, historically, low vacancies in this Interstate 80 corridor. Mundie asked why they are coming to this area. Stall said number one is the location and number two are a very strong work force, throughout the Wyoming Valley, in Schuylkill County, and in Hazleton. He said it rivals any other place in the country. Perry asked how they impact the local community and their involvement. Stall said they are a long-term holder of their properties and being a corporate citizen. Mundie asked if they use local contractors in their buildings. Stall said they do use local. He said city council could “reach out” to Hazle Township to see how this interaction has been. He said with four phases of development, in the lower South Valley area, at each project, they have increased the participation of local employment at each step, during construction. In post-construction, North Point maintains property maintenance responsibilities with mowing of lawns, painting buildings, etc. Mundie asked if it is a private or public company. Stall stated private company and employee owned. Mundie stated the City has used KOZ and LERTA in the past. He said they are a necessary “evil” in development. Perry said the City would have “comb banks” for the rest of their lives if they did not have a change to develop them. Stall said the benefit of LERTA is realized by the tenant because it is part of the lease. Perry stated the City has an ordinance for LERTA. He asked Stall if Luzerne County gave them a “zero” for ten years “in that area”. Stall said the latest schedule includes 100% for seven years, then goes to 90%, 80% and then 70%. Mundie asked if they did any traffic studies. Williams said this is part of the approval process for land development, and working, very closely, with PENN DOT. Mundie asked if they would put another lane in on Route 424. Ondishin said he does not think Route 424 would handle that. Williams said PENN DOT has a “microscope” on all of the proposed improvements, and North Point will abide by all the requirements that PENN DOT puts forth. Colombo asked if North Point has any potential land tenants. Williams said they do not have any tenants yet because North Point needs to deliver a building. He said North Point wants to market Hazleton more “aggressively”. Mayor Cusat asked what the total improvements North Point plans for years eleven through twenty. Williams said he believes the value is based on square footage and a per-square foot construction number for it. He said they are glad to talk this through, with Mayor Cusat, in the future. He asked what the percentages are from years eleven through twenty. Williams said it maintains the same percentages with that. Perry asked if Hazle Township has approved this project. Williams said they have come to Hazleton City, first, for approval. Williams stated there are many different revenue opportunities with the development taking place. Mundie asked what the percentage of their buildings are in Pennsylvania. Williams stated North Point is reaching about \$5,000,000,000 worth of capital investment in Pennsylvania. He said North Point’s headquarters are in Kansas City, MO metropolitan area, which is their largest market, by volume. Perry asked if they have properties in the Allentown area. Williams said yes, in the Lehigh Valley area.

Perry thanked Williams and Stall for their presentation.

Bid Opening: None

BUSINESS AT HAND: RESTAURANT LIQUOR LICENSE INTER-MUNICIPAL TRANSFER HEARING @ 5:30 P.M.

A public hearing for an application for the Approval of Inter-Municipal Transfer of Restaurant Liquor License #R-16106, from Georgetown Deli & Beer, LLC, Wilkes-Barre Township, Luzerne County, PA, to El Mariachi Juarez, LLC, 789 North Locust Street,

Luzerne County, Hazleton, Pennsylvania, 18201, presently held in safekeeping by the Pennsylvania Liquor Control Board, was held at 5:30 p.m. prior to the city council regular meeting.

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Rosanna Gabriel, 878 Alter Street, Hazleton, said she approves Resolution 2022-61- A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Hazleton Integration Project. She said the grant is set-up for preparation. She said they are a non-profit organization. Gabriel said all the money they receive will increase their program and mission with helping children and families in need. She said this will give adults the opportunity to participate in their programs.

Jim Thomas, CEO Greater Wyoming Valley YMCA/YWCA, and Lindsey Landis, 87 Teaberry Drive, Drums, said they are here, tonight, to represent the Y and request the City to apply for an LSA grant to help them put a child care center in the old YMCA/YWCA in Hazleton. He said they are starting a project to get it stabilized, currently, and the second phase is childcare, about \$2,100,000 in costs. Thomas said they have about \$1,100,000, currently, raised. He said this LSA grant will bring this to where they need to get to. Perry stated this is much needed.

Perry asked if Thomas will be in charge of taking care of the Hazleton site. Thomas said the YWCA is, currently, in the process of merging two Y's together. He stated it will be a YMCA, in the end, and a branch of the Greater Wyoming Valley area Y. He said, currently, Pittston and Wilkes-Barre Y's are part of their branch, along with a camp in Dennison Township. He said they hope to get Hazleton back open, and partner with the Freeland Y so they could stay independent, but they have the option to join them. Barletta asked what they want to open first in the Hazleton Y. Thomas said the first phase includes removing mold and asbestos. He said they have some bids, and this will be removed soon. Thomas said the second "piece" is an LSA grant they received a few years ago. He said they will be putting down carpeting and tile. He said the first phase is childcare which will cost \$2,000,000. He said they hope to have about 170 kids, and a state license, for this site. Perry asked how long the remediation will take. Thomas said the remediation will be done soon. He said the building has been closed for three years.

Landis thanked city council for the consideration for the LSA grant for the Y. She said she was "born and raised in Hazleton". She stated this was her Y when she grew up. Landis said during COVID-19, a lot of centers closed, but they were expanding. She said she works at the Wilkes-Barre Y. She stated they have a great model in Pittston Township with about 15 classrooms.

Thomas said after the childcare comes the pools and that "part of it", and then a community center, and the YMCA "you think of". Barletta asked if the Wilkes-Barre Y will run it all the time. Thomas stated no. It will be a branch, and have its own advisory board, and look, outside, like the Y that has "always been there".

Yesnia Rodriguez, 160 South Church Street, Hazleton, spoke of Resolution 2022-61. She asked city council to consider this resolution. She said it is a great organization, in the town, with good diversity. She said it is needed to renovate the bathrooms.

Rodriquez, also, spoke of Resolution 2022-64- Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Greater Wyoming Valley Area YMCA for the 75 South Church Street Renovation Project. She thanked them for taking this on. She said they need to make this work again for the kids. She asked if some of the community members could be included on the Y's board.

Mark Rabo, 1st Street, Hazleton, spoke of Ordinance 2022-8- An Ordinance Amending the Code of Ordinances of the City of Hazleton, Part II, Chapter 162, Business Licenses, and Part II, Chapter 369, Rental Properties. He asked if this is for businesses that have storefronts with apartments on top that need to be inspected, at the same time, when opening up. He asked if this compliments with the City Zoning Ordinance for off-street parking and for the Hazleton Fire Department getting easy access into the building.

Rabo, also, spoke of the LSA. He stated \$3,000,000 will be taken away, every year, for road and infrastructure projects. He stated Luzerne County is getting \$70,000,000 for projects and this is only going towards one bridge. He said every City resident paid the \$5.00 registration fee and what did the City get out of it. Rabo said nothing.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

Ordinance 2022-8

An Ordinance Amending the Code of Ordinances of the City of Hazleton, Part II, Chapter 162, Business Licenses, and Part II, Chapter 369, Rental Properties **(1st READING)**

Presented by Barletta. Seconded by Perry.

On the Question:

Mundie made a motion to table. Barletta seconded. Mundie stated city council received this ordinance tonight. Barletta asked if city council could discuss this because it is long. Perry stated he has an understanding of this ordinance, but Mayor Cusat and Atty. Logsdon could address what they are doing. Atty. Logsdon stated he had this ordinance, to the City Clerk, by Friday.

Mayor Cusat said it is the same ordinance from the City Code Book that was passed. He stated they inserted Chapter 162-6 Registration and Chapter 162-7- Inspections. He said when the City redid the Business License Ordinance, about two years ago, they wanted to incorporate the business license and rental registration where the rental registration would fall under the "umbrella" of a business license. He said there is only one form that would be sent out, instead of two. He said if it is a business, the fee is \$100.00 license fee, which was lowered, a few years ago. He said if the business is an LLC or individual who owns more than residential property, in the City, they would need to file for a business license. He said it will be cheaper for some people, but more for others. Barletta asked if she has two houses, she will pay \$150.00. Mayor Cusat said the fee is \$125.00. He said if the two parcels are on the same deed, the resident would be exempt. Mundie said if the resident is not paying rent, it is not a rental, just a house they are living in. Perry stated a lot of people sign over the house to their kids. Mundie said this would come under the legacy agreement. He stated legacy is exempt from the fee in this ordinance. Mayor Cusat said charities still have to file the application, but still could be inspected. He said it will not be inspected every year. He said every property is subject to occupancy inspections. Perry asked if it lessens, or increases, the

burden on the Code Department. Mayor Cusat said if anything, it would be less of a burden. Barletta said the residents would have to file yearly. Barletta asked what else was added in the ordinance. Mayor Cusat said Sections 162-6- Registration and Section 162-7-Inspections. He said, also, some verbiage was changed. Atty. Logsdon said these two sections that were “pulled” from the Rental Registration section, of the Code, and added to the Business License one.

Mundie stated he made a motion to table so city council could read the ordinance. Mayor Cusat said if they do table the ordinance, he would like some “action” on this ordinance soon. He said it all has to be “uploaded”, into the computer, by October so bills could go out, in November.

MOTION TO TABLE:

Presented by Mundie. Seconded by Barletta.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

ORDINANCE TABLED

(2ND AND 3RD READINGS)

None

RESOLUTIONS:

Resolution 2022-60

A Resolution Approving the Request of El Mariachi Juarez LLC to Transfer Liquor License

Presented by Barletta. Seconded by Colombo.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES

Resolution 2022-61

A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Hazleton Integration Project

Presented by Colombo. Seconded by Barletta.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES

Resolution 2022-62

A Resolution Requesting Luzerne County Local Share Account Grant Funds for City Hall Improvements Project-Phase III

Presented by Ondishin. Seconded by Colombo.

On the Question:

Barletta asked if this is for concrete ADA ramps for steps "back here". Mayor Cusat said in 2021, the City put in for \$750,000, and only, partially, funded for \$250,000. He said it is for the handicapped ramps.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES

Resolution 2022-63

A Resolution Requesting Luzerne County Local Share Account Grant Funds for Self-Contained Breathing Apparatus (SCBA) Equipment for the City of Hazleton Fire Department

Presented by Perry. Seconded by Colombo.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES

Resolution 2022-64

A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Greater Wyoming Valley Area YMCA for the 75 South Church Street Renovation Project

Presented by Perry. Seconded by Barletta.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

RESOLUTION PASSES

New Business: None

Old Business: None

Comments from the Audience: Cindy DeLucca, Hazleton, asked if everyone reviewed the packet she gave out at the last meeting. She said she still has not gotten answers to any questions she asked. Mundie said they cannot answer any questions because there is a legal case, a lawsuit. DeLucca said the lawsuit only pertains to salvaged vehicles, and nothing else. Barletta asked DeLucca what her questions are. DeLucca said the fee schedule has yet changed again. She said there have been complaints, by City residents, that have been overcharged. She asked, currently, where the fees stand. Atty. Logsdon stated DeLucca received the fee schedule through the right-to-know request. DeLucca said this fee schedule is only for light-duty towing. She asked where the rest of the fee schedule is. Atty. Logsdon stated this is the fee schedule. She said if he is only performing light-duty towing, he cannot do medium and heavy-duty towing. Perry said they cannot answer these questions. DeLucca asked where the whole fee schedule is. Atty. Logsdon said what she requested is the fee schedule.

Ricky DeLucca, Hazleton, stated Atty. Logsdon has the contract which is illegal. He asked if anything is being resolved with this. He said he knows the City is being sued. DeLucca asked if the City is having a problem with direct deposits, with getting their money, in checking. Atty. Logsdon said they are not going

to answer any questions with litigation. Atty. Logsdon stated he is not aware of any problems with direct deposits with the City. DeLuca asked Mayor Cusat if he is having any problems with his pay. Mayor Cusat said no. DeLuca said he received a text message, from a girl, that Mayor Cusat sent her My Favorite Boobies, for \$25.00.

Mark Rabo, 1st Street, Hazleton, spoke of the article that was in the paper, recently, regarding garbage. He said garbage enforcement was part of the Master Service Agreement with the City. He said any loose garbage that falls is the haulers responsibility to collect. He asked why the mayor believes the Water Authority should pay this. Rabo said they should call Tamaqua Transfer to have their employees pick up the garbage that falls on the streets. He said \$150,000 is going toward a Health Officer. Rabo said he could designate the Health Officer to tell the Water Authority or Tamaqua Transfer to address issue. He said this would make sense instead of playing this political "hot" potato.

Rabo also spoke of truck parking within the City. He asked why there are tractors being parked, in the City, and nothing being done about this. Mundie said the City will be passing this ordinance very soon. Barletta said they will be talking about this issue at their WORK SESSION meeting tonight.

Barletta asked if the City has talked to the Water Authority about the garbage issues. Mayor Cusat and Atty. Logsdon said yes. Perry stated this is ongoing and it involves both the Master Service Agreement as well as the garbage issue.

Comments from Mayor: Mayor Cusat thanked everyone who came to the 9/11 Memorial with over one thousand visitors. He thanked Colombo for all his work.

Mayor Cusat said the parking lot, on Wyoming Street, will be painted and closed this week.

Mayor Cusat stated the parking kiosks, in the downtown area, on Broad Street, will be installed today, and will be operational within the next week or so. He said the old parking meters are being removed. Barletta asked what the City is doing with the old parking meters. Mayor Cusat said a lot of meters were purchased used, in either 2017 or 2018, from Jim Thorpe, at \$10/each. He said some parts will be taken out of them, and used, elsewhere, in the City. He said there is a total of 360 meters in the City. Barletta asked how people could pay at the kiosks. Mayor Cusat said they will be cash; credit card and mobile application will be "linked" together. Barletta asked how many parking meters are on each block. Mayor Cusat said one meter per block.

Mayor Cusat said there will be groundbreaking, within the next two weeks, at the three playgrounds.

Comments from City Administrator: Perry stated the City of Hazleton's 2023 budget is coming up. He said the City's budget is due, to the Pennsylvania Economy League (PEL), by October 18th and be presented, to city council, before the 22nd. Lynch said that is correct. He said the City of Hazleton draft budget needs to be given to the ACT 47 coordinators by October 15th, 2022. Lynch said this gives them time to review the proposed budget for plan compliance and "fits in" with everything in the ACT 47 plan requirements. They will give back a certification that the draft budget does meet ACT 47 plan requirements. The budget will be presented, to city council, at the second November meeting. Perry said the 22nd will be the budget and first reading of the 2023 budget. Atty. Logsdon said city council meeting dates are good for the "rest of the year". Perry said Lynch's door is "always open" for budget issues. Lynch said absolutely.

Comments from Council: Ondishin thanked Colombo for the 9/11 Memorial.

Ondishin said the City fire, a few days ago, was bad. He thanked Hazleton and Hazle Township's Fire Departments.

Ondishin thanked Barletta for returning to city council.

Mundie said it is terrible the building, involved in the fire, needs to be demolished. He asked if the landlord contacted the insurance company. Fire Chief Leshko (*inaudible*). Mundie said the building was built in 1850. Leshko said the insurance company will make any determination on this property.

Mundie thanked Colombo for the 9/11 Memorial. He stated it was amazing. Mundie said they should never forget.

Perry said the 9/11 truck came from Missouri to the City. He said it is all with donations and the volunteer's time.

Colombo thanked the City residents with one thousand people through the 9/11 Memorial doors. He said to "never forget". He thanked the Hazleton Fire Department for their assistance. He thanked the Hazleton Police Department.

Perry asked if the parking kiosks are powered by solar power. Ralph Sharp (*inaudible*). Perry asked how the Parking Authority keeps track of the payments. Sharp stated through their phones and (*inaudible*). Perry stated the City of Scranton has a private company that "drives around". Perry asked if there will be kiosks on Wyoming Street. Ralph Sharp (*inaudible*).

Comments from Junior Council: None.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 7:43 p.m.