

MONDAY, SEPTEMBER 27, 2021

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 Morales presiding.

The meeting was called to order at 6:30 p.m.

Present--Mr. Bost, Mr. Carey, Mr. Miller, Mr. Wertz, and Mr. Morales, 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; Janelle Mendoff, Community and Economic Development Administrator; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Duane Trautman, Fire Commissioner; 11 persons in the audience; and 2 members of the news media.

The minutes of the August 23, 2021, City Council meeting were presented by the City Clerk. There being no corrections, deletions or additions, the minutes were approved as presented.

Chairperson Morales announced that Council received a budget report for the period January 1 through August 31, 2021. Mayor Capello reported that 60 percent of the fiscal year is completed; revenues are at 86 percent and expenditures are at 49 percent. Overall, we are performing better than budget.

Chairperson Morales announced that Council received the following communications:

- a. Mayor Sherry L. Capello, informing Council of the reappointment of Aria Karmazin, 463 North Sixth Street, Lebanon, to the City of Lebanon Planning Commission for a four-year term, effective September 14, 2021. Mayor Capello reported that Mr. Karmazin is a registered architect and is a great resource on the Planning Commission. This will be his second term serving on the Planning Commission.
- b. Director of Administration-Assistant to the Mayor Melissa Quinones, transmitting notice of the 2022 minimum municipal pension plan contributions (Police-\$932,601; Fire-\$271,449; Non-Uniformed-\$0). Mayor Capello reported that the minimum municipal obligation is required to be calculated annually and is based on the two-year actuarial valuation.

Mr. Carey introduced Resolution No. 39, as follows:

A RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE CITY OF LEBANON TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR THE NORTH LINCOLN AVENUE BRIDGE OVER THE QUITTAPAHILLA CREEK PROJECT.

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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. Lebanon City Council does hereby authorize the submission request for the Pennsylvania Department of Transportation to provide up to Two Million Two Hundred Sixty-Four Thousand Five Hundred Dollars (\$2,264,500.00) reimbursement to the City of Lebanon for costs associated with the North Lincoln Avenue Bridge over the Quittapahilla Creek Project.

SECTION 2. The Mayor and City Clerk of the City of Lebanon are hereby authorized and directed to sign Reimbursement Agreement No. R21080012 on behalf of the City of Lebanon.

SECTION 3. Any resolution or part of resolution conflicting with the provisions of this resolution be and the same are hereby repealed so far as the same affects this resolution.

Mayor Capello reported that the original agreement was signed in 2013. Due to the many revisions to the agreement, PennDot is requesting a new agreement be executed. Mayor Capello reported that the original agreement was part of a pilot program that included 6-8 municipalities throughout the state. It was believed that by bidding the projects together, PennDot would be able to secure a better price. Because the City of Lebanon participated in the pilot program, its share of the project cost is 5 percent rather than the 10 percent share normally required. The City's share of the project is approximately \$113,525. Mayor Capello reported that PennDot is currently working on the utility easements needed for the project. The let date is projected to be 2023 and it is anticipated that repairs will not take very long after work begins.

Resolution No. 39 was passed finally on motion of Mr. Carey, seconded by Mr. Wertz. Yeas--Mr. Bost, Mr. Carey, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Mr. Miller introduced Resolution No. 40, as follows:

A RESOLUTION APPROVING SPECIFICATIONS FOR REQUESTS FOR PROPOSALS FOR PROFESSIONAL AUDITING SERVICES FOR THE YEAR ENDING DECEMBER 31, 2021, WITH OPTIONS TO EXTEND THROUGH DECEMBER 31, 2023.

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. Specifications for Requests for Proposals for professional auditing services for the year ending December 31, 2021, with options to extend through December 31, 2023, be and the same are hereby approved.

Mayor Capello reported that an RFP for auditing services is advertised every three years. The cost of the audit for FY 2020 was \$32,000. It is anticipated there will be a slight increase for the next audit. She reported that in addition to advertising in the newspaper and the city website, invitations were mailed to 12 agencies within the region.

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Resolution No. 40 was passed finally on motion of Mr. Miller, seconded by Mr. Bost. Yeas--Mr. Bost, Mr. Carey, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Mr. Bost called up Bill No. 12 on final reading, the title of which is as follows: “AN ORDINANCE OF THE COUNCIL OF THE CITY OF LEBANON, LEBANON COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE ONE OR MORE SERIES OF GENERAL OBLIGATION BONDS OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF TWO MILLION THREE HUNDRED THIRTY THOUSAND DOLLARS (\$2,330,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 PAC.S., CHAPTERS 80-82, AS AMENDED AND SUPPLEMENTED (THE “ACT”); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE CITY; DETERMINING THAT SUCH BONDS SHALL EVIDENCE NONELECTORAL DEBT OF THE CITY; SPECIFYING THAT SUCH INDEBTEDNESS BE INCURRED TO PROVIDE FUNDS FOR A PROJECT OF THE CITY WHICH INCLUDES, AMONG OTHER THINGS: (1) THE DESIGN, ACQUISITION, CONSTRUCTION, INSTALLATION, FURNISHING AND EQUIPPING OF ALTERATIONS, RENOVATIONS, ADDITIONS AND IMPROVEMENTS TO AN EXISTING BUILDING FOR USE AS A NEW CITY HALL; AND (2) THE PAYMENT OF THE COSTS AND EXPENSES OF ISSUANCE OF THE BONDS; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE CAPITAL PROJECTS THAT ARE TO BE FINANCED BY THE BONDS; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH BONDS AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH BONDS, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE CITY; FIXING THE DENOMINATIONS, DATED DATE, INTEREST PAYMENT DATES, MATURITY DATES, INTEREST RATES, REDEMPTION PROVISIONS, MANDATORY REDEMPTION PROVISIONS (IF APPLICABLE) AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AUTHORIZING SPECIFIED OFFICERS OF THE CITY TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH BONDS; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH BONDS TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH BONDS, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITARY; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH BONDS WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH BONDS; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY (IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE PROJECT; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE BONDS, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT

STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH BONDS, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE CITY, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE CITY TO DELIVER THE BONDS UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; SETTING FORTH CERTAIN COVENANTS PRECLUDING THE CITY FROM TAKING ACTIONS WHICH WOULD CAUSE THE BONDS TO BECOME “ARBITRAGE BONDS” OR “PRIVATE ACTIVITY BONDS,” AS THOSE TERMS ARE USED IN THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE “CODE”), AND APPLICABLE REGULATIONS PROMULGATED THEREUNDER; DESIGNATING THE BONDS AS “QUALIFIED TAX-EXEMPT OBLIGATIONS” UNDER SECTION 265(b) OF THE CODE; AUTHORIZING THE PURCHASE OF BOND INSURANCE (IF APPLICABLE); SETTING FORTH THE PROVISIONS, IF ANY, REQUIRED TO BE INCLUDED BY THE BOND INSURER; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE AND COVENANTING TO COMPLY WITH THE PROVISIONS THEREOF; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INSOFAR AS THE SAME SHALL BE INCONSISTENT HEREWITH”.

Ryan Hottenstein, FSL Public Finance, Reading, Pennsylvania, reported that the bond sale was held today and the results came in in very favorably with an interest rate of 2.31 percent with a total fixed true interest cost of 2.34 percent through maturity. He stated that the interest rate will be locked in. Mayor Capello reported that the annual average payment will be \$107,175 which is less than the maximum amount Mayor Capello was comfortable paying each year.

Councilmember Miller asked if everything is on schedule for the new city hall to which Mayor Capello replied it is.

Chairperson Morales asked if there have been any unforeseen things for the project. Mayor Capello replied that some pricing came in higher than anticipated. However, there was a 10 percent contingency and some Covid-related items can be paid for through the American Rescue funds. Overall, considering the size of the project, the City is in good shape.

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

Councilmember Carey reported on the following:

- a. Bond Issue. Mr. Carey thanked all involved for their work on the bond issue.
- b. Fall Yard Waste Collection. The Fall Yard Waste Collection is scheduled for October 18-22. He reminded folks that no leaves are accepted. Director of Public Works Robin Getz reported that yard waste is collected biannually. She added that with the MS4 regulations, it is critical that residents do not place debris in the street until the

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- weekend prior to the collection. She added that no ornamental grass is accepted. Mr. Carey urged residents to help clear stormwater drains.
- c. Leaf collection begins November 1.
  - d. The Community of Lebanon Association (CLA) erected a banner at Ninth and Cumberland Streets that includes upcoming events for 2021.
  - e. Lebanon PA Facebook page. He reminded folks that there is a lot of information for residents on this FB page.
  - f. Trick-or-Treat is scheduled for October 28, 2021, from 6:00 p.m. to 8:00 p.m.
  - g. The Multi-Cultural Festival will be held on October 2, from 1:00 p.m. to 7:00 p.m. The festival will be held on Eighth Street, between Cumberland Street and Chestnut Street. Mayor Capello reported that the festival will include food and music. In addition, a special presentation to Joshua Aguilar who won additional gold medals in his Taekwondo competitions. Councilmember Carey reported that Family First will be present to offer free COVID vaccines. Mayor Capello added that prior to the festival, Domestic Violence Intervention is holding a Rubber Duck Derby at 7th Street and the Quittapahilla Creek.

Mayor Capello reported that the basketball courts at South Sixth Street Playground were recently refurbished and a ribbon cutting ceremony is scheduled for Saturday, October 2 at 2:00 p.m.

Mayor Capello reported that the Cit of Lebanon Authority will be closing and detouring traffic on Quentin Road on Tuesday, September 28, for repair work. Traffic will be detoured onto Cornwall Road.

CHERYL J. GIBSON, Clerk