

CITY OF LEBANON  
CITY COUNCIL MEETING MINUTES  
June 26, 2018

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on June 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.

A quorum was declared.

Staff members and others in attendance: City Administrator Mike Schumacher, Assistant City Administrator Ben DeClue, Public Works Director Richard Shockley, Police Chief Randy Halstead, Fire Chief Sam Schneider, Code Administrator Joe Berkich, Finance Director Kat Gill, Human Resource Director Kathy Milliken, Street Superintendent Mike Moore, MIS Coordinator Jarrad Schomaker, Fire Lieutenant Randal Haefner, Fire Captain Shannon Prince, Fire Captain John Hunter, Firefighter Zach Downs, Firefighter David Wheeler, Firefighter Josh Tranbarger, Firefighter Michael Kirkpatrick, City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Rev. Brian Kincheloe, Laclede Cowboy Church, followed by the pledge of allegiance.

AMEND AGENDA

Wall moved and Jordan seconded that the agenda be amended to move the readings of Council Bill. 4649 until after Closed Session. 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 COMMENTS

Executive Dean of OTC Education Centers Dusty Childress provided a brief update on the new lineman program scheduled to begin at OTC in August. Childers said the first class was full with 24 students coming from Sedalia, Rolla, Branson, Jefferson City, Marshfield and Lebanon and have had inquiries about the program from every state touching Missouri. He also reported that an advisory committee had been created, poles had been donated by Laclede Electric, and a bucket truck and other equipment were on the way. In closing, Childers invited everyone to attend the ribbon cutting scheduled for July 17<sup>th</sup>.

Ronna Moeller and Kim Durham- both ladies expressed there were issues with the chip and seal on Tyler Drive and shared some of the problems it was causing the area residents. Moeller and Durham said they wanted to know if the fix that was promised was going to

be a chip and seal and when it would take place. Public Works Director Richard Shockley reported a sample of the aggregate had been taken and the charge of the aggregate was being analyzed by a vendor that had been engaged. Shockley also said a product sample, thought to be a remedy to the problem, was being tested on a portion of the road. If it worked, they would be using this product to seal the aggregate down.

Lyle Anderson- congratulated Mayor Carr for resisting pressure to rename Elm Street. Anderson said that, before the last election, an agreement had been entered into with the Route 66 Society which stated that Route 66 would be prominently marked in the areas it covered in the City. He then stated those areas had been marked. Also during his comments, Anderson requested the City pass an ordinance banning the use of handheld devices in motor vehicles and asked that a solution be found to provide meaningful recycling in the City.

#### DISCUSSIONS AND PRESENTATIONS

Smoke Detector Program- Fire Chief Sam Schneider thanked the community for the support given to his staff following a tragic fire event. He also thanked Mayor Carr's wife, Tara Carr, for reaching out to see what could be done to help the Fire Department and to prevent such an occurrence from happening again. Schneider said he mentioned that the Smoke Detector Program the City had had for several years needed to be revitalized and reported Tara Carr took that information and ran with it. He said an ordinance was being presented this evening for Council's consideration to start that revitalization process and the Fire Department would begin providing and installing smoke detectors again. Schneider also reported that the Fire Department had received a significant donation of smoke detectors that was very much appreciated, and they were looking into the possibility of the Lebanon Area Foundation handling the monetary donations for the program.

The Council posed several questions during this time, one of which pertained to the City Code. Code Administrator Joe Berkich reported that the current building code didn't address carbon monoxide detectors, so they would be looking into the possibility of moving to a newer version of the code to address this issue. Fire Chief Schneider also spoke about the possibility of residential sprinkler systems and the need to do fire inspections more frequently than every two years.

Fire Lt. Randall Heafner then took the floor and expressed appreciation to the City for bringing forward Council Bill 4649 related to the Smoke Detector Program and for the support given to the Fire Department employees. Haefner also thanked the Council for supporting the purchase of a new fire engine, also being considered this evening.

#### CONSENT AGENDA

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

- Warrants #94035-#94201 Payroll, and Drafts
- May Treasurers Report

- Library Board Appointment- Maryann Campbell for a 3-year term expiring June 2021.

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

PUBLIC HEARING- CEDARHURST CHAPTER 353 DEVELOPMENT PLAN

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

Jordan Dorsey from Cedarhurst Senior Living addressed the Council and reported he had been working with the City for approximately ten months on the Cedarhurst Project. During his presentation, Dorsey reported the development plan consisted of a facility to provide assistant living, independent living, and a designated wing for memory care. He stated the facility would be 66,000 square feet, have 52 assistant living apartments, 21 memory care apartments and, even though it would not be a healthcare facility, it would have a 24/7 nursing staff. Dorsey also touched on how this facility would benefit the community. Some of the community benefits Dorsey referenced were as follows.

- \$13,000,000 investment in the community
- Employment of local 50 people with an annual payroll of \$1,500,000
- Positive tax impact
- Employment of local contractors for construction of the facility

He stated that, as a part of the Chapter 353 process, the City would need to declare the property blighted before the project could move forward. Dorsey also stated they were proposing the City approve a 50% tax abatement over the next 20 years.

Senior Director John Brancaglione of PGVA Planners then took the floor and further explained the Chapter 353 process and provided detailed information about the condition of the property. He referenced his report and stated it was the opinion of PGVA Planners that the property met the requirements of blight.

David Martin of Gilmore and Bell followed Brancaglione and said he was involved in the legal aspects of this project. Martin expressed the plan presented significant facts which allowed the City to make a blight determination. He added that the development should have a positive effect on the value of surrounding property.

There were no comments made by the public.

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

**COUNCIL BILL NO. 4643- APPROVAL, MATCHING CONTRIBUTION FOR SMOKE DETECTOR DONATION PROGRAM**

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the City to match community donations, up to Five Thousand Dollars (\$5,000.00) annually, for the purchase of smoke detectors for City residents.

Jordan moved and Adkins seconded that the Council approve the first reading of Council Bill No. 4643 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mather, Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; 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. 4643 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. 4643 duly passed and approved and that it be entered among City Records as Ordinance No. 5793.

**COUNCIL BILL NO.4644- AGREEMENT, CEDARHURST CHAPTER 353 DEVELOPMENT PLAN**

An Ordinance approving the Chapter 353 Development Plan for the Cedarhurst Redevelopment Area pursuant to Chapter 353 of the Revised Statutes of Missouri, declaring the redevelopment area described in the development plan to be a blighted area, taking other actions to implement the development plan, and approving and authorizing the Mayor and City Clerk to sign a Redevelopment Agreement for the Cedarhurst Development Plan by and among the City of Lebanon, Missouri, Dover Development, LLC, and Cedarhurst Redevelopment Corporation.

Wall moved and Adkins seconded that the Council approve the first reading of Council Bill No. 4644 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Jordan, Garner, Adkins, Eldridge, Mitchell, White, Mather, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Adkins moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4644 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, White, Mather, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4644 duly passed and approved and that it be entered among City Records as Ordinance No. 5794.

COUNCIL BILL NO.4645- PURCHASE, GOODWIN HOLLOW PUMP AND MOTOR, ENVIRO-LINE COMPANY

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving the purchase of a Submersible Pump and Motor for the Goodwin Hollow Lift Station.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4645 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.

Mitchell moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 4645 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.

Mayor Carr declared Council Bill No. 4645 duly passed and approved and that it be entered among City Records as Ordinance No. 5795.

COUNCIL BILL NO. 4646- AGREEMENT, NATIONWIDE 401(A) PLAN AMENDMENT AND REINSTATEMENT

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 sign all documents necessary to Amend and Reinstate the existing 401(a) plan provided by Nationwide for Deferred Compensation Plan Administration Services as mandated by the Pension Protection Act of 2006.

Wall moved and Garner seconded that the Council approve the first reading of Council Bill No. 4646 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mitchell, White, Mather, Wall, Jordan, Garner, Adkins, and Eldridge; 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. 4646 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. 4646 duly passed and approved and that it be entered among City Records as Ordinance No. 5796.

COUNCIL BILL NO. 4647- APPROVAL, WOODHILL DRIVE, HOGAN DRIVE AND MCPHAIL STREET OVERLAY PROJECTS

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 mill and overlay Woodhill Drive

from Raef Road to Highway YY, Hogan Drive from Elm Street to Rader Drive, and McPhail Street from South Street to St. Louis Street.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4647 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mather, Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; 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. 4647 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. 4647 duly passed and approved and that it be entered among City Records as Ordinance No. 5797.

#### COUNCIL BILL NO. 4648- CONTRACT, NEW FIRE TRUCK, SMEAL HOLDING LLC

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 Proposal and Sales Contract between the City and Smeal Holding LLC for a new Fire Truck.

Mitchell moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4648 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Jordan, Garner, Adkins, Eldridge, Mitchell, White, Mather, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Adkins moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4648 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, White, Mather, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Carr declared Council Bill No. 4648 duly passed and approved and that it be entered among City Records as Ordinance No. 5798.

#### COMMENTS

Public Works Director Richard Shockley- reported the Department of Natural Resources had placed the proposed Lebanon Wastewater Treatment Plant Operating Permit out for public comment. He then shared the City had provided comment and recommendation on the proposed copper limits and was waiting for DNR to respond.

City Administrator Mike Schumacher- reported the recent Supreme Court ruling had no impact on the City's use tax initiative slated for the August election. He also shared that staff was working on wayfinding signage. Schumacher reported Tourism Director Nicole McGinnis would be taking the lead on this project.

Councilman Garner- spoke briefly about the MSU event held the evening before and stated it was a huge success.

Councilman Jordan- reported he attended the MSU event, the Route 55 Festival, and the Big Bam Bike Tour. He said they were all successful events and stated it was good to see events like these coming to Lebanon.

Councilwoman Mather- congratulated REDI President Brian Thompson on his recent appointment to the Missouri Economic Development Council.

Councilwoman Mitchell- said she also attended the Rt. 66 Festival and the Big Bam Bike Tour and stated they were well attended successful events.

Councilman Adkins- reported he attended his first MML Policy Committee meeting and served on the committee with 29 others. He also thanked those who attended the MSU event and expressed he was glad to see that progress had been made on the ag barn.

Mayor Carr- reported he spent a few days in Washington D.C. supporting Ft. Leonard Wood with the Sustainable Ozarks Partnership (SOP). He shared he met with several legislators and hoped to grow those relationships. He closed by stating several boards and committees had vacancies that needed to be filled. He encouraged anyone interested in serving their community to apply and get involved.

#### CLOSED SESSION PURSUANT TO RSMO 610.021 (1) LEGAL

Adkins 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 BILL NO. 4649- MEMORANDUM OF UNDERSTANDING, AMERICAN CONTRACTORS INDEMNITY COMPANY (ACIC)

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 Memorandum of Understanding between the City and American Contractors Indemnity Company.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4649 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mitchell, White, Mather, Wall, Jordan, Garner, Adkins, and Eldridge; 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. 4649 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.



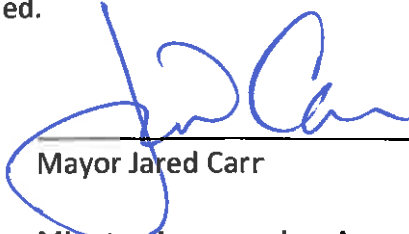
Mayor Carr declared Council Bill No. 4649 duly passed and approved and that it be entered among City Records as Ordinance No. 5799.

ADJOURNMENT

Mayor Carr declared the meeting adjourned.

ATTEST:

  
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City Clerk Laina Starnes

  
\_\_\_\_\_  
Mayor Jared Carr  
Minutes Approved August 13, 2018