

MONDAY, JULY 22, 2019

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; 14 persons in the audience; and 2 members of the news media.

The minutes of the June 24, 2019, 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 June 30, 2019. Mayor Capello reported that 50 percent of the year is completed; expenditures are at 39 percent; and revenue is at 65 percent.

Chairperson Carey announced that Council received the following communications:

- a. Mayor Sherry L. Capello, informing Council of the reappointment of Michael Barrett, 519 North Tenth Street, Lebanon, to the City of Lebanon Zoning Hearing Board for a five-year term, effective July 15, 2019. Mayor Capello reported that Mr. Barrett has served on the Zoning Hearing Board for 15 years.
- b. Mayor Sherry L. Capello, informing Council of the reappointment of Larry Loeper, Fire Chief, 815 East Mifflin Street, Lebanon; Steve Sherk, City Engineer, Steckbeck Engineering and Surveying, Inc., 279 Zinns Mill Road, Suite A, Lebanon; and Merle High, Vice President, C.M. High, Inc., 341 King Street, Myerstown, to the City of Lebanon Fire Prevention Board of Appeals for a term effective July 1, 2019, through January 1, 2022. In addition, Mayor Sherry Capello will serve as Chair of the Board in accordance with Section 1501.02 of the Codified Ordinances of the City of Lebanon.
- c. Mayor Sherry L. Capello, informing Council of the appointment of Director of Public Works Robin Getz, 400 South Eighth Street, Lebanon, and Finance Officer Helen Westphal, 400 South Eighth Street, Lebanon, to represent the City of Lebanon and West Lebanon Township on the Lebanon County Tax Collection Committee, as representative and alternate representative, respectively, effective July 16, 2019. Mayor Capello reported that both Mrs. Getz and Mrs. Westphal have been serving on the Tax Collection Committee; however, they are switching roles on the Committee.

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Mr. Wilson introduced Resolution No. 30, as follows:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MICHAEL BARRETT TO THE CITY OF LEBANON ZONING HEARING BOARD FOR A FIVE-YEAR TERM, EFFECTIVE JULY 15, 2019.

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 Michael Barrett, 519 North Tenth Street, Lebanon, to the City of Lebanon Zoning Hearing Board for a five-year term, effective July 15, 2019, is hereby confirmed.

Mayor Capello explained that the *Pennsylvania Municipalities Planning Code* requires that appointments to the Zoning Hearing Board must be done by resolution of the governing body.

Resolution No. 30 was passed finally on motion of Mr. Wilson, seconded by Mr. Parker. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Mr. Wertz introduced Resolution No. 31 as follows:

A RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE CITY OF LEBANON TO FILE A GRANT APPLICATION WITH THE COMMONWEALTH FINANCING AUTHORITY FOR A MULTIMODAL TRANSPORTION FUND GRANT FOR A STREETScape PROJECT ALONG CUMBERLAND STREET, FROM FOURTH STREET TO TWELFTH STREET, LEBANON.

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 City of Lebanon, Lebanon County, hereby requests a Multimodal Transportation Fund grant in the amount of Two Million Four Hundred Twenty-Six Thousand Five Hundred Dollars (\$2,426,500) from the Commonwealth Financing Authority to be used for a Streetscape Project along Cumberland Street, from Fourth Street to Twelfth Street, Lebanon.

SECTION 2. The Applicant does hereby designate Sherry L. Capello, Mayor, and Cheryl J. Gibson, City Clerk 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 reported that following the July 18, 2019, Pre-Council meeting, city representatives had an opportunity to discuss the grant application with representatives of DCED. While municipalities are exempt from the requirement of the typical 70/30 match for this grant, DCED encourages municipalities to include a match to make the grant application

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more competitive. With the support of the Stormwater Consortium, the number of rain gardens for the project was increased from two to four. She added that the project will include grates and stamped concrete for property owners along Cumberland Street, from Fourth Street to Twelfth Street. In addition, property owners will have an opportunity to “buy-in” into the project which would include paying a reduced rate (\$50 per lineal foot) for replacement curbing. In addition, they would receive new tree grates, stamped concrete, beauty strip, and sidewalk. Upon the submission of the grant application, a meeting will be scheduled to provide property owners with detailed information on the project and the cost to the property owner. Mayor Capello added that community “buy in” in the project will also make the grant application more competitive.

Councilmember Wilson asked if the only option for a property owner is to “buy in” or have the repairs completed independently. Mayor Capello explained that the City of Lebanon would contract for the entire project. Mayor Capello stated that if the City of Lebanon does not secure a grant, another option would be to comply with ADA updates mandated by the state and federal governments.

Resolution No. 31 was passed finally on motion of Mr. Wertz, seconded by Mr. Morales. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Resolution No. 32 the title of which is “A RESOLUTION IN SUPPORT OF RESTORE PENNSYLVANIA, A \$4.5 BILLION INFRASTRUCTURE IMPROVEMENT PLAN” was withdrawn from the agenda 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 Wilson stated that the plan is beneficial to the community and he is sure the County and City of Lebanon would be happy to apply for funds. He added that he did not hear opposition to the program with the exception of the funding resources.

Councilmember Parker stated that he has discussed the resolution individually with other members of Council and, in his opinion, the resolution would not pass. He would rather withdraw the resolution than have it defeated.

Councilmember Morales expressed thanks to the Governor’s Office, Representative Frank Ryan, and Senator Mike Folmer for taking the time to attend Thursday’s Pre-Council meeting to discuss the plan.

Mr. Wertz called up Bill No. 12, the title of which is as follows: “AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF LEBANON TO EXECUTE A LEASE AGREEMENT FOR CITY-OWNED PROPERTY SITUATE AT 22-24 THEATER DRIVE, LEBANON, A/K/A THE WILLMAN HOUSE IN STOEVER’S DAM PARK FOR A TEN-YEAR TERM, EFFECTIVE JULY 23, 2019”.

Mayor Capello reported that the initial lease was for a five-year term. Prior to the lease with the Lebanon Community Theater, the Willman House was rented as a two-unit family

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dwelling. The house was vacant for a few years and sustained significant water damage as a result of a tropical storm. The Lebanon Community Theater approached the City about the possibility of leasing the Willman House for office space, storage, and a small ticket office. In accordance with the terms of the lease agreement, the Lebanon Community Theater was required to spend a minimum of \$6,000.00 to abate the mold issue which included the removal and disposal of carpets. The language in the new lease agreement is similar to that in the agreement for the lease of the Barn, except the term was increased to ten years.

Bill No. 12 was passed finally on motion of Mr. Wertz, seconded by Mr. Carey. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Anthony Matula, 110 South Ninth Street, Lebanon, told Council that Act 47 was passed by the State Legislature on October 30, 2017. At the present time, the city ordinance requires that no pyrotechnics be ignited within 15 feet of any building. He reported that in 2018, the City of Lancaster banned pyrotechnics. He stated that the Lebanon Police Department and the Lebanon Fire Department did a great job during the July 4 holiday; however, that doesn't stop the use of the pyrotechnics. On behalf of the hundreds of constituents supporting the outlaw of pyrotechnics, he urged Council to take action to ban pyrotechnics in the City of Lebanon.

Councilmember Wilson asked if increases in permit fees come before Council prior to being levied. Mayor Capello replied that all permit fees are approved by the adoption of an ordinance by Council in accordance with the *Home Rule Charter*.

Councilmember Wilson reported that the mural project at Beautex Park is taking place this week and they need more volunteers to help on Wednesday and Thursday.

Councilmember Wilson asked if all sidewalk repairs must be completed in accordance with ADA requirements to which Mayor Capello replied yes. She added that the requirements have recently changed.

Councilmember Wilson asked if a business owner can request a loading zone. Mayor Capello replied that the business owner should submit a detailed letter of request to Director of Public Works Robin Getz. Mrs. Getz will present the request to the Traffic Safety Committee for review and consideration.

Jerry Kalinoski, 412 Weidman Street, Lebanon, stated that he is a volunteer on the Shade Tree Commission and is also a Curb and Sidewalk Inspector for the City of Lebanon. He reported that many property owners are not aware that they are responsible for obtaining a permit for replacement of a tree. Mayor Capello replied that the City does public outreach through its website and newsletter, and recently, there was a social media post regarding shade trees on Facebook and Twitter. In addition, letters are sent to property owners when there is a dead tree that must be replaced. Several years ago, a public meeting was held for the purpose of reaching out to the property owners.

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The meeting was adjourned at 7:34 p.m.

CHERYL J. GIBSON, Clerk