

MONDAY, JANUARY 24, 2022

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--Mrs. Haitos, Mr. Martin, 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; three persons in the audience; and one member of the news media.

The minutes of the December 13, 2021, and January 3, 2022, City Council meetings 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, 2021. Mayor Capello reported that this is a preliminary budget report and additional account payables for 2021 will be added and year-end accruals will be reversed. She added that account payables for 2021 are received through the end of February. Preliminarily, revenues are at 118 percent and expenditures are at 90 percent, and the city is \$195,486 to the positive.

Chairperson Morales announced that Council received the following communications:

- a. Mayor Sherry L. Capello, informing Council of the reappointment of Jane Yocum, 1125 Nowlen Street, Lebanon; Captain Bret Fisher, 400 South Eighth Street, Lebanon; Detective Ryan Mong, 400 South Eighth Street, Lebanon; Terrence Feeman, 1536 Elm Street, Lebanon; and Sgt. Steve Bord, 400 South Eighth Street, Lebanon, to the City of Lebanon Police Pension Fund Board for a four-year term, effective January 3, 2022. In addition, Mayor Capello will continue to serve as a member of the Board. Mayor Capello extended her thanks to the Board members for their volunteer service ranging from 2 months to 17 years.
- b. Mayor Sherry L. Capello, informing Council of the reappointment of Career Firefighter Brian Otto, Post Office Box 394, Schaefferstown; Career Firefighter Anthony Ficco, III, Six Wheatland Drive, Myerstown; Martin Yocum, 1151 Nowlen Street, Lebanon; and Gregory Hower, 15 East Maple Street, Lebanon, to the Paid Firemen's Pension Fund Board for a four-year term, effective January 3, 2022. In addition, Mayor Capello will continue to serve as a member of the Board. Mayor Capello extended her appreciation to the board members for their volunteer service ranging from 4 years to 13 years.

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- c. Mayor Sherry L. Capello, informing Council of the reappointment of Gary Matthew, 115 East High Street, Lebanon, to the City of Lebanon Authority for a five-year term, effective January 1, 2022. Mayor Capello reported that Mr. Matthew has served on the City of Lebanon Authority since 2007 and extended her thanks for his 15 years of service.
- d. Mayor Sherry L. Capello, informing Council of the reappointment of Jeffrey Yocum, D.O., 949 Cumberland Street, Lebanon; Sandra Meluskey, Five Woodland Estates, Lebanon; Fire Commissioner Duane Trautman; and Code Enforcement Inspector Gerald Fisch, to the City of Lebanon Board of Health for a four-year term, effective January 3, 2022. In addition, Mayor Capello will continue to serve as a member of the Board. Mayor Capello reported that the State requires that a doctor serve on the Board and Dr. Yocum has served since 1985. Mayor Capello extended her appreciation to the board members for their service ranging from 12 years to 37 years.

Mr. Miller introduced Resolution No. 1, as follows:

“A RESOLUTION AUTHORIZING THE DISPOSITION OF VARIOUS DOCUMENTS IN THE LEBANON POLICE DEPARTMENT.

WHEREAS, by virtue of Resolution No. 36, Sessions 2008-2009, passed finally by City Council on April 27, 2009, the City of Lebanon declared its intent to follow the procedures for the disposition of records as set forth in the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued on December 16, 2008; and

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality.

NOW, THEREFORE, 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 disposition of the following records in the Police Department is hereby approved:

- 2016 Parking Citations
- 2019 Officer Activity Logs
- 2016 NRA Reports
- 2019 Court Dispositions and Court Orders
- 2018 Complaints, Incident reports and Initial Activity Reports
- 2018 PennDot Returns
- 2016 Traffic and Non-Traffic Citations
- 2020 Parking Tickets (Paid)
- All NCIC paperwork prior to 2014
- Civil Service files - 2012 and prior

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- Administrative Paperwork (Response to Resistance Report, Purchase Orders, MDJ dismissals and Yearly Reports – 2012 and prior)

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

Mayor Capello reported that it is the intent of the City to follow the requirements set forth in the Retention and Disposition Schedule for Records and this resolution includes various records in the Lebanon Police Department.

Resolution No. 1 was passed finally on motion of Mr. Miller, seconded by Mr. Morales. Yeas—Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson—5; nays—none.

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

“A RESOLUTION AUTHORIZING THE DONATION OF MISCELLANEOUS CORRESPONDENCE REGARDING THE FORMER COLONIAL THEATER SITUATE ON THE NORTHWEST CORNER OF NINTH AND CUMBERLAND STREETS, LEBANON, TO THE LEBANON COUNTY HISTORICAL SOCIETY.

WHEREAS, by virtue of Resolution No. 36, Sessions 2008-2009, passed finally by City Council on April 27, 2009, the City of Lebanon declared its intent to follow the procedures for the disposition of records as set forth in the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued on December 16, 2008; and

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality; and

WHEREAS, the City is in possession of an administrative file containing miscellaneous correspondence and photographs of the former Colonial Theater situate on the northwest corner Ninth and Cumberland Streets; and

WHEREAS, the City has determined the file is no longer of administrative value to the City and desires to donate said file to the Lebanon County Historical Society.

NOW, THEREFORE, 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 donation of the administrative file including miscellaneous correspondence regarding the former Colonial Theater situate on the northwest corner of Ninth and Cumberland Streets, Lebanon, to the Lebanon County Historical Society is hereby authorized.

SECTION 2. The Mayor of the City of Lebanon is hereby authorized to execute a Custody and Deed of Gift Form on behalf of the City of Lebanon”.

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Resolution No. 2 was passed finally on motion of Mr. Wertz, seconded by Mr. Miller. Yeas--Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Mr. Morales introduced Bill No. 1, as follows:

“AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF LEBANON, PENNSYLVANIA.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of the City of Lebanon, Pennsylvania:

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

SECTION 1. The editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City of Lebanon, Pennsylvania, so as to conform to the classification and number system of the codified ordinances to wit:

Ordinance No.	Date	Subject	C.O. Section
6-2020, 21	2-22-2021	Amending the International Fire Code which prohibits burning the City of Lebanon, adding the definition of burn container and creating a permitting process for public demonstrations involving burning of a flag	Article 1501
7-2020, 21	6-25-2021	Amending Subsection 1501.02, “Additions, Deletions, and Changes”, of Article 1501, “International Fire Code”, for the purpose of increasing the fee for an Application for appeal.	Article 1501
8-2020, 21	6-25-2021	Amending Subsection 1901.02, “Additions, Deletions, and Changes” of Article 1901, “International Property Maintenance Code”, for the purpose of increasing the fee for an Application for appeal.	Article 1901.

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.

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Mayor Capello explained that the codified ordinances is a book containing most ordinances adopted by Council. The book is updated annually by preparing a supplement to insert changes into the book that were adopted throughout the year.

Alisher Aminov, 300 South Lincoln Avenue, Lebanon, asked if the book is available for purchase by the public. Mayor Capello explained that it can be accessed from a link on the city website, a copy is available in the City Clerk's Office, and a copy is available in the Lebanon County Law Library. City Clerk Cheryl Gibson will check into the cost of purchasing the book.

Bill No. 1 was introduced and will be considered on final reading at the City Council meeting of February 28, 2022, on motion of Mr. Morales, seconded by Mr. Wertz. Yeas—Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson—5; nays—none.

Regarding the disposition of records, Councilmember Miller asked if there is guidance from the state on the retention of video from the body cameras worn by police officers. Chief Breiner replied that it is listed in the schedule published by the state.

Mayor Capello reminded the public that there is \$1 million available through the American Rescue Act funding for non-profit organizations. The deadline for applying for the funding is 12:00 noon on January 31. She encouraged applicants to make sure the application is complete. The programs that qualify for the funding include mental health, healthy childhood environment, affordable housing, and workforce development. Mayor Capello stated that this is a once in a lifetime opportunity to improve the community. The organization must be a 501(c)(3) to be considered. She added that there is no cap on the amount of funding an organization can request; however, organizations are asked to be reasonable and realistic when submitting the application. Applicants must provide an explanation of how Covid-19 has impacted the organization and the services provided to the community. In addition, the application should state who is the organization administering the program, who is being served, where will the program services take place and where will people be able to access information about the services, what type of program is being proposed, why is the program needed in the City of Lebanon, how the program will be executed, and how the program relates to the pandemic.

Chairperson Morales asked if there has been a lot of interest. Community and Economic Development Administrator Janelle Mendoff reported that to date, five applications have been received. However, based on the number of telephone calls and emails, she anticipates the response to be very good.

Mayor Capello announced that February is Black History Month. She will be issuing a proclamation and posting a video in recognition of Black History Month. She reported that Black History has been celebrated since 1926, and in 1976 President Gerald Ford extended the celebration to the entire month.

Regarding the application process, Alisher Aminove asked if an organization that has offices outside of the city but provides services to city residents is eligible to apply for funding. Ms. Mendoff replied that the organization must have an office within the city limits.

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Mr. Aminov asked who will determine which organizations receive the funding. Mayor Capello replied that the selection committee has not been finalized. She added that many of the Councilmembers and community members serve on organizations that will be applying for funding, so we are reaching out to those who have not served and to provide a diverse group.

The meeting was adjourned at 6:49 p.m.

CHERYL J. GIBSON, Clerk