

MONDAY, APRIL 23, 2018

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 6:31 p.m.

Present--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson.
Absent--none.

Also present were Mayor Sherry L. Capello; Robin L. Getz, Director of Public Works; David Gingrich, Captain of Police; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Duane Trautman, Fire Commissioner; 16 persons in the audience; and 3 members of the news media.

The minutes of the March 26, 2018, City Council meeting were presented by the City Clerk. There being no corrections, deletions or additions, the minutes were approved as presented.

Chairperson Carey announced that Council received a budget report for the period January 1 through March 31, 2018.

Director of Public Works Robin Getz gave a presentation on Best Management Practices for storm water management. Mrs. Getz reported that the City of Lebanon budgets \$25,000.00 annually for the inspection and cleaning of storm water inlets. She further stated that the City of Lebanon received a grant from the Pa. Department of Environmental Protection in the amount of \$93,797.00 for the purpose of dealing with remediation of challenged waterways. The funding was used for the following projects:

- Jadell Drive and Elm Street – planting of natural vegetation
- Greenwaste Recycling Center located on North Eighth Street – planting of natural vegetation
- Northeast Park – planting of natural vegetation
- 12th and Cumberland Streets Walkway – basin improvements

The projects were made possible through the cooperation of city staff, members of Stony Bridge Landscaping and students and staff of the Lebanon School District who joined together in late fall to plant the trees and shrubs.

Chairperson Carey extended his thanks to the staff and volunteers who helped make this project possible. He added that storm water management is a community effort and everyone can do a small part to make a difference.

Mayor Capello reported that Lebanon was ranked No. 4 in Pennsylvania as one of the greenest cities in the state. She added that vehicle choice is important and some cities are doing

a better job with a lower carbon footprint than Lebanon. She further announced that Lebanon City was ranked 55 out of 100 as the safest city to retire.

Councilmember Parker inquired about the availability of grants for the installation of charging stations for electric vehicles for the city-owned parking lots. Mayor Capello stated that staff discussed charging stations if the city's grant application for funding for a parking garage is approved; however, staff has not pursued funding for charging stations for electric vehicles at the city-owned parking lots.

Chairperson Carey announced that Council received the following communications:

- a. Mayor Sherry L. Capello, informing Council of the appointment of Robin Getz, Director of Public Works, to the Tax Collection Committee as an alternate member
- b. Mayor Sherry L. Capello, informing Council of the reappointment of Craig Gates to the City of Lebanon Zoning Hearing Board as an alternate member for a three-year term, effective April 13, 2018

On motion of Mr. Wertz, seconded by Mr. Parker, Resolution No. 8 was introduced, as follows:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CRAIG GATES TO THE CITY OF LEBANON ZONING HEARING BOARD AS AN ALTERNATE MEMBER FOR A THREE-YEAR TERM.

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 Craig Gates, 44 Berwyn Park, Lebanon, to the Zoning Hearing Board as an alternate member for a period of three years, effective April 13, 2018, is hereby confirmed.

Resolution No. 8 was passed finally on motion of Mr. Wertz, seconded by Mr. Parker. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson—5; nays—none.

Mr. Wilson introduced Resolution No. 9, as follows:

A RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE CITY OF LEBANON TO FILE A GREENWAYS, TRAILS, AND RECREATION PROGRAM GRANT APPLICATION WITH THE COMMONWEALTH FINANCING AUTHORITY FOR THE COLEMAN MEMORIAL PARK PAVILION, BASKETBALL COURT, AND RESTROOMS PROJECT.

WHEREAS, the City of Lebanon ("Applicant") desires to undertake the following project: Coleman Memorial Park – Pavilion, Basketball Court, and Restrooms; and

WHEREAS, the applicant desires to apply to the Commonwealth Financing Authority for a grant in the amount of \$179,576.17 for the purpose of carrying out this project; and

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

SECTION 1. The Mayor and City Clerk are hereby designated as the official(s) to execute all documents and agreements between the City of Lebanon and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

Mayor Capello explained that a Master Site Plan was prepared for Coleman Memorial Park and outlined improvements to be completed over a period of time. Subsequent to the adoption of the Master Site Plan, a grant was received from the Pa. Department of Conservation and Natural Resources for stormwater improvements, the construction of an impervious parking lot, a pumping system for the ball fields, improvements to the Amphitheater, and the construction of a new entrance and exit to the park. A second grant was obtained for a new playground at the park. If this grant application is approved, the funds will be used for the construction of a new pavilion, restrooms, and improvements to the basketball courts. She added that the annual Sweep the Streets Basketball Tournament would most likely be moved from Southeast Playground to Coleman Memorial Park upon the completion of the project. The match for the grant is 15 percent. Contingent upon grant approval, it is anticipated that the improvements would begin Spring 2019.

Resolution No. 9 was passed finally on motion of Mr. Wilson, seconded by Mr. Wertz. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Mr. Morales introduced Bill No. 3, as follows:

AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO AN INTERMUNICIPAL AGREEMENT BY AND BETWEEN ANNVILLE TOWNSHIP, CITY OF LEBANON, NORTH CORNWALL TOWNSHIP, NORTH LEBANON TOWNSHIP, SOUTH LEBANON TOWNSHIP (MUNICIPALITIES), AND CLEONA BOROUGH AUTHORITY (AUTHORITY) WITHIN LEBANON COUNTY, PENNSYLVANIA, WHICH AGREEMENT PROVIDED FOR AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE IMPLEMENTATION OF THE LEBANON AREA REGIONAL POLLUTANT REDUCTION PLAN.

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa.C.S. §2301 et. seq. permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, the municipalities/authority previously entered into an Intergovernmental Agreement of Cooperation (the "Agreement"), relating to Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollutant Reduction Plan; and

WHEREAS, the municipalities/authority desire to enter into an amendment to the Intergovernmental Agreement of Cooperation, relating to the previously executed Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollutant Reduction Plan; and

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed enforced as to any municipality/authority when the same has been adopted by Ordinance/Resolution by all cooperating municipalities; and

WHEREAS, the municipalities/authority desire to enact an amendment to said Intermunicipal Agreement.

NOW, THEREFORE, Be It Ordained by the Council of the City of Lebanon, and it is hereby ordained by the authority of the same, That:

SECTION 1. The caption of and recitals to this ordinance as set forth above are incorporated herein by reference as if fully set forth.

SECTION 2. Adoption of Amended Intermunicipal Agreement. The Amended Intermunicipal Agreement between the various municipalities/authority is attached hereto and made a part hereof and marked Exhibit “A” is hereby adopted.

SECTION 3. Authorization to Execute.

- A. The appropriate City of Lebanon officials and representatives of this Municipality are hereby authorized to execute the Amended Intermunicipal Agreement in the form attached hereto as Exhibit “A” or with such non-substantive changes as may be approved by the Solicitor. Any actions already taken by this Municipality in accordance with the terms of the Amended Intermunicipal Agreement and this Ordinance are hereby ratified.
- B. The appropriate officers and representatives of this Municipality are hereby authorized to take such other action as may be necessary to carry out the purposes of this Ordinance in connection with the implementation of the Amended Intermunicipal Agreement.

SECTION 4. Findings Required by Intergovernmental Cooperation Act. As required by the Intergovernmental Cooperation Act requirements, the following determinations have been made:

- a) The conditions of the Amended Agreement shall be substantially as those set forth within the herein referenced Amended Intermunicipal Agreement;
- b) The Amended Intermunicipal Agreement shall be effective upon the execution by all of the entities identified with a commencement date as set forth in the Amendment Agreement and shall be perpetual;
- c) The purposes and objectives of the Amended Agreement are to provide for the implementation of the Lebanon Area Regional Pollutant Reduction Plan between the

- municipalities/authority identified herein;
- d) No new entity is proposed to be formed;
 - e) No real property is proposed to be acquired in the Amended Intermunicipal Agreement.
 - f) The Amended Agreement does not anticipate the hiring of employees or the need for employee insurance or other employee benefits.

SECTION 5. Ratification. All other Intergovernmental Agreements between this municipality and the other parties presently existing are hereby ratified and confirmed to the extent such Agreements are not consistent with the Agreement authorized herein.

SECTION 6. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of this Municipality that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof had not been included therein.

SECTION 7. Effective Date. This ordinance shall be effective upon adoption.

Mayor Capello reported that the City of Lebanon has previously entered into an Intermunicipal Cooperation Agreement. In Fall 2017, the parties agreed to several conditions to the agreement. This amendment to the Intermunicipal Agreement memorializes the conditions previously agreed to by the parties.

Bill No. 3 was introduced and will be considered on final reading at the City Council meeting of May 29, 2018, on motion of Mr. Morales, seconded by Mr. Parker. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Councilmember Wilson asked if there is an update on summer programs or the meeting with high school students regarding the pool. Councilman Parker replied that the meeting with representatives of LHS Student Council is scheduled for April 30, 2018.

Dawn Fenstermacher, 34 Walnut Street, Lebanon, reported that she has had conversations with the manager of the east end McDonalds regarding the sale of alcohol at the Turkey Hill Store on East Lehman Street. Ms. Fenstermacher told Council that the sale of alcohol at the Turkey Hill Store has resulted in patrons causing problems at McDonalds, including fist fights.

Mrs. Fenstermacher thanked the Lebanon Police Department for its increased enforcement with the traffic issues reported at the last Council meeting.

Terry Lewis, 330 Meadow Lane, Lebanon, asked how the community can help with addressing stormwater issues. Mayor Capello replied that individuals and organizations have volunteered to help pull weeds and pick up trash in the downtown area on Saturday mornings. She added that sometimes the focus is cleaning up the city-owned playgrounds and parks. Mr. Lewis suggested the city consider starting an "Adopt the Drain" program.

The meeting was adjourned at 7:20 p.m.

CHERYL J. GIBSON, Clerk