

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
February 26, 2018

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on February 26, 2018 at 6:00 p.m. in the Council Chambers at City Hall located at 401 South Jefferson.

ROLL CALL AND DECLARATION OF A QUORUM

Upon roll call, the following Officers were present: Gib Adkins, Ken Eldridge, Sheila Mitchell, Jim White, LeAnn Mather, Randy Wall, Chuck Jordan, Bob Garner, and Mayor Carr. Absent: None.

Staff members and others in attendance: Assistant City Administrator Ben DeClue, Public Works Director Richard Shockley, Police Chief Randy Halstead, Fire Chief Sam Schneider, Park Director John Shelton, Director of Operations Deryl Wilson, Tourism Director Nicole McGinnis, Human Resource Director Kathy Milliken, Interim Community Development Director Noel Massey, Code Administrator Joe Berkich, Airport Manager Sandra Shore, City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Rev. Kelly Rhoads, Life Point Church, followed by the pledge of allegiance.

PUBLIC COMMENTS

There were several members of the public who spoke in opposition to passing the second readings of Council Bill No. 4572 related to alcohol sales in the parks by approved caterers and Council Bill No. 4573 related to alcohol and sidewalk restaurants. Those who spoke in opposition were as follows:

Gerald Klaus, Kenneth Bryant, Kenneth Tidwell, Michael Jones, Howard Fuller, Polly Foreman, William Garrett, Carl House, Jamie Doublin, Don James, Steven Strauch, Jodie Jamison, Sherry Shortell, Patricia Bradley, Alex Miller, Shirley Decker, Herb Decker, Johnny & Freeda Brackett, Geoff Crisp, George Inman, Doug Kinnett, Denzil Hellensen, Bradley Reed, Rev. Brad Reed, Bryan Hill, David Douglas, Willis Barringer, Don Anderson, Andy Miller, Don Ball, James Beall, Judy Williams, Leitha Lawson, John Pully, Cynthia Oney, Keith Oney, Brian Allman, David Brown, Tom Watkins, Danny Rhoads, Rick Lathrop, Justin Ruble, Sam Price, Randy Southard, Kevin Myers, and Cam Esther.

Several reasons stated for opposition included alcohol exposure to children playing in parks, child safety, alcohol connection to violence, family history of alcoholism, family members injured or killed by drunk drivers, alcohol not needed to bring in tourism dollars, language about special events in Council Bill No. 4572 not clarified, fear of drunkenness in parks, the Big Bam Bike Tour would still come if Council Bill No. 4572 failed, and Council putting politics before people.

Jim Jeffries made a perceived neutral comment by stating that drunkenness was already in the City parks and the devil was in the details; the important part was responsibility.

DISCUSSIONS AND PRESENTATIONS

None.

CONSENT AGENDA

Jordan moved and Garner seconded that the Council approve the Consent Agenda as follows.

- January 23, 2018 Closed Session Meeting Minutes

- February 12, 2018 Regular Meeting Minutes
- February 12, 2018 Closed Session Meeting Minutes
- Warrants #92788-#92927 Payroll, and Drafts
- January Treasurers Report
- Parade Permits
 - I. Vietnam Veterans Memorial Wall Procession
 - II. Wagons for Warriors
 - III. Run for Clean Water

Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

COUNCIL BILL NO. 4572- CODE AMENDMENT, CHAPTER 4 RELATED TO ALCOHOL SALES IN PARKS BY APPROVED CATERERS AND REPEALING NELSON EDUCATION CENTER LANGUAGE

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") amending the City *Code of Ordinances Chapter 4 Alcoholic Beverages Article I in General* to allow for the consumption of alcoholic beverages when sold by approved concessionaires or caterers in City Parks, repealing *Chapter 15 Parks and Recreation Article III Nelson Community Center* in its entirety, and renaming *Chapter 15 Parks and Recreation Articles IV Lebanon Area Veterans Memorial Board and Article V Adopt-a-Park* accordingly.

Wall moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4572 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (4) Eldridge, Mather, Wall, and Garner; Nay: (4) Adkins, Mitchell, White, and Jordan; Abstain: (0) None; Absent: (0) None.

Mayor Carr broke the tie by casting an affirmative "Yea" vote.

Mayor Carr declared Council Bill No. 4572 duly passed and approved and that it be entered among City Records as Ordinance No. 5722.

COUNCIL BILL NO. 4573- CODE AMENDMENT, CHAPTER 22 RELATED TO SIDEWALK RESTAURANTS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") amending the City *Code of Ordinances Chapter 22 Streets, Sidewalks, and other Public Places Article I in General* to establish rules and regulations pertaining to sidewalk restaurants.

Mather moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 4573 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (4) Mather, Wall, Garner, and Eldridge; Nay: (4) Mitchell, White, Jordan, and Adkins; Abstain: (0) None; Absent: (0) None.

Mayor Carr broke the tie by casting an affirmative "Yea" vote.

Mayor Carr declared Council Bill No. 4573 duly passed and approved and that it be entered among City Records as Ordinance No. 5723.

COUNCIL BILL NO. 4574-FINAL PLAT, REPLAT OF TRACT C OF APPLELANE SUBDIVISION

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving and accepting the Final Plat of Replat of Tract C of Applelane Subdivision, a Subdivision to Lebanon, Laclede County, Missouri.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4574 and that it be passed to the second reading. Motion carried as follows: Yea: (8) White, Mather, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mitchell moved and Adkins seconded that the Council approve the second and final reading of Council Bill No. 4574 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Mather, Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4574 duly passed and approved and that it be entered among City Records as Ordinance No. 5724.

COUNCIL BILL NO. 4575-FINAL PLAT, G-3 BOATS SUBDIVISION

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving and accepting the Final Plat of G-3 Boats Subdivision, a Subdivision to Lebanon, Laclede County, Missouri.

Mitchell moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4575 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Mather seconded that the Council approve the second and final reading of Council Bill No. 4575 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Jordan, Garner, Adkins, Eldridge, Mitchell, White, Mather, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4575 duly passed and approved and that it be entered among City Records as Ordinance No. 5725.

COUNCIL BILL NO. 4576-PURCHASE, PARKS AND FACILITIES MANAGEMENT MOWERS, LARSON FARM AND LAWN AND FOHN FURNITURE

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") declaring as surplus a 2010 Gravely Sixty-Six Inch Zero Turn Mower with Bar Code 10158; approving the purchase of one (1) 2018 John Deere Sixty Inch Zero Turn Mower from Larson Farm and Lawn for the Parks Department; and (1) 2018 Gravely Sixty Inch Zero Turn Mower from Fohn Furniture for Facilities Management.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4576 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, White, Mather, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mitchell moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 4576 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4576 duly passed and approved and that it be entered among City Records as Ordinance No. 5726.

COUNCIL BILL NO. 4577- PURCHASE, FACILITIES MANAGEMENT COMPACT TRACK LOADER, KUBOTA OF LEBANON

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") declaring as surplus a 2000 Bobcat with Bar Code 10185 and approving the purchase of a Compact Track Loader from Kubota of Lebanon for Facilities Management.

Mitchell moved and Adkins seconded that the Council approve the first reading of Council Bill No. 4577 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Eldridge, Mitchell, White, Mather, Wall, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4577 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Mitchell, White, Mather, Wall, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4577 duly passed and approved and that it be entered among City Records as Ordinance No. 5727.

COUNCIL BILL NO. 4578- AIRPORT GROUND SPACE LEASE ASSIGNMENT, REYNOLDS CONSTRUCTION COMPANY TO CURTIS MATHER

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing and directing the Mayor and City Clerk to execute an Assignment of Lease Agreement by Reynolds Construction Company to Curtis Mather of a certain ground space located at the Lebanon Municipal Airport; and fixing the effective date thereof.

Wall moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4578 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Adkins moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 4578 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4578 duly passed and approved and that it be entered among City Records as Ordinance No. 5728.

COUNCIL BILL NO. 4579- TASK ORDER, LED SIGNAGE FOR CITY HALL AND CIVIC CENTER, LOR ENGINEERING LLC DBA COCHRAN

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing and directing the Mayor and City Clerk to enter into and execute Task Order 18-01 between the City and LOR Engineering, LLC dba Cochran for Civil Engineering services related to City Hall and Civic Center LED Signage.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4579 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and Mather; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Adkins moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4579 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Jordan, Garner, Adkins, Eldridge, Mitchell, Mather, and Wall; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4579 duly passed and approved and that it be entered among City Records as Ordinance No. 5729.

COUNCIL BILL NO. 4580- AGREEMENT, ENVIRONMENTAL SYSTEMS INTEGRATOR, AUTOMATED CONTROL SOLUTIONS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing and directing the Mayor and City Clerk to enter into and execute a Professional Services Agreement between the City and Automated Control Solutions for Environmental Systems Integrator Services.

Mitchell moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4580 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, White, Mather, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Mather seconded that the Council approve the second and final reading of Council Bill No. 4580 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4580 duly passed and approved and that it be entered among City Records as Ordinance No. 5730.

COUNCIL BILL NO. 4581- TASK ORDER, TRAFFIC IMPACT ASSESSMENT STUDY, CJW TRANSPORTATION CONSULTANTS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing and directing the Mayor and City Clerk to enter into and execute a Task Order between the City and CJW Transportation Consultants for the preparation of a Traffic Impact Study for Fremont Road and Morgan Road.

Mather moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4581 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8), Eldridge, Mitchell, White, Mather, Wall, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4581 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Mitchell, White, Mather, Wall, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4581 duly passed and approved and that it be entered among City Records as Ordinance No. 5731.

COUNCIL BILL NO. 4582- AGREEMENT, NORTH-SOUTH ARTERIAL FEASIBILITY STUDY, CRAWFORD MURPHY AND TILLY

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing and directing the Mayor and City Clerk to enter into and execute

a Professional Services Agreement between the City and Crawford Murphy and Tilly for the preparation of a North-South Arterial Alignment Feasibility Study.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4582 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mather, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Mather moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 4582 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mather, Wall, Jordan, Garner Adkins, Eldridge, and Mitchell; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4582 duly passed and approved and that it be entered among City Records as Ordinance No. 5732.

COMMENTS

Assistant City Administrator Ben DeClue- encouraged attendance to the meet and greet event being held at the Civic Center the following evening for the two City Administrator finalist.

Councilman Adkins- reported that Assistant City Administrator Ben DeClue and Airport Manager Sandra Shore did a great job when they were featured on the news to promote OTC's flight school. He also said he enjoyed attending the Missouri Municipal League Legislative Conference and that it was a good conference.

Councilman Eldridge- stated he appreciated those who attended the meeting this evening. He further stated that sometimes the City Council had to make tough decisions and they didn't take making those decision lightly.

Councilwoman Mitchell- stated she also thought the Missouri Municipal League Legislative Conference was a good conference. Mitchell then thanked all of those in attendance this evening and encouraged them to attend the meet and greet event being held the next evening for the two City Administrator finalist.

Councilman White- thanked those who attended this evening and all those who spoke during public comments.

Councilwoman Mather- commented that she had been seeing a lot of trash in the community and would like to see the City have a community clean up day.

Councilman Jordan- also thanked everyone for attending this evening. He then reported he didn't see many issues come out of the recent rain event.

Mayor Carr- also thanked all who spoke this evening. He then took a few moments to announce upcoming events. Those included the meet and greet being held the next evening, the upcoming opening day of trout season, an art show being held at the library on March 2nd featuring "Our Town, Your Town", and the Student Council State Convention being held in Lebanon the 8th through the 10th of March.

CLOSED SESSION PURSUANT TO RSMO 610.021 (1), LEGAL

Jordan moved and Mitchell seconded that the Council move into Closed Session pursuant to RSMo 610.021 (1) for legal matters. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent (0) None.

Council returned to Regular Session at 9:13 p.m.


ADJOURNMENT

Mayor Carr declared the meeting adjourned at 9:13 pm.

ATTEST:



City Clerk Laina Starnes



Mayor Jared Carr

Minutes Approved May 14, 2018