

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
August 13, 2018

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on August 13, 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, Chuck Jordan, Bob Garner, and Mayor Carr. Absent: Randy Wall.

A quorum was declared.

Staff members and others in attendance: City Administrator Mike Schumacher, Public Works Director Richard Shockley, Police Chief Randy Halstead, Code Administrator Joe Berkich, Finance Director Kat Gill, Human Resource Director Kathy Milliken, Street Superintendent Mike Moore, Operations Manager Dax Cogdill, IT Director Jarrad Schomaker, Director of Operations Deryl Wilson, Communications Manager Derek Gean, City Counselor Chris Allen, and City Clerk Laina Starnes.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

Ronna Moeller, Rosie Eady, and Evelyn Dimock addressed the Council and expressed their displeasure with the condition of Tyler Street and how long it was taking the City to fix the problem. Each one again spoke about the damage it was doing to their carpets, floors, and shoes. Street Superintendent Mike Moore reported the material to fix the road had been bid out, repairs were planned for the end of August or first of September, and the timeframe was based on when the vendor could supply the product. Public Works Director Richard Shockley explained the process used for determining if a street would be asphalted or just receive an overlay. He shared that Tyler Street's condition didn't warrant being asphalted based on the street maintenance guidelines used by the City. In addition, Shockley stated the planned resolution to the problem was about 10% of the cost to asphalt the street.

Howard Fuller- addressed the Mayor and Council to comment again on Route 66. Fuller referenced HB948, said he spoke at a work session last November, and stated he was promised by the Mayor it would be placed on a future agenda for the Council to vote on. He then addressed Mayor Carr stating he had sworn an oath to uphold the law and asked that he stop breaking it.

DISCUSSIONS AND PRESENTATIONS

Malcolm Decker and several other members of the Civil Air Patrol presented the City of Lebanon with a certificate of appreciation for outstanding assistance to the Civil Air Patrol.

CONSENT AGENDA

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

- Minutes
 - i. May 15, 2018 Work Session
 - ii. June 26, 2018 Council Meeting
 - iii. July 5, 2018 Work Session
 - iv. July 23, 2018 Council Meeting
 - v. July 23, 2018 Closed Session
 - vi. August 2, 2018 Work Session
 - vii. August 2, 2018 Closed Session
- Warrants #94484-#94650 Payroll, and Drafts

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

PUBLIC HEARING- GENERAL FUND, PARKS AND DOWNTOWN BUSINESS DISTRICT TAX LEVIES

Mather moved and Jordan seconded that the Council move out of Regular Session and into Public Hearing. Motion carried as follows: Yea: (7) Eldridge, Mitchell, White, Mather, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

City Clerk Laina Starnes explained that the tax rate ceilings for the General Fund, Parks Fund and Downtown Business District was set by the State Auditor. She reported the tax rate ceiling for the Downtown Business District had increase from .7402 to .7476 for every \$100 of assessed valuation, but since the assessed valuation for that district had decreased, the projected revenue would remain the same. Starnes further reported the tax ceilings for the General Fund and Parks Fund remained the same at .2607 for every \$100 of assessed valuation, but projected revenue increased because the assessed valuations had increased from the prior year.

There were no public comments.

Garner moved and Jordan seconded that the Council move out of Public Hearing and back into Regular Session. Motion carried as follows: Yea: (7) Mitchell, White, Mather, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

COUNCIL BILL NO. 4656- CODE AMENDMENT, INDOOR FIREARM, PNEUMATIC GUN, AND ARCHERY RANGES

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 14 Offenses and Miscellaneous Provisions by establishing a newly created Article IX Indoor Firearm Pneumatic Guns and Archery Ranges.

Jordan moved and Mather seconded that the Council approve the second and final reading of Council Bill No. 4656 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) White, Mather, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4656 duly passed and approved and that it be entered among City Records as Ordinance No. 5813.

COUNCIL BILL NO. 4664- 2018 TAX LEVY, SPECIAL BUSINESS DISTRICT AD VALOREM

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the 2018 Special Business District Ad Valorem Tax Levy on all taxable, tangible real estate and personal property within the Downtown Business District boundaries as established by City Code Section 24-141; providing the purpose thereof; setting the tax rate thereof; authorizing the collection thereof; fixing the effective date thereof.

Jordan moved and Mitchell seconded that the Council approve the first reading of Council Bill No. 4664 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mather, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mather moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4664 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, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4664 duly passed and approved and that it be entered among City Records as Ordinance No. 5814.

COUNCIL BILL NO. 4665- 2018 TAX LEVY, GENERAL FUND AND PARKS AD VALOREM

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the 2018 General Fund Ad Valorem Tax Levy and the 2018 Parks Ad Valorem Tax Levy on all Taxable, tangible real estate and personal property within the city limits of the City; providing the purpose thereof; setting the tax rate thereof; authorizing the collection thereof; fixing the effective date thereof.

Jordan moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4665 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Garner, Adkins, Eldridge, Mitchell, White, Mather, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mather moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4665 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, White, Mather, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4665 duly passed and approved and that it be entered among City Records as Ordinance No. 5815.

COUNCIL BILL NO. 4666- FINAL PLAT, PAULINE RECTOR 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 Pauline Rector Subdivision, a Subdivision to Lebanon, Laclede County, Missouri.

Garner moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4666 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Eldridge, Mitchell, White, Mather, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4666 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mitchell, White, Mather, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4666 duly passed and approved and that it be entered among City Records as Ordinance No. 5816.

COUNCIL BILL NO. 4667- FINAL PLAT, RONNIE'S MARKET SUBDIVISION

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving and accepting the Corrected Final Plat of Ronnie's Market Subdivision, a Subdivision to Lebanon, Laclede County, Missouri.

Mitchell moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4667 and that it be passed to the second reading. Motion carried as follows: Yea: (7) White, Mather, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4667 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mather, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4667 duly passed and approved and that it be entered among City Records as Ordinance No. 5817.

COUNCIL BILL NO. 4668- MEMORANDUM OF UNDERSTANDING, NARCAN SUPPLY, MISSOURI DEPT OF HEALTH AND SENIOR 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 a Memorandum of Understanding between the City and the Missouri Department of Health and Senior Services for the provision of Narcan to the Police Department.

Mather moved and Garner seconded that the Council approve the first reading of Council Bill No. 4668 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Jordan, Garner, Adkins, Eldridge, Mitchell, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mitchell moved and Eldridge seconded that the Council approve the second and final reading of Council Bill No. 4668 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Garner, Adkins, Eldridge, Mitchell, White, Mather, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4668 duly passed and approved and that it be entered among City Records as Ordinance No. 5818.

COUNCIL BILL NO. 4669- AMENDMENT, SUMMARY OF MATERIAL MODIFICATION AND EMPLOYEE BENEFIT PLAN AMENDMENT NO. 2

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 the Summary of Material Modification and Amendment No. 2 to the City of Lebanon Employee Benefit Plan Group No. 10746.

Eldridge moved and Garner seconded that the Council approve the first reading of Council Bill No. 4669 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, White, Mather, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mitchell moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4669 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Eldridge, Mitchell, White, Mather, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4669 duly passed and approved and that it be entered among City Records as Ordinance No. 5819.

COUNCIL BILL NO. 4670- AGREEMENT, ADMINISTRATIVE SERVICES AGREEMENT AMENDMENT, MERITAIN HEALTH INC.

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 an Amendment to the Administrative Services Agreement, as approved on April 1, 2008, between the City and Meritain Health, Inc.

Jordan moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4670 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mitchell, White, Mather, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mather moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4670 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) White, Mather, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4670 duly passed and approved and that it be entered among City Records as Ordinance No. 5820.

COUNCIL BILL NO. 4671- TASK ORDER, FLOYD W JONES LEBANON AIRPORT SURVEY, CARMACK SURVEYING INC.

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 Carmack Surveying Inc. to survey and plat the Floyd W. Jones Lebanon Airport property.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4671 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mather, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mather moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4671 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, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4671 duly passed and approved and that it be entered among City Records as Ordinance No. 5821.

COUNCIL BILL NO. 4672- AGREEMENT, LEBANON FIRE DEPARTMENT SAFETY AND EDUCATION FUND, LEBANON AREA FOUNDATION

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 Lebanon Area Foundation for management of the Lebanon Fire Department Safety and Education Fund.

Jordan moved and Adkins seconded that the Council approve the first reading of Council Bill No. 4672 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Garner, Adkins, Eldridge, Mitchell, White, Mather, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mitchell moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4672 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, White, Mather, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4672 duly passed and approved and that it be entered among City Records as Ordinance No. 5822.

COUNCIL BILL NO. 4673- TASK ORDER, INDUSTRIAL PRETREATMENT PROGRAM UPDATE, LARKIN LAMP RYNEARSON

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 No. 1 between the City and Larkin Lamp Rynearson for an Industrial Pretreatment Program Update.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4673 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Eldridge, Mitchell, White, Mather, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Adkins moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4673 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mitchell, White, Mather, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4673 duly passed and approved and that it be entered among City Records as Ordinance No. 5823.

COUNCIL BILL NO. 4674- ACCEPTANCE, TOWER ROAD VILLAS WATER AND SEWER INFRASTRUCTURE

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving and accepting the Water and Sewer Infrastructure Improvements at Tower Road Villas, a Subdivision to Lebanon, Laclede County, Missouri.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4674 and that it be passed to the second reading. Motion carried as follows: Yea: (7) White, Mather, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mather moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4674 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mather, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Mayor Carr declared Council Bill No. 4674 duly passed and approved and that it be entered among City Records as Ordinance No. 5824.

COUNCIL BILL NO. 4675- PURCHASE, JACK HAMMER ATTACHMENT, MURPHY TRACTOR AND EQUIPMENT

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") declaring as surplus a Jack Hammer Attachment for a Skid Steer Loader with Bar Code No. 10252 and authorizing the purchase of a new Jack Hammer Attachment from Murphy Tractor and Equipment.

Mitchell moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4675 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Jordan, Garner, Adkins, Eldridge, Mitchell, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Adkins moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4675 and that the roll be called for the approval and passage of said

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

Mayor Carr declared Council Bill No. 4675 duly passed and approved and that it be entered among City Records as Ordinance No. 5825.

COUNCIL BILL NO. 4676- CODE AMENDMENT, CHAPTER 26 UTILITIES ARTICLE X ILLICIT DISCHARGE OF POLLUTANTS

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 by enacting Article X Illicit Discharge of Pollutants.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4676 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, White, Mather, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Second reading scheduled for August 27, 2018.

COMMENTS

Public Works Director Richard Shockley- took a few moments to update the Council on a few projects which included the water system study. During this time, Shockley spoke about the recent drought conditions and said he wanted to assure the Mayor and Council that the City had plenty of water. He also spoke briefly about their collection of traffic counts and said he would be sharing those results during the October work session meeting. He closed by reporting a substation was damaged by a bird, causing a power outage, and its load was moved to another substation until a full assessment had been made and repairs completed.

City Counselor Chris Allen- stated he was being quoted during public comments at each meeting by Howard Fuller and wanted to clarify his legal opinion on Route 66. Allen said his legal opinion was based on there being a process, which he stated had not begun. Allen further stated he had communicated this to Fuller on several occasions. Councilman Garner then expressed he was tired of Fuller coming to every meeting and saying the same thing. Councilman Jordan stated the State of Missouri wasn't making the change either, while Councilwoman Mather pointed out the City was acknowledging Route 66 with current signage. Mayor Carr added there was an ordinance that had been on the books for years that named the street Route 66.

City Administrator Mike Schumacher- introduced Derek Gean as the City's new Communications Manager. He stated Gean would be molding the City's messages and working on a social media policy. Schumacher then reported the citizen survey results would be discussed at the September 10th meeting and a retreat would be held on September 22nd.

Councilman Adkins- congratulated Lebanon R-3 Schools for the passage of their levy during the August election.

Councilman Eldridge- said he wanted to thank the ladies who had been speaking during the public comment section of the meetings about Tyler Street for being polite and professional. Eldridge also said he would like to see the fix for Tyler Street be expedited even if it took an overlay to do it.

Councilwoman Mitchell- thanked the Civil Air Patrol for presenting the City with a certification of appreciation earlier in the evening.

Councilwoman Mather- said she enjoyed the staff informational sheets that were being included with the ordinances. She also expressed her thanks to Finance Director Kat Gill and Financial Analyst Holli Hawkins for providing the Capital Improvement Tax information.

Councilman Jordan- welcomed Communications Manager Derek Gean.

Councilman Garner- said he wanted to thank Joe Berkich for quickly taking care of a nuisance issue he brought to his attention and then expressed he was amazed at staff and what they did. Garner then announced the high school football jamboree would be held in Branson on Friday and the first regular season game was the following Friday.

Mayor Carr- wanted everyone to know work was being done regarding Route 66. He added that he wanted it to be done in a positive light and not just slapped together. He then reported he would be attending a Sustainable Ozarks Partnership meeting on the August 23rd. In closing, Mayor Carr also expressed he thought staff was doing a fantastic job and said a lot goes on that the community wasn't able to see.

CLOSED SESSION PURSUANT TO RSMO 610.021 (1) LEGAL

Jordan moved and Garner seconded that the Council move into Closed Session pursuant to RSMo 610.021 (1), for legal matters. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, White, Mather, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Wall.

Council moved into Closed Session at 7:25 pm and returned to Regular Session at 7:50 pm.

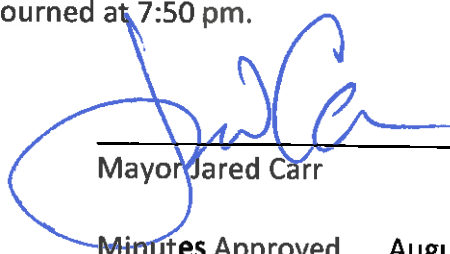
ADJOURNMENT

Mayor Carr declared the meeting adjourned at 7:50 pm.

ATTEST:



City Clerk Laina Starnes



Mayor Jared Carr
Minutes Approved August 27, 2018