

CITY OF LEBANON  
CITY COUNCIL MEETING MINUTES  
May 29, 2018

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on May 29, 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: City Administrator Mike Schumacher, Assistant City Administrator Ben DeClue, Public Works Director Richard Shockley, Police Chief Randy Halstead, Code Administrator Joe Berkich, Director of Operations Deryl Wilson, Park Director John Shelton, Assistant Parks Director Elliot Wilburn, Finance Director Kat Gill, Human Resource Director Kathy Milliken, Tourism Director Nicole McGinnis, MIS Coordinator Jarrad Schomaker, Street Superintendent Mike Moore, Operations Manager Dax Cogdill, Airport Manager Sandra Shore, Administrative Clerk Jessica Meiners, City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Don Anderson, Union Mission Church, followed by the pledge of allegiance.

PUBLIC COMMENTS

Howard Fuller- stated the City was still in violation of HB948 and commented that the renaming of Route 66 was not an unfunded mandate because the City received revenue from a tourism tax.

Rosie Eady- stated she would like to know when Tyler Street was going to be fixed and expressed she didn't want a chip and seal. Public Works Director Richard Shockley reported a chip and seal was done last summer and the chemical makeup didn't bond. He then stated there were plans to work on Tyler Street again this summer to fix the issue.

Ronna Moeller- regarding Tyler Street, Moeller said she preferred to have the street paved like other streets and added they have gone almost a whole year with the road falling apart. Moeller said the road was a mess and it was damaging the under carriages of cars and carpets inside houses from material being tracked inside on their shoes.

Kim Durham- also spoke about Tyler Street and said there were 30 houses on that street that were affected.

Stephanie Jones- spoke on a rezoning issue scheduled for discussion later in the meeting. Jones said she lived at 412 Morton Road, had children, and would like a privacy fence between her home and the area directly across from her home where boats would be parked.

## DISCUSSIONS AND PRESENTATIONS

Elliot Wilburn Certificate Acknowledgements- Parks Director John Shelton stated Elliot Wilburn had just received his recertification for Playground Safety Inspector and was certified as a Youth Sports Administrator. The certification entailed an all-day training class and nine tests. Shelton acknowledged Wilburn's achievement and stated he was proud of him.

Summit Natural Gas Winter Supply- Business Development Manager Phil Marcum spoke about how Summit Natural Gas was addressing capacity issues experienced during the winter of 2017-2018. Marcum stated they were proposing construction of and L&G facility in the City's Industrial Park and installation of 1260 ft. of 6" high density pipe. He reported the plan was to be operational by November 1<sup>st</sup> of 2018. Marcum spoke of their planned investment in the community and stated Summit Natural Gas wished to continue its partnership with the City.

## CONSENT AGENDA

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

- Minutes
  - I. April 9, 2018 Regular Session
- Warrants #93690-#93862 Payroll, and Drafts
- April Treasurers Report
- Resolution No. 439- Fiscal Year 2019 Community Development and Impact Fee Schedule

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

## PUBLIC HEARING- FISCAL YEAR 2018 BUDGET AND REZONING OF 1180, 1186, 1192, 1198 LORING STREET, 311 MORTON, 1200, 1210, 1220, 1232, 1242, 1258 LEWIS AVENUE FROM RS-2 RESIDENTIAL TO C-1 COMMERCIAL

Jordan moved and Garner seconded that the Council move out of Regular Session and into Public Hearing. Motion carried as follows: Yea: (8) Eldridge, Mitchell, White, Mather, Wall, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Fiscal Year 2019 Budget- Finance Director Kat Gill presented information regarding the Fiscal Year 2019 Budget. During her presentation she went over the budget timeline, changes made to the budget, and incorporated goals. Among other information, Gill talked about money carried over and fund balances. There were no questions posed by the public.

Rezoning- Code Administrator Joe Berkich reported the proposed rezoning affected property off Morton Road and said a C-1 General Commercial zoning abutting a residential required a barrier. Berkich communicated the land was going to be used to

park boats manufactured by Bass Tracker which spurred a discussion about the barrier. Mr. Dryer, owner of the property, stated he was selling because of the boat traffic. He also said he stipulated a privacy fence as part of the terms of sale. There were no other public comments during this time.

Wall moved and Mitchell seconded that the Council move out of Public Hearing and back into Regular Session. Motion carried as follows: Yea: (8) Mitchell, White, Mather, Wall, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

**COUNCIL BILL NO. 4623- REZONING, 221 SOUTH ADAMS FROM RS-2 RESIDENTIAL TO C-2 COMMERCIAL**

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of 221 South Adams from RS-2 Residential to C-2 Commercial; fixing the effective date thereof; repealing ordinances or parts thereof in conflict.

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4623 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) White, Mather, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4623 duly passed and approved and that it be entered among City Records as Ordinance No. 5773.

**COUNCIL BILL NO. 4624- REZONING, TRACT OF LAND ON THE EAST SIDE OF WASHINGTON AVENUE FROM RS-2 RESIDENTIAL TO C-1 GENERAL COMMERCIAL**

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of a Tract of Land on the East Side of Washington Avenue from RS-2 Residential to C-1 General Commercial; fixing the effective date thereof; repealing ordinances or parts thereof in conflict.

Mitchell moved and Adkins seconded that the Council approve the second and final reading of Council Bill No. 4624 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. 4624 duly passed and approved and that it be entered among City Records as Ordinance No. 5774.

**COUNCIL BILL NO. 4625- REZONING, TRACT OF LAND AT 1078 SOUTH JEFFERSON FROM FROM RS-2 RESIDENTIAL TO C-1 GENERAL COMMERCIAL**

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of a Tract of Land at 1078 South Jefferson from RS-2 Residential to C-1 General Commercial; fixing the effective date thereof; repealing ordinances or parts thereof in conflict.

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4625 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4625 duly passed and approved and that it be entered among City Records as Ordinance No. 5775.

**COUNCIL BILL NO. 4626- CODE AMENDMENT, ARTICLE IV ELECTRIC SERVICE, DIVISION 2 CHARGES**

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 26 Utilities, Article IV Electric Service, Division 2 Charges, by repealing Section 26-125 Residential Service Schedule- Rate Residential through Section 26-131 Private Outdoor Lighting Service Schedule- Rate VL and enacting in lieu thereof newly created Sections 26-125 Residential Service Schedule- Rate Residential through Section 26-131 Private Outdoor Lighting Service Schedule- Rate VL.

White moved to table Council Bill No. 4626 and direct staff to produce a Council Bill for consideration which followed the consultant's recommendation in the cost of service study's executive summary of a 1% rate increase and implementation of a service availability charge for each rate schedule. The motion died for lack of a second.

Jordan moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4626 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. 4626 duly passed and approved and that it be entered among City Records as Ordinance No. 5776.

**COUNCIL BILL NO. 4627- APPROVAL, FISCAL YEAR 2019 BUDGET**

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") adopting the Fiscal Year 2019 Budget for the period beginning July 1, 2018 and ending June 30, 2019.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4627 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Garner, Adkins, Eldridge, Mitchell, Mather, Wall, and Jordan; 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. 4627 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, Mather, Wall, Jordan, and Garner; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4627 duly passed and approved and that it be entered among City Records as Ordinance No. 5777.

COUNCIL BILL NO. 4628- FINAL PLAT, REPLAT OF LOTS 3 AND 4 OF LEBANON INDUSTRIAL PARK

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 Lots 3 and 4 of Lebanon Industrial Park, a Subdivision to Lebanon, Laclede County, Missouri.

Jordan moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4628 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.

Mitchell moved and Mather seconded that the Council approve the second and final reading of Council Bill No. 4628 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. 4628 duly passed and approved and that it be entered among City Records as Ordinance No. 5778.

COUNCIL BILL NO. 4629- AGREEMENT, ANNUAL NFPA FIRE APPARATUS PUMP TESTING, STILL FIRE SERVICES LLC

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the Mayor and City Clerk to enter into and execute a Supplier Contract between the City of Lebanon and Still Fire Service, LLC for Annual NFPA Fire Apparatus Pump Testing and Preventive Maintenance.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4629 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.

Mather moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4629 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. 4629 duly passed and approved and that it be entered among City Records as Ordinance No. 5779.

COUNCIL BILL NO. 4630- AGREEMENT, ANNUAL GROUND LADDER AND AERIAL DEVICE TESTING, CFS INSPECTIONS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the Mayor and City Clerk to enter into and execute a Supplier Contract between the City of Lebanon and CFS Inspections for Annual Ground Ladder and Aerial Device Testing.

Mather moved and Wall seconded that the Council approve the first reading of Council Bill No. 4630 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 Garner seconded that the Council approve the second and final reading of Council Bill No. 4630 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. 4630 duly passed and approved and that it be entered among City Records as Ordinance No. 5780.

COUNCIL BILL NO. 4631- AGREEMENT, DOVER DEVELOPMENT, 353 PREFUND AGREEMENT

An Ordinance by the City of Lebanon, Laclede County Missouri (hereinafter referred to as "City") approving a Funding Agreement between the City of Lebanon and Dover Development LLC, for the proposed Chapter 353 Redevelopment Plan and authorizing the Mayor and City Clerk to execute Said Agreement on behalf of the City.

Wall moved and Garner seconded that the Council approve the first reading of Council Bill No. 4631 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 Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4631 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. 4631 duly passed and approved and that it be entered among City Records as Ordinance No. 5781.

COUNCIL BILL NO. 4632- AGREEMENT, COMMUNITY SURVEY, SPARK MANAGEMENT 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 an Agreement between the City and Spark Management Consultants for a Community Survey.

Adkins moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4632 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Eldridge, Mitchell, Mather, Wall, Jordan, Garner, and Adkins; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4632 and that the roll be called for the approval and passage

of said bill. Motion carried as follows: Yea: (7) Mitchell, Mather, Wall, Jordan, Garner, Adkins, and Eldridge; Nay: (1) White; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4632 duly passed and approved and that it be entered among City Records as Ordinance No. 5782.

COUNCIL BILL NO. 4633-TASK ORDER, ATCHLEY PARK FIBER INSTALLATION, BBC ELECTRICAL SERVICES

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 with BBC Electrical Services for Atchley Park Fiber Installation.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4633 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. 4633 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. 4633 duly passed and approved and that it be entered among City Records as Ordinance No. 5783.

COUNCIL BILL NO.4634- APPROVAL, EAST FREMONT OVERLAY

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving the recommendation from City Staff and authorizing the execution of all necessary documents to overlay a portion of East Fremont Road.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4634 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.

Mitchell moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4634 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. 4634 duly passed and approved and that it be entered among City Records as Ordinance No. 5784.

COUNCIL BILL NO. 4635- REZONING, PORTIONS OF LORING STREET, MORTON, AND LEWIS AVENUE FROM RS-2 RESIDENTIAL TO C-1 COMMERCIAL

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of 1180, 1186, 1192, 1198 Loring Street, 311 Morton, 1200, 1210, 1220, 1232, 1242, 1258 Lewis Avenue from RS-2 Residential to C-1 Commercial; fixing the effective date thereof; repealing ordinances or parts thereof in conflict.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4635 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.

Second reading scheduled for June 11, 2018.

COMMENTS

MIS Coordinator Jarrad Schomaker- reported on a malware believed to be originated in Russia that the FBI and Department of Justice had taken over.

Public Works Director Richard Shockley- stated they made it through the Memorial Day weekend and reported the streetlights on West Fremont Road were scheduled for installation the following Wednesday.

Public Works Director John Shelton- thanked Public Works Director Richard Shockley and MIS Coordinator Jarrad Schomaker for getting the ball rolling on fiber installation to the parks. He then reported they had been busy with baseball and softball and provided information for upcoming events.

City Clerk Laina Starnes- introduced Administrative Clerk Jessica Meiners to the Mayor and Council.

City Administrator Mike Schumacher- expressed his thanks to Finance Director Kat Gill for her presentation this evening and to Assistance City Administrator Ben DeClue for his part in the budget process. He also reported Human Resources was extremely busy trying to get seasonal employees hired.

Councilman Garner- expressed he thought the Wagon for Warriors event was incredible and spoke of the successfulness of the event held at the airport over the weekend.

Councilman Jordan- echoed Councilman Garner's comments and then complimented the City for mowing the rights-of-way.

Councilman Wall- complimented staff on the budget and extended his appreciation.

Councilwoman Mather- said ditto to all previous comments.



Councilwoman Mitchell- asked about the status of the strategic plan. Assistant City Administrator Ben DeClue replied they had until July to complete.

Councilman Eldridge- also said ditto to all previous comments and then said he could definitely tell the weedeating crew had been busy.

Councilman Adkins- said the pilot at the recent airport event bragged on the City of Lebanon and its staff. Adkins said Lt. Governor Mike Parsons also spoke highly of Lebanon during the Memorial Day event at the Mount Rose Cemetery.

Mayor Carr- provided information on upcoming events which included the Lebanon/Lake of the Ozarks Cardinal baseball game and Kids Fishing Day. Mayor Carr also complimented Finance Director Kat Gill on the budget and City Administrator Mike Schumacher for doing such a fantastic job. He extended his thanks to Assistant City Administrator Ben DeClue as well.

CLOSED SESSION PURSUANT TO RSMO 610.021 (1) LEGAL

Jordan moved and Wall 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.

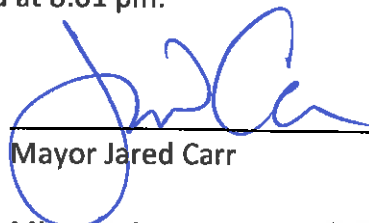
Council moved into Closed Session at 7:35 pm and returned to Regular Session at 8:01 pm.

ADJOURNMENT

Mayor Carr declared the meeting adjourned at 8:01 pm.

ATTEST:

  
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City Clerk Laina Starnes

  
\_\_\_\_\_  
Mayor Jared Carr  
Minutes Approved July 23, 2018