

MONDAY, FEBRUARY 28, 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; Aaron Sweitzer, Assistant Fire Chief; six persons in the audience; and two members of the news media.

The minutes of the January 24, 2022, 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 January 31, 2022. Mayor Capello reported that 8 percent of the fiscal year is completed; revenues are at 4.6 percent; and expenditures are at 4.7 percent. She reported that revenues are down because real estate tax revenue will only start being received in March. Overall, expenditures are performing better than budget.

Chairperson Morales announced that Council received a communication from Mayor Sherry L. Capello, informing Council of the appointment of Vincent Garcia to the Design Review Board to fill the unexpired term of Downtown Lebanon Manager Amy Kopecky, effective February 8, 2022. The term expires on July 22, 2023.

Mayor Capello reported that the new zoning ordinance established a Design Review Board to include a policy regarding murals and street art that was previously implemented. The Board is comprised of seven members representing various organizations who serve five-year terms. Following is the list of current Board members:

- Janelle Mendoff, Director of Community and Economic Development
- Joseph Morales, Lebanon City Council
- Richard Wertz, Lebanon County Historical Society
- Sharon Zook, Lebanon Valley Council on the Arts
- Vincent Garcia, Lebanon Foundation or Downtown Manager
- Guadalupe Barba, Downtown property owner
- Dorothy Perez, Artist

Mayor Capello explained that in reviewing drawings for a proposed mural, the Board considers the artist's intent, how it fits in with the character of the neighborhood, what the message is, and to make sure the mural does not ghost an old mural. The property owner is required to enter into a Memorandum of Understanding agreeing that the mural will be maintained for a minimum of five years and what will be done with the mural at the end of that five-year period.

Chris Coyle, LebTown, asked if the Board solely reviews murals. Mayor Capello responded that the Board reviews murals and street art. Street art can be a mural, a statue, painting on a public garbage can, or anything of that nature.

Mr. Morales introduced Resolution No. 3, as follows:

A RESOLUTION AUTHORIZING THE DISPOSITION OF VARIOUS DOCUMENTS IN THE COMMUNITY AND ECONOMIC DEVELOPMENT OFFICE.

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 grant applications, reporting and supporting documents for the following grants for 2014 and prior in the Community and Economic Development Office is hereby approved:

- Academy Policing – PCCD
- Bicycle Mini Grant
- Bullet Proof Vest Grant
- COPSMORE Grant
- Crime Commission
- DAD/DAC Grant
- DARE Grant
- ERRTP Grant
- FEMA Grant
- Fire Prevention & Safety Grants
- First Responders Fire Grant
- FSR Academy
- Highway Safety Equipment Grant

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- JAG Grant
- LLEBG
- Police Telephone System Grant
- Radio Grant
- SAFER Grant
- Seat Belt Grant

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 the resolutions authorizing the disposition of various records listed on tonight's agenda are in accordance with the State's Records Disposition and Retention Schedule. Resolution No. 3 was passed on motion of Mr. Morales, seconded by Mr. Martin. Yeas--Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Mr. Wertz introduced Resolution No. 4, as follows:

A RESOLUTION AUTHORIZING THE DISPOSITION OF VARIOUS DOCUMENTS IN THE DEPARTMENT OF ADMINISTRATION.

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 administrative files in the Department of Administration is hereby approved:

- Accident Reports- 2019 & prior
- Allstate Vendors - 1970
- Annual Materials – 2019 and prior
- Assessed Value-Pre-Determined Ratio Change- 2004
- Audit RFP – 2012-2014
- Banking Services RFP - 2001
- Bernhard, W.E., Inc – 1971
- Bonds & Short-term Notes – 1946-1965

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- Bypasses- 1997 & prior
- Cable TV – 2009 & prior
- Coleman Memorial Park- 2005 & prior
- Committee Members- 1997 & prior
- Contracts- 1995 & prior
- Corporate Regain – 2010 and prior
- Council Vacancy- 2016
- Cumberland Commons- 2008/2009
- Daily Balancing Report- 2018 & prior
- Delta Dental – 1991
- Dislocated Worker Contracts – 1984 and Prior
- Financial Interest Forms – 2016 & prior
- Fire Drivers Contacts- 1970 & prior
- Fireworks Fund – 2009 & prior
- Fireworks Fund (deposit slips, statements) – 2014 and prior
- General Obligation Bond - 1989
- General Obligation Bond - 1993
- General Obligation Note - 1994
- Heating Board- 1994 & prior
- Insurance, Certificates of – 2019 & prior
- Insurance: Fire Department 2015 & prior
- Insurance Policy- Fire Dept 2015 & prior
- Insurance Policy- Package 2015 & prior
- Insurance Renewal- 2016 & prior
- Invitations- 1997 & prior
- Keystate Publishers
- Lawsuits: Bello vs. City of Lebanon-2013 & prior
- Lawsuits: Cahill vs. Parker and the City of Lebanon- 2002 & prior
- Lawsuits: Cruz vs. City of Lebanon, Joan Ananiew and Doug Lamb Construction, Inc.- 2014 & prior
- Lawsuits: Kozel vs. Zaporozec- 2016 & prior
- Lawsuits: Larnerd vs. Mong (Lebanon County Drug Task Force Claim)- March 11, 2014
- Lawsuits: Nardo vs. City- July 28, 2009
- Lawsuits: Reyes vs. Salvation Army and City of Lebanon- 2016 & prior
- Lawsuits: Santiago vs. Adam- 2013 & prior
- Lawsuits: Stasko vs. Lebanon County Drug Task Force- 2012
- Lawsuits: Susquehanna Group Advisors vs. City of Lebanon- 2014 & prior

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- Lawsuits: Thompson vs. City of Lebanon- 1998 & prior
- Lebanon Daily News- 2011 & prior
- Maher Deusel – 2012 & prior
- Mazzitti and Sullivan – 2014 & prior
- Mechanical Device Licenses- 2018 & prior
- Meeting Memos- 1997 & prior
- Miscellaneous- 1997 & prior
- Open Records- 2019 and prior
- Parker Collection Agency – 1994 and prior
- Pension Funding – Act 205 – 1994-1995
- Permit Books (Peddler’s, Special Event, Dance, Mechanical Device, Transient Business) – 2018 and prior
- Planning Commission- 2005 & prior
- Progressive Playground Associations
- Programs- 1997 & prior
- Redevelopment and Housing Authority – 1967-1982
- Sewers- 1996 & prior
- Tab Sheets- City Council - 2018 & prior
- Tax and Revenue Anticipation Note – 2015 & prior
- Tax Collection Services – 2008
- WCC Environmental - 1999
- Weiss Advisory Group - 2003
- Wenzler, Charles and Betty (Ono Industries) - 2002
- West Lebanon Township (Police Services) – 2000 & prior
- Zelenkofske Axelrod – 2010 & prior
- Seasonal employee files – 2016 and prior
- Application for Employment (not hired) - 2019 & prior
- RBA/Medical expense reimbursement - 2016 & prior
- Postage reconciliation slips - 2019 and prior
- Cash receipt logs - 2019 and prior
- Cancelled parking lot contracts - 2015 and prior
- Supply requisitions - 2019 and prior
- Bidly Basketball contribution forms, sponsor info - 2017 and prior
- Bidly Major League invoices - 2019 and prior
- Bidly bank statements - 2019 and prior
- Recreation Department park/ski ticket sales - 2007 and prior
- Coca Cola account information - 2003-2004
- Stoevers Dam Park Survey - 2006

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- Nature Barn invoices - 2004 and prior
- Park portable toilet info and invoices - 2002 and prior
- Park key information - 2006 and prior
- Lebanon Cowboys invoices and info - 2007 and prior
- Recreation Department check requests - 2007 and prior
- Coleman Memorial Park pool concession information - 2006 and prior
- Recreation department bus trip information - 2007 and prior
- Stoever's Dam advertising sign information - 2007 and prior
- Camping permits – 2019 and prior
- Coleman Park pavilion rentals – 2019 and prior
- CMP Amphitheatre rental – 2019 and prior
- Building rentals – 2019 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.

Resolution No. 4 was passed finally on motion of Mr. Wertz, seconded by Mr. Miller. Yeas--Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales--5; nays--none.

Mr. Miller introduced Resolution No. 5, as follows:

A RESOLUTION AUTHORIZING THE DISPOSITION OF VARIOUS DOCUMENTS IN THE DEPARTMENT OF PUBLIC WORKS.

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 Department of Public Works is hereby approved:

- Alteration and Addition Fixture Permits - 2002 and prior
- Certificate of Insurance application
- Dumpster Permits - 2017 and prior
- Excavation Contractor list - 1990 and prior
- Excavation Invoices - 2017 and prior
- Excavation Permit Control 2007 and prior

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- Excavation Permits –2017 and prior
- Gas Furnace Inspection - 2001
- Green Waste Invoices - 2017 and prior
- Highway Occupancy Permit
- Lauther Water Complex Season Pass Applications – 2017 and prior
- Med-Ed pole permits – 2017 and prior
- Plumbing and heating licenses - 1999 and prior
- Reimbursements for pavilions rentals - 2017 and prior
- Salt Contracts - 2017 and prior
- Sanitary Sewer Lateral Permits - 2001 and prior
- Sidewalk restoration letters - 2017 and prior
- Sidewalks Permits - 2018 and prior
- Snow Agreements - 2017 and prior
- Street Excavation form – 1994 and prior
- Street Excavation Ordinance 2017 and prior
- Township Road Occupancy Permits - 1998 and prior
- Verizon Permits – 2017 and prior
- Water Heater Permits – 2002 and prior
- Work Orders - 2017 and prior

SECTION 2. The disposition of the following records in the Department of Public Works – Recycling Division is hereby approved:

- Annual recycling reports
- Annual reports from commercial business 2000-2015
- Brandywine & Cougles reimbursement receipts - 2015 and prior
- Bridge Displacement Information 2003
- Busch Systems /quotes/ recycling containers 2004-2008
- Bulk waste report - 2014 and prior
- Commercial Recycling Reports - 1998-2004
- Compliance reports - 2014
- Dumpster permits – 2015 and prior
- Enforcement Letters to Residential/commercial/various emails/ compliance letters/green waste letters -2015 and prior
- Fall Clean Up reports - 2015 and prior
- Hauling reports 2008-2015
- Leaf recycling trucks quotes
- Lebanon County Commission Non-Sustainable Plan
- Lebanon County reports
- Lebanon Daily News Advertisement - 2001-2015
- Lowes/Staples/ink cartridge/Bamberger's/Auto Zone/Auto Parts/Post office receipts 2000-2015
- Miscellaneous Invoices
- Official notice copies 2014

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- Penn State Tire Collection Information 2003-2015
- Photos of properties in violation 1999-2015
- P.R.O.P information/summit minutes/notes/fact sheets 2000-2010
- P.R.O.P conference /training receipts/invoices 2000-2015
- Property records for vacant land 2000-2015
- Public Service announcements/Leaf collection/permit info/craft fair/spring-fall cleanup 2000-2015
- Residential customer report - 2014
- Residential surveys
- Waste hauler sign-in meeting/memos/ waste haulers list/ hauler reports 1991- 2015
- Weight tickets/all companies 1999-2015
- Yard waste center applications 2014

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

Resolution No. 5 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. Miller introduced Resolution No. 6, as follows:

A RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE CITY OF LEBANON TO FILE A GRANT APPLICATION WITH THE COMMONWEALTH FINANCING AUTHORITY FOR A STATEWIDE LOCAL SHARE ASSESSMENT GRANT FOR IMPROVEMENTS TO THE TENNIS COURTS AND SURROUNDING AREA AT SOUTHWEST PARK.

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 City of Lebanon, Lebanon County, hereby requests a Statewide Local Share Assessment grant in the amount of One Hundred Seventeen Thousand Two Hundred Fifty-Two Dollars (\$117,252.00) from the Commonwealth Financing Authority to be used for improvements to the tennis courts and surrounding area at Southwest Park (Phase 1) with an option for additional funding in the amount of Thirty-Five Thousand Dollars (\$35,000.00) in Phase 2 for improvements to the basketball courts.

SECTION 2. The Applicant does hereby designate Sherry L. Capello, Mayor, and Cheryl J. Gibson, City Clerk as the official(s) to execute all documents and agreements between the City of Lebanon and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

Mayor Capello reported that the program was established by the Pa. Horse Racing and Gaming Act of 2004 to support projects with public interest within the Commonwealth and that improve the quality of life of the citizens in the community. Eligible projects must be



maintained and owned by a municipality or a non-profit organization. The City of Lebanon has partnered with the Lebanon County Tennis Association for this project to make improvements at Southwest Park. Phase 1 of the project is approximately \$117,000 and will be used for the demolition of existing fencing, installation of new fencing, removal of large pine trees, the removal of and addition of asphalt, the addition of new walkways, the removal of and additions of new net posts; and the application of a crack system and new color and sealant over the seam where new asphalt is added. Phase 2 of the project is \$35,000 for improvements to the basketball courts. Mayor Capello added that the City of Lebanon will enter into a Memorandum of Understanding with the Lebanon County Tennis Association for the project.

Resolution No. 6 was passed finally on motion of Mr. Wertz, seconded by Mrs. Haitos. Yeas--Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Mr. Morales called up Bill No. 1 on final reading, 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”.

Mayor Capello explained that the codified ordinances include most of the ordinances adopted by Council. Bill No. 1 is approving the inclusion of ordinances adopted in the past year.

Bill No. 1 was passed on final reading on motion of Mr. Morales, seconded by Mr. Miller. Yeas--Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Councilmember Wertz reported that street sweeping will begin on March 14 and continue year-round, weather permitting.

Mayor Capello reported that former Councilmember Richard Bleistine’s funeral will be held on Wednesday, March 2. She added that the Lebanon Fire Department will have a flag erected at Fort Indiantown Gap.

On behalf of Council, Chairperson Morales extended appreciation to Mr. Bleistine for his many years of service on Council as well as his volunteer service to many organizations. He added that Council will act on a resolution recording a deep sense of loss in the death of Mr. Bleistine at the March 28, 2022, Council meeting.

Donald Graby, 309 South 21<sup>st</sup> Street, Lebanon, addressed Council regarding the residential rental fees. He stated that he and his wife own a home in Aspen’s and his mother-in-law resides in the home. Aspen’s bylaws prohibit rentals and his mother-in-law does not pay rent; however, the City assesses the rental fee on this property. In addition, he also purchases homes for the purpose of renovating and re-selling. The home is never occupied; however, the rental fee is still assessed.

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Mayor Capello stated that there has been discussion about a potential amendment to the ordinance to address situations when an investor is purchasing a property with the intent to renovate.

Councilmember Wertz commended Chief Breiner and his staff for the quick apprehension of the suspect in the recent shooting in the city. Chairperson Morales added that the Lebanon Police Department has a long history of solving crimes and the clearance rate is higher than the national average.

The meeting was adjourned at 6:55 p.m.

CHERYL J. GIBSON, Clerk