

TUESDAY, MAY 29, 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 6:30 p.m.

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

Also present were Mayor Sherry L. Capello; Chief of Police Todd Breiner; Donna Long Brightbill, City Solicitor; Robin L. Getz, Director of Public Works; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; and ten persons in the audience.

The minutes of the April 23, 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 April 30, 2018. Mayor Capello reported that we are at 33 percent of the fiscal year; revenue is at 45 percent; and expenditures are at 24 percent. She added that the figures are on target and we are exceeding projections in both areas.

Director of Administration-Assistant to the Mayor Melissa Quinones provided an update on activities at city-owned parks, as follows:

Stoever's Dam

- Five volunteer Park Rangers patrol and assist with maintenance of the park
- The public camping area consists of seven sites with electricity, along with a grassy area for tent camping. The camping permits are issued in the Department of Administration.
- A Nature Camp will be held at the Nature Barn during the period July 10-12, 2018, from 9:00 a.m. – 12:00 noon. There is no fee; however, registration is required. Preference will be given to city residents; however, if space is available, non-city residents may attend at a fee of \$20.00. The Nature Camp includes a presentation by Jack Hubley.
- Developmental Disability Services of Lebanon is using the Nature Barn for a summer camp.

Summer Playground Program

- The YMCA will operate a summer playground program at Beautex Park and Progressive Playground for children ages 6-12. The program will run from July 5-August 17, 2018, from 10:00 a.m. – 2:00 p.m. The Lebanon County Christian Ministries will provide free meals to the children. Splash days and a visit from ZooAmerica are being coordinated at both sites.

Ballfields at Northeast Park and Southwest Park

- Ballfields at both facilities are being utilized for youth baseball, youth soccer, high school softball, high school baseball, and an adult men’s softball league.

Summer Camp

- Empower the Mind, a local organization, is holding summer camp at the Stoever’s Dam Nature Barn and the Optimist Building at Southwest Park.
- Children who have completed first grade through eighth grade are eligible to attend camp at no fee.
- The camp is in operation Monday-Thursday, from 9:00 a.m. – 12:00 noon.
- Breakfast is provided to the children.

Southeast Playground

- Sweep the Streets is holding a Men’s Basketball League and tournaments throughout the summer.

Coleman Memorial Park

- The Friends of Coleman Memorial Park are sponsoring tennis camps, arts and crafts days, theatre workshops, and theatre productions for young audiences throughout the summer.

Mrs. Quinones also reported that the Salvation Army is operating a summer camp for children at its facility at Tenth and Guilford Streets, Lebanon.

Dawn Fenstermacher, 34 Walnut Street, Lebanon, asked if participants must pay a fee to attend the various activities operated by the City of Lebanon to which Mrs. Quinones replied there is no fee to participate. Mayor Capello added that the activities are being funded by money budgeted by City Council when the pool was closed for the 2018 operating season.

Director of Public Works Robin Getz provided an update on the NPDES permit application. Mrs. Getz reported that for the past two years, DEP conducted training to prepare municipal officials for completion of the application. Recently, DEP has taken issue with the method that Lebanon County municipalities calculated impervious areas. Mrs. Getz reported that she attended a meeting hosted by Pa. State Representative Brett Miller in Lancaster County and the plea was made that the calculation was done correctly. It was requested that the calculation be accepted as is for the current permit period and, if necessary, the method be changed for the next renewal. She urged members of Council to contact local legislators to help with the cause. Mayor Capello added that DEP already made changes to the method of calculation for street sweeping allowances. She added that Representative Frank Ryan is on board and is supporting the city in its efforts.

Mr. Morales called up Bill No. 3 on final reading, the title of which is as follows: “AN ORDINANCE AUTHORIZING THE 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 LEBNAON COUNTY, PENNSYLVANIA, WHICH AGREEMENT PROVIDED FOR AN INTERGOVERNMENTAL COOPERAITON AGREEMENT FOR THE IMPLEMENTATION OF THE LEBANON AREA REGIONAL POLLUTANT REDUCTION PLAN”. Bill No. 3 was passed finally on motion of Mr. Morales, seconded by Mr. Wertz. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Mr. Parker introduced Bill No. 4, as follows:

AN ORDINANCE ESTABLISHING REASONABLE ATTORNEYS COSTS OF COLLECTION FOR DELINQUENT MUNICIPAL CLAIM ACCOUNTS AND IMPOSING THE COST OF SUCH COLLECTION UPON THE DELINQUENT RATEPAYER.

WHEREAS, the City of Lebanon has encountered considerable expense in collecting its delinquent municipal claims and assessment charges; and

WHEREAS, the City must reasonably provide services to those residents who promptly pay their taxes and municipal charges; and

WHEREAS, the City deems it to be in the best interest of the citizens of the City to impose the cost of delinquent collections directly upon the delinquent ratepayer; and

WHEREAS, this ordinance is enacted pursuant to the Municipal Claims and Tax Lien Law.

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

SECTION 1. This ordinance shall be known as the Municipal Claim and Tax Collection ordinance.

SECTION 2. Hereinafter, for every delinquent claim, charge, tax, assessment, levy or obligation owed to the City of Lebanon, there shall be added to such claim, charge, tax, assessment, levy or obligation such attorney’s fees, charges, and expenses incurred in the collection process subsequent to proper notification to taxpayers of the intent to impose attorney’s fees on delinquent obligations. Such additional charges shall be collected in addition to such interest and penalties as are allowed by law. They shall further be collected in the same manner and with the full authority as other municipal claims of any nature, and shall be deemed to be a municipal claim and collectable and lienable as such.

SECTION 3. Such fees shall be reasonable and the same are hereby established in a fee rate as attached hereto and made a part hereof as Schedule “A”. Said schedule of fees is hereby deemed to be reasonable, fair and necessary in order to allow the City to collect such sums due it. This schedule may be amended by ordinance.

SECTION 4. Any person or entity empowered to collect sums on behalf of the City is directed to add such fees as are incurred to the extent allowed and set forth on Schedule “A”. Such sums collected pursuant to the Ordinance shall be in addition to any claim, penalty, interest, costs or fees already part of the delinquent account or assessment.

SECTION 5. Attorney fees incurred to the extent set forth on Schedule “A” shall be added to all unpaid municipal claims of any nature arising or imposed subsequent to the date of adoption of this Ordinance, or which become delinquent or are re-determined to be delinquent subsequent to this date. Prior to the time when such fees are added to any underlying claim, the collector shall first give the ratepayer such notice as required by law. The collector or other collector shall so notify the ratepayer by sending such notice to the property owner’s last known address by mailing notices in the manner prescribed by the Act of the Pennsylvania General Assembly, known as Act 20 of 2003.

SECTION 6. Any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed to the extent of conflict. If any portion of this Ordinance or Schedule is deemed to be illegal or unconstitutional, then it is the intent of Council that it would have enacted the balance of this Ordinance and Schedule irrespective of said invalid portion.

SECTION 7. This Ordinance shall become effective immediately upon adoption.

Bill No. 4 was introduced and will be considered on final reading at the City Council meeting of June 25, 2018, on motion of Mr. Parker, seconded by Mr. Morales. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Councilmember Parker reported on the April 30, 2018, meeting between Mayor Capello, Chairperson Carey, himself and representatives of the Lebanon High School Student Council to discuss the pool at Coleman Memorial Park. He reported that a number of the kids felt it was important to keep the pool open, even though they do not use the pool. He added that after meeting with the students, it was realized that the City does a poor job of communicating to that generation. The kids tend to gravitate to South Hills Park in South Lebanon Township due to the proximity to Lebanon High School. In summary, he said it appeared the older kids felt it was important to keep the pool open for the younger kids and those in that area that do not have the ability to get out to do other activities.

Council Chairperson Carey reported that at last month’s meeting, a young man expressed interest in helping the City of Lebanon. He has talked to the gentleman since the April meeting, and he organized monthly cleanups on the northside. The group meets at Ninth and Mifflin Streets on the fourth Saturday of the month from 4:00-5:00 p.m. and walks the neighborhood to pick up trash.

Dawn Fenstermacher, 34 Walnut Street, Lebanon, complimented the Veterans Advisory Council for organizing a very nice Memorial Day parade. Regarding Southeast Playground, she complained that the kids are destroying the equipment and removing the nets from the basketball

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rims. She also suggested posting signs at every entrance reminding the public that dogs are not permitted in the playground.

The meeting was adjourned at 7:07 p.m.

CHERYL J. GIBSON, Clerk