

MONDAY, FEBRUARY 26, 2024

The regular monthly meeting of the Council of the City of Lebanon, Pa., was held in Dixon Council Chamber of City Hall, Lebanon, Pa., this evening, Chairperson Morales presiding.

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

Present--Mrs. Haitos, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson. Absent—Mr. Maguire.

Also present were Mayor Sherry L. Capello; Jeffrey Campbell, Deputy Fire Chief; Chief of Police Bret Fisher; Janelle Mendoff, Community and Economic Development Administrator; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Tricia Springer, City Solicitor; A.J. Sweitzer, Fire Chief; Chad Yeagley, Director of Public Works; four persons in the audience; and three members of the news media.

The minutes of the January 22, 2024, 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 preliminary budget report for the period January 1 through December 31, 2023; and a budget report for the period January 1-31, 2024.

Mayor Capello reported that the budget report for the period January 1-December 31, 2023, is a preliminary statement and the numbers are a good indication that there will not be a deficit for FY 2023.

Councilmember Maguire arrived in the meeting at 6:32 p.m.

Mayor Capello continued that the year-end accruals must still be posted and staff was able to enter invoices for the 2023 budget until the end of February.

Regarding the budget report for the period January 1-31, 2024, Mayor Capello reported that eight percent of the fiscal year is completed; revenues are at six percent; and expenditures are at four percent. She noted that no real estate tax revenue has been received to date.

Chairperson Morales announced that Council received a communication from Mayor Sherry Capello, informing Council of the reappointment of Frank Kocher, 204 Monroe Valley Drive, Jonestown, PA; and Jacqueline Parker, Three East High Street, Lebanon, PA, to the City of Lebanon Land Bank for a five-year term, effective retroactively to February 9, 2024. Mayor Capello reported that the Land Bank was established in March 2017; however, it was 2018 until all three taxing entities were on board with utilizing 50 percent of the real estate taxes and sharing with the Land Bank for a five-year period. The Land Bank is a tool to assist with blighted properties and return them to a productive status for owner-occupied housing and to

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help our neighborhoods. Mayor Capello told Council that Mr. Kocher was part of the initial planning team, and Jackie Parker was appointed in February 2023 to fill the unexpired term of Joseph Klein as the representative of the Planning Commission. She added that Jackie also served on the Harrisburg City Land Bank.

Mr. Morales introduced Resolution No. 2, as follows:

A RESOLUTION ADOPTING THE LEBANON COUNTY 2023 HAZARD MITIGATION PLAN AS THE OFFICIAL HAZARD MITIGATION PLAN OF THE CITY OF LEBANON.

WHEREAS, the City of Lebanon, Lebanon County, Pennsylvania, is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety; and

WHEREAS, Section 322 of the disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities; and

WHEREAS, the City of Lebanon acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds; and

WHEREAS, the Lebanon County 2023 Hazard Mitigation Plan has been developed by the Lebanon County Commissioners and the Lebanon County Department of Emergency Services in cooperation with other county departments, and officials and citizens of the City of Lebanon; and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Lebanon County 2023 Hazard Mitigation Plan; and

WHEREAS, the Lebanon County 2023 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and human-made hazards that face the County and its municipal governments.

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

SECTION 1. The Lebanon County 2023 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the City of Lebanon.

SECTION 2. The respective officials and agencies identified in the implementation strategy of the Lebanon County 2023 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

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Chairperson Morales reported that the Hazard Mitigation Plan (HMP) was prepared by the County of Lebanon and is updated every five years. The HMP helps to reduce the loss of life and property by lessening the impact of both man made and natural disasters. The HMP was prepared by Lebanon County with input from municipal governments. Chairperson Morales stated that the HMP has been adopted by the Lebanon County Commissioners and must also be adopted by the various municipalities in Lebanon County. Chairperson Morales explained that the HMP must be in effect so that if there is a disaster declared by the Governor and Mayor, individuals and the City of Lebanon are eligible to receive federal funding under the Stafford Act. He added that if the HMP is not adopted by Council, the City of Lebanon and individuals would not be eligible for federal aid in the case of an emergency declared during a disaster.

Councilmember Maguire stated that he appreciates the work done on the HMP. However, he finds irrelevant the language regarding mitigating disasters that occur and the prognosis for future events with certainty. He added that he is uncomfortable adopting certain elements of the language in the plan for those reasons. Additionally, the HMP also assigns blame for future events that he finds unhelpful. He told Council that for those reasons, he plans to vote no to the resolution.

Councilmember Martin stated that he understands that the plan is necessary. However, he has a few issues with the tenor of language throughout the document regarding one particular subject. For clarification, he referred to a section of the plan regarding climate change. He stated that this is an example of a few definitive and deemed unwavering statements in the document relating to climate change. He added that he believes Council needs to guard against this type of language permeating into the future language and culture of our citizens. He stated that he does not reject the document as a whole but he rejects some of the language in the plan and felt it valuable to be in the record.

Councilmember Haitos stated that she fully appreciates the necessity of adopting the plan and understands the ramifications of the plan not being adopted. She stated that the language relating to climate change, the certainty of it, and the statement that it is an extinction event that will lead to a mass extinction is an overstatement. She does not understand the relevance of including it so pervasively throughout the document.

Councilmember Potash stated that he is not thrilled with the some of the language in the HMP, but he fully understands the necessity of adopting the plan.

Chairperson Morales stated that this plan will expire and it is incumbent upon Councilmembers to make sure the Mayor understands their thoughts when the next update process begins. Chairperson Morales asked Council for a yes vote because he believes we need to put people above politics.

Mayor Capello thanked Council for their statements. She stated that she also has concerns with some of the language. She reported that a city representative was part of the Planning Committee; however, unfortunately that employee is no longer part of the city team to ask. She told Council that she will make sure the County is aware of the concerns expressed. Mayor Capello told Council that this is the first meeting since we received the request to adopt

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the HMP. She added that it is vital that the plan be adopted. She reported that since 2009, the City of Lebanon has received more than \$375,000 in disaster relief funding for overtime and equipment costs. That figure does not include assistance granted to individuals who suffered property damage resulting from Tropical Storm Lee, estimated to be more than \$1 million or millions. Not having access to that funding is significant to the community. She told Council that we are here to represent all of our people and we need to think of the community as a whole. Mayor Capello asked Council to vote yes, understanding, recognizing and agreeing that we are not in agreement with some of the statements in the plan

Craig Gates, 47 Berwyn Park, Lebanon, strongly urged Council to vote yes to this resolution. He stated that his family benefited from this funding during the 1972 flood.

Councilmember Haitos clarified that her disagreement with the language is not political. Her disagreement with the language is that she does not like putting her name to something she does not believe in; however, the overall importance of the document outweighs those concerns.

Resolution No. 2 was passed finally on motion of Mr. Morales, seconded by Mr. Martin. Yeas--Mrs. Haitos, Mr. Potash, and Mr. Morales, Chairperson--3; nays--Mr. Maguire and Mr. Martin--2.

Mrs. Haitos introduced Bill No. 1, as follows:

AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP OF THE CITY OF LEBANON, PA., TO ESTABLISH A “NO PARKING ZONE” ALONG THE WEST SIDE OF NORTH NINTH STREET FROM THE SOUTH SIDE OF WATER STREET TO A POINT FIFTY-FIVE FEET TO THE SOUTH.

Be It Ordained by the Council of the City of Lebanon, Pa., and it is hereby ordained by the authority of the same, That:

SECTION 1. The Traffic Control Map of the City of Lebanon, Pa., is hereby amended by establishing a “No Parking” zone along the west side of North Ninth Street from the south side of Water Street to a point fifty-five feet (55’) to the south, to include the elimination of one existing on-street parking space.

SECTION 2. Any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Mayor Capello reported that Bills No. 1 and 2 are part of the project at the site of the former Northwest Elementary School, Ninth and Maple Street, Lebanon. The project is for indoor self-storage units and a medical office building. The developer is requesting that Water Street be changed to a one-way eastbound street and proposes two full movement driveways with access from Maple Street and Water Street. In accordance with a Developers Agreement between the City of Lebanon and the developer, the developer will be responsible for the cost of changing the PennDot permit for the traffic signal at Ninth and Maple Streets and the removal of the all signage and flashing signals associated with the former school. A traffic count projected

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that there will be an average of 53 trips daily for the mini-warehouse and 532 for the medical office building, for a total of 585 trips daily. The study projected that the proposed project will not generate more traffic than was previously generated by the former elementary school.

Bill No. 1 was introduced and will be considered on final reading at the Council meeting of March 25, 2024, on motion of Mrs. Haitos, seconded by Mr. Morales. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson--5; nay--none.

Mr. Potash introduced Bill No. 2, as follows:

AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP OF THE CITY OF LEBANON, PA., TO ESTABLISH WATER STREET, BETWEEN NINTH AND TENTH STREETS, AS A ONE-WAY EASTBOUND STREET; AND REPEALING BILL NO. 34, SESSIONS 2008-2009.

Be It Ordained by the Council of the City of Lebanon, Pa., and it is hereby ordained by the authority of the same, That:

SECTION 1. The Traffic Control Map of the City of Lebanon, Pa., is hereby amended by establishing Water Street, between Ninth and Tenth Streets, as a one-way eastbound street.

SECTION 2. Bill No. 34, Sessions 2008-2009, is hereby repealed in its entirety so far as the same affects this ordinance.

Mayor Capello reported that Bills No. 1 and 2 are both related to the project at the site of the former Northwest Elementary School, Ninth and Maple Streets, Lebanon. The reason for the no parking is to allow for a clear sight distance resulting from the change of direction of Water Street.

Bill No. 2 was introduced and will be considered on final reading at the Council meeting of March 25, 2024, on motion of Mr. Potash, seconded by Mr. Martin. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson--5; nay--none.

William Thomas, real estate agent and property owner in the City of Lebanon, addressed Council regarding the Homestead Exclusion. He distributed a list of properties in the city that qualify for a \$600 payment. He clarified that his list is the lowest 1/3 of the group in the city that can benefit from the program. He is promoting the program and requested to post the list on the inside of the glass at City Hall so he can direct folks there to check if their name is on the list. He stated that the deadline for returning the form to the Lebanon County Assessment Office is March 1 or they will lose the \$600. Mayor Capello stated that she will not promise the list will be posted on the front door. She and her staff will collaborate to put something together to help educate the public about the program.

The meeting was adjourned at 7:17 p.m.

CHERYL J. GIBSON, Clerk