

MONDAY, AUGUST 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 (teleconference) and Mr. Morales, Chairperson. Absent--Mr. Maguire.

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

The minutes of the July 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 budget report for the period January 1 through July 31, 2024. Mayor Capello reported that 58 percent of the fiscal year is completed; revenues are at 74 percent; and expenditures are at 45 percent. She reported that we are performing better than budget in both categories.

Chairperson Morales introduced Resolution No. 14, as follows:

APPROVING THE FISCAL YEAR 2024 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the elimination or prevention of slums or urban blight, or activities which will benefit low- and moderate-income persons, or other urgent community development needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has estimated the FY 2024 CDBG entitlement grant to be \$683,277.00 and program income in the amount of \$20,000.00 for a total of \$703,277.00.

WHEREAS, the City of Lebanon has prepared a Consolidated Plan for 2020-2024 and an Annual Action Plan for the FY 2024 funding year that assesses the housing needs of extremely low-, low-, and moderate-income households, homeless families and individuals, and others with special needs; and

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WHEREAS, the Annual Action Plan for FY 2024 was on public display for 30 days and the City held a series of public hearings on said Annual Action Plan and the comments of various agencies, groups and citizens were taken into consideration in the preparation of the final document.

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

SECTION 1. The Annual Action Plan for the FY 2024 Community Development Block Grant Program is hereby in all respects approved and the City Clerk is hereby directed to file a copy of said Annual Action Plan with this resolution.

SECTION 2. The Mayor and City Council are cognizant of the conditions that are imposed in the undertaking and carrying out of community development, affordable housing and emergency homeless activities with federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin and other assurances as set forth under the certifications.

SECTION 3. The Mayor on behalf of the City of Lebanon is authorized to file an application for financial assistance with the U.S. Department of Housing and Urban Development, which has indicated its willingness to make available a grant to carry out the CDBG Program in the amount of \$683,277.00 and is further authorized to act as an authorized representative of the City of Lebanon to sign any and all documents in regard to these programs.

SECTION 4. The Mayor, on behalf of the City of Lebanon, is hereby authorized to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, and also any supplemental or revised data which the U.S. Department of Housing and Urban Development may request in connection with the review of this Application.

Mayor Capello reported that the total amount available, including \$20,000 in program income, is \$703,277.00. The allocation was decreased \$11,270.00 from the previous year.

Resolution No. 14 was passed finally on motion of Mr. Martin, seconded by Mr. Morales. Yeas--Mrs. Haitos, Mr. Martin, Mr. Morales, and Mr. Potash--4; nays--none.

Mr. Morales introduced Resolution No. 15, as follows:

A RESOLUTION ACCEPTING A DEED OF DEDICATION FROM QUARTZ CREEK HOLDINGS, LLC, FOR APPROXIMATELY .007 ACRES OF LAND SITUATE IN THE VICINITY OF TENTH AND MAPLE STREETS IN THE SEVENTH WARD OF THE CITY OF LEBANON TO BE USED AS A PUBLIC RIGHT-OF-WAY.

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WHEREAS, the Lebanon School District granted and conveyed a parcel of land in the vicinity of Tenth and Maple Streets, Lebanon, to Quartz Creek Holdings, LLC, on September 28, 2021; and

WHEREAS, Quartz Creek Holdings, LLC, has redeveloped said parcel for commercial use; and

WHEREAS, Quartz Creek Holdings, LLC, desires to grant a tract of land to the City of Lebanon for use as a public right-of-way.

NOW, THEREFORE, 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. A Deed of Dedication dated August 26, 2024, from Quartz Creek Holdings, LLC, for approximately .007 acres of land in the vicinity of Tenth and Maple Streets in the Seventh Ward of the City of Lebanon to be used as a public right-of-way as set forth in the Deed of Dedication is hereby accepted.

SECTION 2. A copy of said Deed of Dedication is attached to and hereby made part of this resolution.

SECTION 3. The proper officials of the City of Lebanon shall record said Deed of Dedication in the Recorder of Deeds Office of Lebanon County.

SECTION 4. Any resolution or part of resolution 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 developer of the former Northwest Elementary School proposed to widen the radius of Maple Street. A small area of the land needs to be deed to the City of Lebanon.

Resolution No. 15 was passed finally on motion of Mr. Morales, seconded by Mr. Martin. Yeas--Mrs. Haitos, Mr. Martin, Mr. Morales, and Mr. Potash--4; nays--none.

Mr. Potash introduced Resolution No. 16, as follows:

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LEBANON TO ENTER INTO AND EXECUTE A WINTER TRAFFIC SERVICES AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR THE 2024-2025 THROUGH 2029-2030 WINTER SEASONS.

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

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SECTION 1. The Mayor of the City of Lebanon is hereby authorized to enter into and execute a Winter Traffic Services Agreement with the Pennsylvania Department of Transportation for the 2024-2025 through 2029-2030 winter seasons.

SECTION 2. A copy of said Winter Traffic Services Agreement is attached to and hereby made part of this resolution.

Mayor Capello reported that every five years, the City of Lebanon and PennDot enter into an agreement for salting and plowing two small portions of state-owned roadways. The first is a portion of Fifth Avenue, from Cumberland Street south to the city line; and the second is the portion of Cumberland Street from Fifth Avenue east to the city line. Both sections of roadway are partially located in South Lebanon Township and the City of Lebanon. She explained that the remainder of the state roads were taken back many years ago which means the city owns the streets rather than PennDot. She added that the City still tries to follow PennDot guidelines for special events and access permits.

Resolution No. 16 was passed finally on motion of Mr. Potash, seconded by Mrs. Haitos. Yeas--Mrs. Haitos, Mr. Martin, Mr. Morales, and Mr. Potash--4; nays--none.

Mr. Morales introduced Bill No. 4, as follows:

AN ORDINANCE AMENDING THE CITY OF LEBANON PAID FIREMEN'S PENSION PLAN FOR THE PURPOSE OF AMENDING SECTIONS REGARDING NORMAL RETIREMENT, COST-OF-LIVING ADJUSTMENTS FOR FORMER EMPLOYEES, AND DEFERRED RETIREMENT OPTION PLAN.

WHEREAS, the City of Lebanon previously established the Paid Firemen's Pension Fund Plan; and

WHEREAS, the City of Lebanon desires to enact Amendment No. 6 to the Plan, amending Section 3.2, Normal Retirement; Section 3.2(f), Cost-of-Living Adjustments for Former Employees; and Section 3.2A, Deferred Retirement Option Plan.

NOW, THEREFORE, 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 attached Amendment No. 6 of the City of Lebanon Paid Firemen's Pension Fund Plan is hereby enacted. The Mayor, as the agent of the Employer, is authorized and directed to execute the attached amendment to the Plan.

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 explained that as a result of an arbitration award for the recent contract, some of the items addressed in the plan document needed to be amended. She explained that if a Career Firefighter enters the Deferred Retirement Option Plan (DROP), he/she is not eligible

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for a cost-of-living allocation. Additionally, a Career Firefighter is eligible for retirement after 20 years of services, regardless of age. She added that the amendment was prepared by the Plan's actuary and reviewed by the City Solicitor.

Bill No. 4 was introduced and will be considered on final reading at the City Council meeting of September 23, 2024, on motion of Mr. Morales, seconded by Mr. Potash. Yeas--Mrs. Haitos, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson--4; nays--none.

Craig Gates, 47 Berwyn Park, Lebanon, announced that the CLA's Music and Brew Fest will be held on September 21, 2024, at the Coleman Memorial Park Amphitheater. There will be two local bands and two bands from outside the area in addition to food trucks. A corn hole tournament will also be held in conjunction with the festival.

Mr. Gates also announced the CLA's Car and Motorcycle Show was postponed to October 6, 2024. He reported that 2023 marked the 25<sup>th</sup> anniversary of the event.

The meeting was adjourned at 6:46 p.m.

CHERYL J. GIBSON, Clerk