

MONDAY, JULY 25, 2016

The regular monthly meeting of the Council of the City of Lebanon, Pa., was held in Council Chamber of the Municipal Building, Lebanon, Pa., this evening, Chairperson Parker presiding.

The meeting was called to order at 6:30 p.m.

Present--Mr. Matula, Mr. Wertz, Mr. Wilson, and Mr. Carey, Vice Chairperson. Absent--Mr. Parker.

Also present were Mayor Sherry L. Capello; Chief of Police Todd Breiner; City Solicitor Donna Long Brightbill; Director of Administration-Assistant to the Mayor Debra J. Gates; ten persons in the audience; and two members of the news media.

The minutes of the June 27, 2016, City Council meeting were presented by the City Clerk. There being no corrections, deletions or additions, the minutes were approved as presented.

Vice Chairperson Carey announced that Council received a budget report for the period January 1 through June 30, 2016.

Vice Chairperson Carey announced that Council received the following communications:

- a. Mayor Sherry L. Capello, informing Council of the reappointment of Edwin Salem to the Zoning Hearing Board for a five-year term, effective July 15, 2016
- b. Mayor Sherry L. Capello, informing Council of the appointment of Todd Breiner as Chief of Police, effective July 18, 2016

Mr. Carey introduced Resolution No. 14, as follows:

A RESOLUTION RECORDING A DEEP SENSE OF LOSS IN THE DEATH OF JOHN L. WORRILOW, FORMER MAYOR OF THE CITY OF LEBANON.

WHEREAS, the people of the City of Lebanon were saddened to learn of the death of John L. "Jack" Worrilow, former Mayor of the City of Lebanon; and

WHEREAS, Mayor Worrilow served as Mayor during the period 1965-1972, followed by 35 years as a dedicated member of the City of Lebanon Authority, and many years as a devoted member of the Coleman Park Board of Trustees; and

WHEREAS, during his tenure as Mayor, Mr. Worrilow proved to be a capable and honest official, and we are grateful for his dedication and tireless efforts to the betterment of Lebanon City; and

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WHEREAS, as our community looks back over its history, a few individuals stand out for their caring for the less fortunate, their contributions, their encyclopedic knowledge of events, and their vision, all of which have left their indelible stamp on our city; and

WHEREAS, we mourn the loss of John L. Worrilow, and extend to his family our sincere sympathy during this time of bereavement.

NOW, THEREFORE, Be It Resolved by the Council of the City of Lebanon, Pa., and it is hereby resolved by the authority of the same, That:

SECTION 1. We record our profound sense of loss in the death of John L. Worrilow, and present this resolution to his family as an expression of our sincere condolences.

Resolution No. 14 was passed finally on motion of Mr. Carey, seconded by Mr. Wertz. Yeas--Mr. Matula, Mr. Wertz, Mr. Wilson, and Mr. Carey, Vice Chairperson--4; nays--none.

Mr. Wertz introduced Resolution No. 15, as follows:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF EDWIN SALEM TO THE CITY OF LEBANON ZONING HEARING BOARD FOR A FIVE-YEAR TERM, EFFECTIVE JULY 15, 2016.

Be It Resolved by the Council of the City of Lebanon, Pa., and it is hereby resolved by the authority of the same, That:

SECTION 1. The Mayor's reappointment of Edwin Salem, 214 Mifflin Street, Lebanon, to the City of Lebanon Zoning Hearing Board for a five-year term, effective July 15, 2016, is hereby confirmed.

Resolution No. 15 was passed finally on motion of Mr. Wertz, seconded by Mr. Matula. Yeas--Mr. Matula, Mr. Wertz, Mr. Wilson, and Mr. Carey, Vice Chairperson--4; nays--none.

Mr. Matula introduced Resolution No. 16, as follows:

AUTHORIZING THE DISPOSITION OF VARIOUS DOCUMENTS IN THE DEPARTMENT OF ADMINISTRATION.

WHEREAS, by virtue of Resolution No. 36, Sessions 2008-2009, passed finally by City Council on April 27, 2009, the City of Lebanon declared its intent to follow the procedures for the disposition of records as set forth in the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued on December 16, 2008; and

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality.

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NOW, THEREFORE, Be It Resolved by the Council of the City of Lebanon, Pa., and it is hereby resolved by the authority of the same, That:

SECTION 1. The disposition of the following administrative files in the City of Lebanon Department of Administration is hereby approved:

- a. Administrative Files:
 - (1) Annual Contracts (2009 and prior)
 - (2) Assessed Value – City (2013 and prior)
 - (3) Audit – Request for Proposals (2010 and prior)
 - (4) Bids (tabulation of bids submitted)
 - (5) Certificates of Insurance – 2010 and prior
 - (6) Earned Income Tax (1966-2012)
 - (7) Ethics Forms (2006 and prior)
 - (8) Family and Medical Leave Act of 1993
 - (9) General Obligation Bonds (2009 and prior)
 - (10) Hold Harmless Agreements (2014 and prior)
 - (11) Joint Purchasing Board
 - (12) Press Releases (2009 and prior)
 - (13) Swatara State Park Project
 - (14) Youth Center Study Committee

SECTION 2. The disposition of the following insurance-related records in the City of Lebanon Department of Administration is hereby approved:

- a. Insurance Policies (2009 and prior)
- b. Insurance Claims (2009 and prior)
- c. Insurance Renewal paperwork (2009 and prior)
- d. Mayor's Bond (2008 and prior)

SECTION 3. The disposition of the following permits and licenses (including applications, transmittal letters, etc.) in the City of Lebanon Department of Administration is hereby approved:

- a. Going Out of Business (2012 and prior)
- b. Mechanical Device (2012 and prior)
- c. Peddlers Permit (2012 and prior)
- d. Special Event (2012 and prior)

Resolution No. 16 was passed finally on motion of Mr. Matula, seconded by Mr. Wertz. Yeas--Mr. Matula, Mr. Wertz, Mr. Wilson, and Mr. Carey, Vice Chairperson--4; nays--none.

Mr. Carey called up Bill No. 4 on final reading, the title of which is as follows: AN ORDINANCE AMENDING THE CITY OF LEBANON PAID FIREMEN'S PENSION PLAN IN ORDER TO IMPLEMENT THE DEFERRED RETIREMENT OPTION PLAN, EFFECTIVE RETROACTIVELY TO JANUARY 1, 2015.

Bill No. 4 was passed finally on motion of Mr. Carey, seconded by Mr. Matula. Yeas-- Mr. Matula, Mr. Wertz, Mr. Wilson, and Mr. Carey, Vice Chairperson--4; nays--none.

Abigail Jarboe, 416 Maple Street, Lebanon, expressed her concerns about the City of Lebanon's Residential Rental Licensing Program. She recommended that Council make changes to the ordinance. She explained that she and her husband own three properties within the City of Lebanon and they use all three properties for various reasons. She stated that, from time to time, she allows friends to live at the property adjoining their main residence at 416 Maple Street. However, she has 100 percent access to the home at all times and she considers them guests and does not charge rent.

Vice Chairman Carey commended Mayor Capello for her recent hard work in pulling weeds and cleaning up in the downtown area.

Mayor Capello provided an update to the implementation of the Business Improvement District (BID). She reported that the BID has been legally challenged and the plaintiff alleged that if a fee is not assessed for a property within the boundaries of the BID, it should not be considered as an affected property and should not be counted when calculating the 40 percent of objections required to reject the BID Plan. She added that the city contends that the statute does not define "affected property owners", and all properties within the BID boundaries will benefit from the improvements. Mayor Capello referred all questions regarding the appointment of a BID Manager to Dinny Kinloch, Chairman of the Search Committee.

Mayor Capello reported that in the past few months the NIDMA has secured office space for the BID Manager at no cost, the creation of a BID webpage is underway, beautification efforts within the BID are being done by volunteers, there has been marketing of the BID, improvements to lighting in the BID has started, and the study for security cameras is in progress.

Mayor Capello further reported that the NIDMA is concerned about moving forward with the hiring of a BID Manager until the legal challenge is answered.

Councilmember Wilson requested that the NIDMA Board provide an update of the BID implementation to Council on a regular basis.

Lori Boyer, 1019 Mifflin Street, Lebanon, reported that the situation at 1017 Mifflin Street, Lebanon, is getting worse. Mayor Capello stated that she will follow up with the Department of Public Safety.

Cliff Olsen, 20 North Sixth Street, Lebanon, stated that he understands the City is considering the possibility of new street lights, including LED lights. He reported that LED lights may be detrimental to human sleeping patterns and suggested that officials read an article about this subject on the CNN website before taking action on the upgrades. Mayor Capello reported that one light in the vicinity of 9th and Cumberland Streets was tested and the property owner reported that she liked the way it illuminated the street; however, it did give more light in

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the apartment. Some residents in the audience said they would welcome brighter street lights in the city.

Dawn Fenstermacher, 194 Walnut Street, Lebanon, reported that the light at Southeast Playground is not working. She complained that people are hanging out at the playground after hours playing loud music, dumping trash cans, and vandalizing the playground. She also reported that motorcycle drivers are doing wheelies on Walnut Street.

Ed Salem, 214 Mifflin Street, Lebanon, reported that fireworks in his neighborhood started two weeks before and lasted almost two weeks after the Fourth of July holiday. Chief Breiner acknowledged that Mr. Salem is correct and there were arrests made.

The meeting was adjourned at 7:43 p.m.

CHERYL J. GIBSON, Clerk