

MONDAY, JUNE 26, 2023

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. Miller, Mr. Wertz, and Mr. Morales, Chairperson.
Absent--none.

Also present were Mayor Sherry L. Capello; Donna Long Brightbill, City Solicitor; Bret Fisher, Chief of Police; Robin L. Getz, Director of Public Works; Janelle Mendoff, Community and Economic Development Administrator; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; A.J. Sweitzer, Fire Commissioner; Chad Yeagley, Incoming Director of Public Works; 13 persons in the audience; and 4 members of the news media.

Council observed a moment of silence for the three victims of a triple homicide that occurred in the city on May 30, 2023.

The minutes of the May 22, 2023, 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 May 31, 2023. Mayor Capello reported that 42 percent of the fiscal year is completed; revenues are at 63 percent; and expenditures are at 29 percent. Overall, performance is better than budgeted in both categories.

Chairperson Morales announced that Council received a communication from Mayor Sherry L. Capello, informing Council of the appointment of A.J. Sweitzer as Fire Chief, effective June 5, 2023. Mayor Capello reported that Chief Sweitzer was the only candidate interviewed that possessed the administrative skills required to perform the job.

Mr. Miller introduced Bill No. 11, as follows:

AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR THE USE OF THE TRASH AND RECYCLING CENTER AT EIGHTH AND WALTON STREETS, LEBANON.

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. A fee schedule for the use of the Trash and Recycling Center at Eighth and Walton Streets, Lebanon, is hereby established, effective August 1, 2023, as follows:

- a. Business Use - \$75.00/month

- (i) Placement and/or use of the frying oil recycling container – additional \$5.00/month
- b. Residential property possessing more than three (3) units and/or rooms - \$40/month
- c. Residential property possessing three (3) or less units and/or rooms - \$30.00/month
- d. Late fee (assessed on accounts that have not been paid by the tenth day of the month) - \$5.00
- e. Set up fee for each access device - \$5.00 per device
- f. Replacement fee for each access device - \$5.00 per device

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 the City of Lebanon contracted with Weidle Sanitation for trash pickup at city-owned facilities for many years. Weidle Sanitation was a local family-owned business which was recently sold. Following the sale of the company, city officials realized that Weidle was funding the cost of pickup as there had been no increase in rates since 2009. She reported that the invoices for trash collection at the 8th and Walton Trash Center have nearly tripled, but are in line with industry standards. This increased cost needs to be passed on to the users using the facility and the new fee schedule will be implemented by August 1, 2023. She further explained that the facility is used by businesses and residents along Eighth Street that do not have rear access to their building.

Bill No. 11 was introduced and will be considered on final reading at the monthly meeting of July 24, 2023, 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.

Darryl Cox, 492 North Sixth Street, Lebanon, addressed Council regarding multiple issues, as follows:

1. Condition of streets and roads. He told Council that he understands why the condition of the streets are the way they are; however, motorists cannot get around easily and there is no communication to residents advising what streets are closed.
2. Condition of alleys. Mr. Cox reported that the alleys are in horrible condition. For example, the alley behind his home running from Crowell Street to Guilford Street is not passable. He reported that residents are filling in potholes with sand. He told Council that there needs to be a solution to direct folks around the city. He stated that Guilford Street, from Lincoln Avenue to Seventh Street, has been torn up for several years and is very hard to navigate.
3. Trash Containers. He reported that there are numerous trash haulers collecting throughout the city. In his neighborhood, there are up to seven haulers collecting in addition to independent trucks picking up trash. He told Council the system seems to be broken. The alleys are not meant to take that type of abuse. He reported that in the past there was discussion about the City developing its own trash system; however, that concept was not well received by residents and property owners. He suggested it may be time to revisit this issue.
4. Appearance. He complained about the number of garbage containers sitting in the

front of properties. He added that some of the dumpsters and trash cans are overflowing which gives a terrible appearance for the city. He complained that after the cans are emptied, they remain at the front of the building rather than being taken to the back until collection day. He also complained about the weeds coming up between sidewalks and stairwells filled with garbage. He told Council this is a bad vision and is embarrassing for the city. He complained about the UGI gas meters that are rusty and paint is peeling.

Mayor Capello thanked Mr. Cox for bringing these items to the attention of city officials. She reminded him that he can call or email his concerns to the city at any time so they can be addressed in a timely manner. She reported that over the past 18 months, the City of Lebanon has committed \$8.2 million for resurfacing. When the City initially received the American Rescue Plan Act funds, it could not be used for resurfacing. A group of Mayors lobbied federal officials and the guidelines were revised to include street paving. She explained that over the next two years, the City of Lebanon is investing \$9 million in resurfacing of streets. Initially, the focus was on streets that have more traffic volume; after paving of those streets is completed, officials will look at the less traveled streets and develop a schedule for paving. She reminded folks that when resurfacing a street, it is required that utilities make any repairs or restoration prior to paving. Mayor Capello acknowledged that there is some inconvenience to motorists during utility repairs and paving; however, residents will see a significant difference when the work is completed.

Regarding trash removal, Mayor Capello stated that previous administrations looked at the possibility of a single hauler; however, Council did not move forward with the plan. She added that her administration met with haulers between 2010-2014 and the haulers indicated that individually they could not handle collection for the entire city. Additionally, the haulers had no interest in splitting the city into zones and bidding on specific zones.

Regarding the storage of garbage containers at the front of the property, Mayor Capello stated that the ordinance does not allow the storage of the containers in the front of the property. Notices are sent to trash haulers who tell their customers to place receptacles at the front of the property. She encouraged residents who observe garbage containers being stored in the front of a property to contact the Department of Public Safety.

Regarding sidewalks, Mayor Capello stated that maintenance of sidewalks is the responsibility of the property owner. She added that when the Code Enforcement Inspectors are out in the field, they address sidewalks that are not maintained. In addition, individuals can report issues with the Department of Public Safety. She added that the sidewalks in the Downtown are being replaced as part of the Streetscape Project which is being paid partially through a grant and with American Rescue Plan Act funding.

Regarding the UGI meters, Mayor Capello explained that UGI went to a high-pressure system and the location of the meters is set by the Public Utility Commission. She added that Director of Public Works Robin Getz worked with residents on ways to aesthetically hide the meters.

Regarding the complaint of the overall appearance of the city, Mayor Capello urged Mr. Cox to contact the Department of Public Safety when he sees garbage cans and overflowing dumpsters in front of a property. She stated that when a Notice of Violation is issued for a property with multiple issues, the property owner is required to come up with a Plan of Action to address the blight. She added that the process has forced the sale of some blighted properties which have been purchased by investors who renovated the properties.

Mayor Capello explained that staff is constantly asking residents for email addresses so they can receive email blasts with important information. Information is also posted on the city website and social media.

Chairperson Morales thanked Mr. Cox for attending the meeting. He stated that Council encourages the public to attend the meetings so we can work together to get issues resolved.

Mayor Capello reported that the Lebanon County Commissioners recently lifted the burn ban and the annual fireworks will be held at Coleman Memorial Park on July 4. She reminded the community that aerial fireworks are not permitted in the City of Lebanon due to the density and only novelties and handheld fireworks are permitted. She stated more information will be available on the city website and social media beginning Tuesday.

Chairperson Morales reported that the Chestnut Street Community Center will have a market every Wednesday, from 5:00 p.m. – 8:00 p.m.

Mayor Capello acknowledged and thanked Noah Starry who was in attendance at the meeting. She stated that Noah does a tremendous job of investing in and renovating blighted properties in the city.

Chris Coyle, *LebTown*, stated that the alleys in the city are in bad shape. He asked if there are any plans to repave the alleys. Mayor Capello responded that other cities have the same issue. She reported that in 2022, Walton Street (an alley) was paved. She added that after the more heavily used streets are paved, the alleys will be worked into the annual schedule.

Cornell Wilson, 27 South Sixth Street, Lebanon, asked who will bear the responsibility of paving Chestnut Street to which Mayor Capello replied that UGI is responsible for restoring and repaving the street. She added that Incoming Director of Public Works Chad Yeagley is developing a system which will give the City more oversight on restoration of and repaving of streets.

Mr. Wilson stated that in some instances of overflowing trash cans, it is the result of trash haulers not collecting on a weekly basis. Mayor Capello replied that the Code Enforcement Inspectors will address that issue and requested that folks contact the Department of Public Safety to file a complaint. Mr. Wilson reported that there are two trash cans permanently in the front of a property on Sixth Street, between Chestnut and Walnut Streets.

Mr. Wilson asked if the Design Review Committee is still in existence for review of murals. Mayor Capello responded that the committee is still active and there is a process in

place for submitting plans for the installation of a mural. Mayor Capello added that if the mural can be seen from a public space, it must still go through the process even if it is on private property.

Mr. Wilson suggested that on a weekly basis, the City of Lebanon post streets that are under construction. He added that in addition to work on the street, many sidewalks are being repaired and that contributes to the difficulty of traveling through the city. Council Chairperson Morales replied that the construction is progress and everyone is looking forward to completion of the paving. Mayor Capello responded that the City is providing information regarding the paving schedule, but will be more diligent in providing updates to the public.

Chris Fenstermacher, 307 Cumberland Street, Lebanon, stated that the Streetscape Project for Cumberland Street runs from Fourth Street to Twelfth Street. He reported that there are parking meters in the 300 block of Cumberland Street although this block is mostly residential and the few businesses in the block have parking in the rear. As a property owner, he has to fund the cost of replacing the curbing in front of his property as well as feed the meters to park in the front of his residence. He suggested that Council consider changing the zoning for this block to residential.

Mayor Capello explained that in 2017, the Zoning Code was amended and a survey of existing uses was conducted. She added that it is illegal to spot zone. The Central Business District and Office Institutional districts allow for single multiple residences and small offices. Mayor Capello stated that she will review this block. She added that the Streetscape Project is costing approximately \$4.2 million; and without the American Rescue Plan Act funding, the project would not be affordable. She added that the 300 block of Cumberland Street still has small offices and that is probably the reason for the parking meters. She added that there has been discussion of conducting a parking study as there have also been requests to establish a program for parking permits for the school district.

Donald Graby, 309 South 21st Street, Lebanon, told Council that approximately two years ago he addressed Council regarding the \$40 rental property fee for a property he owns in Aspens but is occupied by his mother-in-law. He added that it is illegal to have rental properties in Aspens, but he continues to receive an invoice. Mayor Capello stated that she will look into the issue.

Craig Gates, 47 Berwyn Park, Lebanon, announced that the Community of Lebanon Association's Food Palooza is scheduled for Wednesday, July 12, from 5:00 p.m.-8:00 p.m. at the Ninth and Cumberland Streets parking lot.

The meeting was adjourned at 7:29 p.m.

CHERYL J. GIBSON, Clerk