

MONDAY, DECEMBER 16, 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; Donna Long Brightbill, City Solicitor; Robin L. Getz, Director of Public Works; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Duane Trautman, Fire Commissioner; 25 persons in the audience; and 2 members of the news media.

The minutes of the November 25, 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 November 30, 2019. Mayor Capello reported that 92 percent of the fiscal year is completed; revenues are at 105 percent; and expenses are at 83 percent. Both revenues and expenditures are performing better than budget.

Nick Loftus, President, Susquehanna Area Mountain Bike Association, gave a presentation on SAMBA's proposal to build a bicycle playground at Coleman Memorial Park. The proposed location of the bicycle playground is in a fenced in area adjacent to the swimming pool. The proposal is to retain the pool concession stand which could benefit the park. The current nature trail at the park is located adjacent to the area of the proposed bicycle playground and could be used by bicyclists.

Mayor Capello reported that she recently met with the Coleman Memorial Park Board's Strategic Planning Committee and they were in support of the bicycle playground. The Strategic Planning Committee will present the proposal to the full Board for consideration at the monthly Board of Trustees meeting scheduled for January 7.

Mr. Loftus stated that the surface of the trail would be wood chips or dirt. Councilmember Morales stated that the Master Site Plan proposes that the trail be extended into the northwest section of the park. He asked if SAMBA would be interested in helping with that project to which Mr. Loftus confirmed they would be interested in helping.

Councilmember Wilson asked if kids with regular bikes would be able to use the bike playground. Mr. Loftus replied that any type of bike can be used in the bicycle playground.

Councilmember Morales asked if SAMBA's proposal for the bicycle playground will need approval by Council to which Mayor Capello replied that there would be a Memorandum of Understanding between the City and SAMBA which must be reviewed by the City Solicitor and ultimately approved by Council.

Mr. Morales asked if the proposal includes any activities for persons with disabilities. Mr. Loftus replied that there is nothing specifically included; however, adaptive cyclists would be accommodated.

Councilmember Wilson asked if SAMBA also funds the construction of the bicycle playground. Mr. Loftus replied that SAMBA will raise the funds for the construction of the bicycle playground. Nikki Maurer, Community Health Council, reported that Tour Lebanon Valley has already committed to donating the proceeds of the bike race to this project.

Gordon Weise, WLBR Radio, asked what it costs to purchase a bike and the equipment to use on the trail. Mr. Loftus replied that it can cost anywhere from a few hundred to several hundred dollars.

David Schnoke, President, Coleman Memorial Park Board, asked how it works with both bikers and hikers using the trail. Mr. Loftus replied that there is signage erected advising bikers to yield to hikers.

Hazel Diaz, 931 Maple Street, Lebanon, asked if there could be a waiver of the fee for a bike license for those using this facility. Mayor Capello replied that the ordinance requires a fee for a bike license and it cannot be waived. She added that there may be a donor willing to pay the license fee for kids who cannot afford to pay the annual fee of \$2.00 for a bicycle license.

Mayor Capello gave a presentation on the swimming pool. She reported that the pool is located on a tract of land separate from the park and acquired by the City. The area that SAMBA is proposing to use for the bicycle playground runs adjacent to the tract where the pool is located. She added that the Pa. Department of Conservation and Natural Resources has commented that Coleman Memorial Park is the most beautiful natural park in Pennsylvania.

Mayor Capello stated that since the pool was closed, vandalism occurred. During an inspection, large pieces of concrete were noticed on the floor area. The pool specialist determined that the concrete was falling off the rusting rebar which makes up the formation of the above-ground pool. She is recommending that Council make a decision on whether or not the pool should be demolished. If demolished, a possible replacement could be a splash pad. In keeping with the natural beauty of the park, she is proposing a tree themed splash pad at a cost of \$75,000-\$200,000. Councilmember Wilson asked what the cost is for a basic splash pad. Mayor Capello replied that a smaller splash pad costs approximately \$75,000. She added that it is recommended to keep the age groups separate.

Councilmember Wilson stated that he was hoping alternatives would be considered in the past two years. Mayor Capello responded that the goal was to set aside money for either demolition or rehabilitation of the pool. We will reach that \$300,000 goal in 2020 and she is

now asking Council for direction on how to proceed. Mayor Capello stated that if Council decides to move in the direction of demolition of the pool, SAMBA would build the bicycle playground and the pool would be demolished in 2020. In addition, we could potentially advertise for bids for the splash pad in 2020 with construction in 2021.

Councilmember Wilson stated that the regulations for private pools were previously discussed. He stated that if the regulations for a private pool would be less stringent, it would help the citizens. Mayor Capello stated that the setbacks for pools have been in place since 1970. She added that the new proposed zoning ordinance which will come before Council in February or March will lessen the setback requirements to property owners who want to erect a pool in their backyard.

On motion of Mr. Morales, seconded by Mr. Wertz, Council approved the demolition of the swimming pool at Coleman Memorial Park. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, and Mr. Carey, Chairperson--4; nays--Mr. Wilson--1.

Councilmember Parker stated that he hates to see the pool torn down but it is no longer feasible. He added that after talking to the youth and a number of other reasons, it is time to move on.

Mayor Capello reported that an anonymous donor has offered to pay for a bronze plaque to commemorate the importance of the pool to the Lebanon community for many years.

Councilmember Wilson asked that the Mayor consider alternative uses of the site in the next 2-5 years, and not just consider a splash pad.

Chris Coyle, LebTown, asked the cost of operating the pool on an annual basis. Mayor Capello responded that the annual cost varied from \$118,000-\$156,000.

Dave Schnoke suggested that perhaps some of the impressive brick work from the pool could be incorporated into the plaque. Mayor Capello thanked Mr. Schnoke for his suggestion. She reported that another possibility that was discussed was selling bricks from the pool to the public.

Amy Keller, 304 South 4<sup>th</sup> Street, Lebanon, suggested exploring the possibility of using the bricks for other projects in the city (i.e., the Liberty Trail).

Andrew Zidik, 307 South 11<sup>th</sup> Street, Lebanon, asked if there are any grants available to restore and repurpose the building. Mayor Capello replied that she would have to check with the pool engineer as she is not certain it is feasible to restore and repurpose the building. She added that DCNR confirmed that the maximum grant amount available for a project is \$500,000 and a feasibility study would be required.

Hazel Diaz asked Council to continue seeking input from the youth as the City moves forward with developing this tract. Mayor Capello agreed that input from the youth is vital to

the project. She reported that surveys were done and representatives also met with members of the LHS Student Council.

Chairperson Carey announced that Council received a communication from Mayor Sherry Capello, advising of the reappointment of Jane Yocum, 1151 Nowlen Street, Lebanon, to the City of Lebanon Shade Tree Commission for a four-year term, effective November 30, 2019. Mayor Capello reported that Mrs. Yocum is a Master Gardener and her expertise is a great asset on the Commission since her appointment in 2005.

Mr. Parker introduced Resolution No. 36, as follows:

“A RESOLUTION IN SUPPORT OF A CITIZENS COMMISSION FOR LEGISLATIVE AND CONGRESSIONAL REDISTRICTING

WHEREAS, the citizens of the City of Lebanon and the Commonwealth of Pennsylvania deserve a fair, fully transparent, impartial and depoliticized process of the decennial drawing of state legislature and congressional districts of near equal population; and

WHEREAS, legislative and congressional redistricting has at times resulted in gerrymandered districts that favor one political party over others; and

WHEREAS, such gerrymandering of legislative and congressional districts has worked at times to the detriment of our representative democracy; and

WHEREAS, the creation of a truly independent citizens redistricting commission devoid of political motivation or partisanship will: ensure a fair, transparent, and accurate legislative and congressional redistricting process that respects political subdivisions; prohibit districts from being drawn to favor or discriminate against a political party or candidate; require the use of impartial and sound methodology when setting district boundaries; require public input; and fully comply with the constitutional requirement that “no county, city, incorporated town, borough, township or ward” be divided “unless absolutely necessary,” and

WHEREAS, legislation to amend the Pennsylvania Constitution to reform the decennial legislative and congressional redistricting process with the intent of using fairness and sound methodology in a non-partisan fashion is required to ensure these reforms.

NOW, THEREFORE, BE IT RESOLVED that the Lebanon City Council does hereby support legislative efforts to amend the Pennsylvania Constitution to assign the decennial task of both legislative and congressional redistricting to an independent citizens' redistricting commission; and

BE IT FURTHER RESOLVED that we call upon all those elected officials and party leaders in the Commonwealth of Pennsylvania who represent the citizens of the Lebanon City to publicly announce their support of and commitment to work towards passage of such legislative efforts, and that a copy of this Resolution be delivered to each of them.

Councilmember Wilson asked that in the future, representatives from both sides of the issue be invited to give input. Councilmember Parker stated that it is not just in Pennsylvania where representatives did gerrymandering. The intent of this organization is to take the congressional redistricting out of the political arena. He urged Council to get away from politics and give this resolution favorable consideration.

Chairperson Carey stated that he respects everyone's opinion on this issue. He personally struggled with the speed of the resolution coming before Council for a vote. He added that he tried to do more research this past weekend and found very little information as to what is happening in Harrisburg on this issue.

Duncan MacLean, South Lebanon Township, reported that the House State Government Committee held a public hearing on September 18, 2019. Experts from both sides were invited to give remarks. He added that Fair Districts supports House Bills No. 22 and 23, and Representatives Diamond and Ryan sit on the State Government Committee.

Resolution No. 36 was passed finally on motion of Mr. Parker, seconded by Mr. Wilson. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, and Mr. Wilson--4; nays--Mr. Carey, Chairperson--1.

Mr. Wertz called up Bill No. 14 on final reading, the title of which is as follows: "AN ORDINANCE PROVIDING FOR THE TAX LEVY OF THE CITY OF LEBANON, PA., FOR THE YEAR 2020".

Mayor Capello stated that this is the fifth consecutive year that there was no tax increase.

Bill No. 14 was passed finally on motion of Mr. Wertz, seconded by Mr. Wilson. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Mr. Morales called up Bill No. 15 on final reading, the title of which is as follows: "AN ORDINANCE AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2020 IN A PRINCIPAL AMOUNT OF ONE MILLION DOLLARS (\$1,000,000); PROVIDING FOR THE DATED DATE, INTEREST RATE, MATURITY DATE, PAYMENT AND PLACE OF PAYMENT IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL ATTACHED HERETO AS EXHIBIT "B" FROM THE FINANCIAL INSTITUTION OR ENTITY NAMED THEREIN FOR THE PURCHASE OF THE NOTE; NAMING A SINKING FUND DEPOSITARY/PAYING AGENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO EXECUTE AND DELIVER THE NOTE AND CERTAIN OTHER DOCUMENTS AND CERTIFICATES IN CONNECTION THEREWITH; AUTHORIZING AND DIRECTING THE PREPARATION, CERTIFICATION AND FILING OF THE NECESSARY DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH A FORM OF THE NOTE".

Mayor Capello reported that the interest rate of 1.83 percent for 2020 is lower than the interest rate paid for the 2019 TRAN.

Bill No. 15 was passed finally on motion of Mr. Wertz, seconded by Mr. Wilson. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Mayor Capello and Council presented plaques to outgoing Councilmember Wiley P. Parker in recognition of his leadership and dedicated service to the citizens of the City of Lebanon during the period 2008-2020; and to Councilmember Cornell L. Wilson in recognition of his faithful and dedicated service to the citizens of the City of Lebanon during the year 2016-2020.

The meeting was adjourned at 8:18 p.m.

Cheryl J. Gibson, City Clerk