

MONDAY, AUGUST 27, 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 Carey 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; Robin L. Getz, Director of Public Works; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Duane Trautman, Fire Commissioner; 17 persons in the audience; and 1 member of the news media.

Richard Miller, Dr. Jim Keller, and Matt Dubbs, representing the Lebanon Elks Lodge #631, presented a donation in the amount of \$1,500.00 to the Lebanon Police Department Canine Fund. Mr. Miller stated that the local lodge has been supporting community projects since 1901. Mayor Capello accepted the donation and on behalf of Lebanon City Council and the Lebanon Police Department extended her sincere thanks for the generous donation to the Police Canine Fund.

The minutes of the July 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 July 31, 2018. Mayor Capello reported that 58 percent of the fiscal year is completed, revenues are at 72 percent and expenditures are at 47 percent. Following up to questions at Thursday's Pre-Council meeting, Mayor Capello reported that due to a coding change, funds were inadvertently charged to the line item entitled "Delinquent EIT". The payment from the Overpaid/Underpaid lawsuit is actually received in September. Regarding the line item entitled "State Police Fines", Mayor Capello reported that there was a double entry. She noted that both errors would have been recognized when the statement is reconciled. The corrections will be reflected in the next budget report.

Chairperson Carey announced that Council received a communication from Mayor Sherry Capello, informing Council of the reappointment of Joseph Klein and James Faren to the City of Lebanon Planning Commission for a four year term, effective July 26, 2018.

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

A RESOLUTION ESTABLISHING A POLICY FOR THE PROTECTION OF THE PUBLIC SAFETY AND THE GENERAL WELFARE OF THE CITIZENS OF THE CITY OF LEBANON, PENNSYLVANIA.

WHEREAS, equality of all individuals is a basic tenet upon which the United States of America was founded; and

WHEREAS, the population of the City of Lebanon is reflective of the general population of the United States of America, and consists of people of different personal characteristics regarding their actual or perceived race, color, sex, religion, ancestry, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, mental or physical disability, use of guide or support animals and/or mechanical aids; and

WHEREAS, the City of Lebanon prides itself on the diversity of its citizenry, and the harmonious relations which have been fostered in the City by a widely practiced and recognized attitude of tolerance and accommodation among all people regardless of their actual or perceived race, color, sex, religion, ancestry, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, mental or physical disability, use of guide or support animals and/or mechanical aids; and

WHEREAS, the direct negative and secondary effects of discriminatory practices involving the personal characteristics described above in matters of employment, housing, and public accommodation are well known and have been extensively studied and documented; and

WHEREAS, the practice or policy of discrimination against such individuals or groups is a matter of public concern that threatens the rights and privileges of the citizens, guests and visitors of the City and undermines the foundations of a free democratic society; and

WHEREAS, the Pa. State Human Relations Commission promotes equal opportunity for all and enforces Federal and Commonwealth civil rights laws that protect people from unlawful discrimination; and

WHEREAS, the Pa. State Human Relations Commission investigates employment discrimination complaints on behalf of the U.S. Equal Employment Opportunity Commission, and housing discrimination complaints on behalf of the U.S. Department of Housing and Urban Development which protects the rights of complainants under both state and federal law; and

WHEREAS, the Pa. State Human Relations Commission is empowered to educate the public to prevent discrimination and foster equal opportunity; and to address incidents of bias that may lead to tension between racial, ethnic and other groups.

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 public policy of the City of Lebanon shall be to foster the employment of all individuals in accordance with their fullest capacities regardless of actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids, and to safeguard their right to obtain and hold employment without such discrimination, to assure equal

opportunities to all individuals and to safeguard their rights to public accommodation and to secure housing and commercial property without regard to actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids.

SECTION 2. Nothing in this resolution shall be construed as supporting or advocating any particular doctrine, position, point of view, lifestyle or religious view. To the contrary, it is the intention of this resolution that all persons be treated fairly and equally, and it is the express intent of this resolution to foster fair and equal treatment under the law to all people of the City.

SECTION 3. Any citizen who believes they have been or are being discriminated against may file a formal complaint with the Pennsylvania Relations Commission:

Pennsylvania Human Relations Commission

Harrisburg Regional Office

333 Market Street

8th Floor

Harrisburg, PA 17101

Telephone: 717-787-9780

TTY 717-787-7279

Website: <http://www.phrc.pa.gov>

Time Frame: 180 days from date of alleged act or harm (the discriminatory action or incident)

SECTION 4. Inquiries from any citizen who believes that they have been or are being discriminated against may contact the City of Lebanon Department of Administration to obtain a copy of this resolution which includes the contact information for the Pennsylvania Human Relations Commission. Employees of the City of Lebanon are not permitted to give legal advice or provide assistance in completing forms to file a complaint with the Pennsylvania Human Relations Commission.

Resolution No. 14 was passed finally 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.

Gordon Weise, WLBR Radio, asked for confirmation that there will be no assistance provided by city staff to citizens to complete the form to be submitted to the PHRC. Mayor Capello replied that is correct. The PHRC works independently and city staff cannot be involved in the completion and submission of the complaint.

Councilmember Wilson asked why motorists can park in handicapped parking spaces that another resident has paid a fee to have it installed. Mayor Capello explained that the space is on a public street and anyone with a handicapped placard is permitted to park in the space. The fee to applicants is to cover the cost of supplies to mark the space. She added that the Pennsylvania

Human Relations Commission has confirmed that the city may assess a fee to have a space installed. In addition, representatives of the City consulted with an organization that advocates for handicapped persons to confirm that a reasonable fee may be assessed for the installation of the space. The City's policy limits the number of handicapped parking spaces to two per block.

Councilmember Morales inquired about the use of the Ninth and Cumberland Streets parking lot for the CLA Car Show. Mayor Capello responded that the CLA requested the use of the free spaces for spectators arriving on motorcycles. She added that the entire lot should not have been blocked off. John Bowers, representing the CLA, reported that following the Car Show, organizers of the show made the decision to not request the use of the lot for future car shows.

Dawn Fenstermacher, 34 Walnut Street, Lebanon, complained about the fireworks that were shot off at the recent Sweep the Streets Basketball Tournament. She asked if the organizers were fined for violating the ordinance to which Mayor Capello replied they were not fined. Ms. Fenstermacher complained that she has been cleaning up debris from the fireworks for weeks.

Ms. Fenstermacher suggested that the Mayor and Council consider implementing a burn ban from May 1 – September 1, 2018. She stated that folks in her neighborhood are constantly burning and the smoke is annoying. Councilmember Parker replied that open burning is not permitted in the City of Lebanon and if she observes residents burning twigs, hedge trimmings, etc., she should contact EMA or the Lebanon Police Department. Fire Commissioner Trautman added that the Lebanon Fire Department has been dispatched to Mrs. Fenstermacher's neighborhood and discovered illegal fire pits. He recommended that Mrs. Fenstermacher contact EMA and the Lebanon Fire Department will attempt to locate the source of the burning.

Ms. Fenstermacher complained that the lawn care services are blowing grass into the street. Mayor Capello replied that she is aware of that issue and the Public Works employees are continually contacting residents and lawn care services.

Joe Galebach, 752 N. Third Avenue, Lebanon, reported that the City recently paved 544 feet of Pauline Street which is privately owned. Mayor Capello responded that the contractor accidentally paved that portion of Pauline Street and will not invoice the City of Lebanon for that portion.

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

CHERYL J. GIBSON, Clerk