

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
October 10, 2017

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on October 10, 2017 at 7:00 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, Interim Community Development Director Noel Massey, Code Administrator Joe Berkich, Parks Director John Shelton, Director of Operations Deryl Wilson, City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Rev. Gary Sheets of North 5 Free Will Baptist Church, followed by the pledge of allegiance.

PUBLIC COMMENTS

Stephen Marcum- opened by apologizing for his actions at the Council meeting he last attended. He then spoke about someone on City Council being overheard saying he was the wrong man for City Council and then moved on to the Mayor's lack of qualifications at the time his application was submitted. He questioned why the application was accepted when he wasn't qualified at the time. Marcum stated he felt the Council put the Mayor in a bad position by appointing him until 2020 and said he hoped they would change their minds and allow the citizens to vote.

Stanley Bunch- introduced himself as the Executive Director of the First Free Will Baptist Churches. He then expressed he felt serving alcohol in the outside public seating area of the restaurant across the street from his office was a violation of City Code. Bunch said he would like to see action taken to resolve the issue.

Glen Kreuer- stated he knew City Council's job was not an easy one and he appreciated their service. He then expressed that most of the public's distrust stemmed from the former City Administrator.

DISCUSSIONS AND PRESENTATIONS

None.

CONSENT AGENDA

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

- August 14, 2017 Council Meeting Minutes
- Warrants #91518- #91635, payroll and drafts
- Personnel Board- appointment of Councilman Ken Eldridge and Councilman Sheila Mitchell.
- Park Board- appointment of Carrie Plassmeyer to a term ending June 2020, reappointment of Bob Mowery to a term ending June 2020, and reappointment of Dave Matlock to a term ending June 2020.
- Board of Adjustment- appointment of Shirley Tarwater to an unexpired term ending November 2019, appointment of Jon Sommer to an unexpired term ending November 2020, and appointment of Carrie Plassmeyer to a term ending November 2022.
- Planning & Zoning Commission- appointment of Randy Randolph to a term ending 2021, reappointment of Becky Burk to a term ending 2021.

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. 4513- FINAL PLAT, BLOCK 4 OF WOODLAND ADDITION

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 Block 4, Woodland Addition to the City of Lebanon, Laclede County, Missouri.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4513 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. 4513 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. 4513 duly passed and approved and that it be entered among City Records as Ordinance No. 5663.

COUNCIL BILL NO. 4514- SURPLUS, GRANT AWARD, AND EQUIPMENT PURCHASE, ASSISTANCE TO FIREFIGHTERS GRANT FOR SELF CONTAINED BREATHING APPRATUSES

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") surplusing Self Contained Breathing Apparatuses and Associated Equipment, authorizing a Grant Award Acceptance for an Assistance to Firefighters Grant through the U.S Department of Homeland Security for Self Contained Breathing Apparatuses, and authorizing the purchase of additional Self Contained Breathing Apparatuses and Associated Equipment not covered by the grant.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4514 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.

Wall moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4514 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. 4514 duly passed and approved and that it be entered among City Records as Ordinance No. 5664.

COUNCIL BILL NO. 4515- PURCHASE, FIRE TRUCK MODIFICATIONS, PRECISION FIRE APPARATUS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving the purchase and installation of items needed for the 2012 F-550 Fire Truck Modifications.

Jordan moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4515 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.

Adkins moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4515 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. 4515 duly passed and approved and that it be entered among City Records as Ordinance No. 5665.

COUNCIL BILL NO. 4516- AGREEMENT, MUTUAL AID, MISSOURI PUBLIC UTILITY ALLIANCE

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 Mutual Aid Agreement between the City and Missouri Public Utility Alliance (hereinafter referred to as "MPUA").

Mitchell moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4516 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.

Mather moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 4516 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. 4516 duly passed and approved and that it be entered among City Records as Ordinance No. 5666.

COUNCIL BILL NO. 4517- TASK ORDER AMENDMENT, EAST FREMONT ROAD WATER LINE, 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 Amendment No. 1 to Task Order 16-08 between the City and LOR Engineering, LLC dba Cochran for Civil Engineering Services related to the East Fremont Water Line.

Mitchell moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4517 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.

Mather moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 4517 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. 4517 duly passed and approved and that it be entered among City Records as Ordinance No. 5667.

COUNCIL BILL NO. 4518- AGREEMENT, SOUTH HWY 5 IMPROVEMENTS, MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

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 Municipal Agreement between the City and the Missouri Highways and Transportation Commission, (hereinafter referred to as "Commission") for South Hwy 5 Improvements.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 4518 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.

Adkins moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4518 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. 4518 duly passed and approved and that it be entered among City Records as Ordinance No. 5668.

COUNCIL BILL NO. 4519- ADOPTION OF BUILDING FEE SCHEDULE, COMMUNITY DEVELOPMENT

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City"), adopting an updated fee schedule for activities associated with the Community Development Department.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4519 and that it be passed to the second reading.

Wall moved and Jordan seconded that the date of February 1, 2018 in Section 5 be amended to January 1, 2018. Motion carried as follows: Yea: (8) Mather, Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and White; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Motion to move Amended Council Bill No. 4519 to the second reading carried as follows: Yea: (8) Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, White, and Mather; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Second reading scheduled for October 23, 2017.

COUNCIL BILL NO. 4520- CODE AMENDMENT, OPEN MEETINGS AND RECORDS (SUNSHINE LAW)

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 II Administration* to create a new *Article VII Open Meetings and Records*.

Jordan moved and Mather seconded that the Council approve the first reading of Council Bill No. 4520 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.

Second reading scheduled for October 23, 2017.

RESOLUTION #428- RENTAL RATES FOR CITY FACILITIES

Mayor Carr introduced Resolution No. 428 for Council consideration as follows:

"A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY, MISSOURI, ADOPTING RENTAL RATES FOR THE COWAN CIVIC CENTER, MILLS BUILDING, WALLACE BUILDING, AG BARN, AND AG PULLING TRACK.

WHEREAS, that rental rates for City facilities were adopted by City Council on March 13, 2017 via Resolution No. 421 for the 2017 and 2018 Calendar Years; *and*

WHEREAS, that the City Council instructed City Staff to establish the practice of setting rental rates two years in advance, beginning in September 2017 for Calendar Year 2019; *and*

WHEREAS, that it is the desire of the City Council to adopt the rental rate structure proposed by Staff for Calendar Year 2019.

WHEREAS, that Said Rate Structure was introduced to the City Council, for approval, by Resolution No. 428 at the October 10, 2017 Council Meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby resolves to adopt the Rental Rates as outlined in "Exhibit A." Said Rental Rates shall run from January 1, 2018 through December 31, 2018.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as of this 10th day of October 2017.

Mayor Jared Carr

(Seal)

Attest:

City Clerk Laina Starnes"

Garner moved and Jordan seconded that the Council approve Resolution No. 428 as presented.

Wall moved and Mather seconded that the Council amend the dates reflected in Section 1 from 2018 to 2019. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, White, Mather, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Motion to approve Amended Resolution No. 428 carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, White, Mather, Wall, Jordan and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

COMMENTS

Fire Chief Sam Schneider- reported about upcoming storm siren testing and spoke about the his department now carrying the drug Narcan on the fire trucks to treat drug overdose patients.

Public Works Director Richard Shockley- reported Public Works employees had been working with GOCAPS students and had taken them on a tour of the solar farm. He then provided information about the upcoming tour of the Prairie State generating facility. He encouraged those that weren't able to go last year to attend.

Parks Director John Shelton- stated the Parks Department was thankful to have been a part of the airport event and expressed he felt Airport Manager Sandra Shore did a good job. He then stated he was looking forward to getting started on the Spiller Park and Gasconade Park projects.

Councilman Garner- stated to Police Chief Halstead that Sheriff Millsap was still interested in a prisoner work program. He then addressed comments made by Stephen Marcum earlier in the meeting by saying he hadn't had anyone tell him they were opposed to Council's recent appointment action.

Councilman Jordan- commented that there was a wonderful crowd at the recent airport event and then congratulated Councilman White on his daughter being named Jacket of the Week.

Councilman Wall- stated the airport event was a great event and was well organized. He then said he thought the volunteer pilots should be recognized for giving their time for the event.

Councilman Mather- said she was excited to have been a part of the ribbon cutting at the solar farm.

Councilman Adkins- stated the airport event was fantastic. He then announced that Public Works Director Richard Shockley received tremendous accolades at the solar farm ribbon cutting and there wouldn't be a solar farm if it weren't for his efforts.

Councilman Eldridge- said that most were in favor of the Mayor appointment and online polling is unscientific; can't put a lot of credence to it.

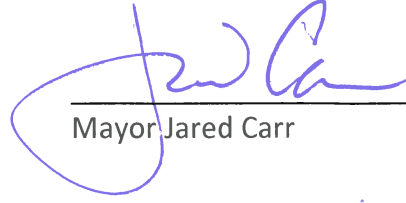
Councilman Mitchell- asked about the status of the sidewalks on Bland. Public Works Richard Shockley shared that the property owner was up north for corn harvest and he would make contact with him upon his return.

Councilman White- shared his feelings about Council's action to appoint Mayor Carr for the remainder of former Mayor Ray's term. He stated, while he agreed with the selection, he disagreed with the length of the term and felt the action took away a citizen's right to vote. He concluded by saying they were following their recourse up through the state officials for clarification and should have something to report soon.

Mayor Carr- announced he was holding a public forum on Wednesday evening with Doug Thomas from SGR. He stated the purpose of the forum was to give the public an opportunity to express what they would like to see in the next City Administrator. Mayor Carr then said the solar farm dedication was great and thanked Public Works Director Richard Shockley for his work on the project. Mayor Carr also announced the election for the 1/2 cent transportation tax renewal would be held on November 7th and then closed by announcing his office hours and said his door was always open.

ADJOURNMENT

Mayor Carr declared the meeting adjourned at 8:09 p.m.



Mayor Jared Carr

ATTEST:



City Clerk Laina Starnes

Minutes Approved October 23, 2017