

CITY OF LEBANON  
CITY COUNCIL MEETING MINUTES  
January 9, 2023

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on January 9, 2023, 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, Jonathan Reagan, Jeff Mutchler, Randy Wall, Chuck Jordan, Bob Garner, and Mayor Carr. Absent: Bob Garner.

A quorum was declared.

Staff members and others in attendance: City Administrator Mike Schumacher, Police Chief Bryan Arnold, Fire Chief Sam Schneider, Code Administrator Joe Berkich, Human Resource Director Kathy Milliken, IT Director Jarrad Schomaker, Assistant City Administrator/City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

None.

DISCUSSIONS AND PRESENTATIONS

None.

CONSENT AGENDA

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

- Approval of Minutes
  - i. December 12, 2022, Council Meeting
  - ii. December 12, 2022, Closed Session
- Approval of Warrants
- Approval of November Financials

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

RESOLUTION NO. 490- EXTENDING THE TEMPORARY ADDENDUM TO CITY CODE OF ORDINANCES CHAPTER 2 ADMINISTRATION ARTICLE VI PURCHASING POLICY.

Wall moved and Reagan seconded that the Council approve Resolution No. 490 as presented.

A RESOLUTION EXTENDING THE TEMPORARY ADDENDUM TO CITY OF LEBANON, MISSOURI CODE OF ORDINANCES CHAPTER 2 ARTICLE VI, PURCHASING POLICY.

*WHEREAS,* that an unprecedented disruption of the availability of raw materials, manufactured goods, transportation resources, and labor has occurred in the marketplace due to the worldwide Covid 19 pandemic and an overlapping series of natural disasters and critical accidents which have caused severe shortages of critical supplies and services upon which the City of Lebanon relies in carrying out its mission to serve the public; *and*

*WHEREAS,* that these circumstances have reduced access to, and increased prices of, many of the goods and services the City purchases on a regular and recurring basis and widespread volatility in the marketplace has meant that contracted suppliers are unable to provide needed parts and supplies or are forced to go outside normal supply chain resources at markedly increased costs; *and*

*WHEREAS,* that due to these extraordinary circumstances, the City Council passed Resolution No. 474 on February 28, 2022, to temporarily allow the City Administrator, in consultation with the Finance Director, to authorize purchases of goods or services in order to assure the public that critical resources are in place so the City can consistently meet the public health and safety needs of its residents; *and*

*WHEREAS,* that the temporary Addendum expired on December 31, 2022, and due to the current market volatility and supply lead times, City Staff recommends extending the temporary Addendum through December 31, 2023.

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

SECTION 1: The City Administrator, in consultation with the Finance Director, is authorized to temporarily suspend application of City Code Chapter 2 Article VI, Purchasing Policy and ongoing supply contracts for goods and services when, in the Administrator's professional judgment, it is necessary to do so in order to assure the availability of critical resources. In exercising such authority, the City Administrator shall consider:

1. The immediate criticality of the goods or services involved.
2. Whether the general market for the goods or services at issue is significantly and widely disrupted and the proposed deviation from established procedures or terms is not simply the result of profiteering by a vendor.
3. Alternative sources for the goods or services.
4. The reasonableness of the proposed terms or procedures under the

- circumstances then prevailing.
5. The importance of public confidence in the integrity of the City's purchasing system.
  6. Fair and impartial treatment of all bidders and suppliers.

SECTION 2: Each use of the authority by this Addendum shall be reported promptly to the Mayor and City Council together with an explanation of the reasons for the action taken.

SECTION 3: The authority granted by this Addendum shall expire if revoked by the City Council or on December 31, 2023, whichever occurs first.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as this 9th day of January 2023.

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

#### PUBLIC HEARING

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

#### Final Plat, Replat of Lot 5 of Replat of Lot 4 And Lot 5 of The Falls

Code Administrator Joe Berkich stated this replat was for property located behind Taco Bell and McDonald's on Boulder Avenue. He shared the owner needed a small triangle parcel to meet signage requirements.

There were no public comments.

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

#### COUNCIL BILL NO. 6426- APPROVAL, FINAL PLAT OF REPLAT OF LOT 5 OF REPLAT OF LOT 4 AND LOT 5 OF THE FALLS

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 Lot 5 of Replat of Lot 4 and Lot 5 of the Falls to the City of Lebanon, Laclede County, Missouri, currently known as 2531 Boulder Avenue.

Eldridge moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6426 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mutchler, Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Adkins seconded that the Council approve the second and final reading of Council Bill No. 6426 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, Reagan, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6426 duly passed and approved and that it be entered among City Records as Ordinance No. 6673.

COUNCIL BILL NO. 6427– PURCHASE, AVEVA SOFTWARE SUBSCRIPTION, LOGIC, INC.

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as “City”) approving the purchase of an Aveva Software Subscription for the SCADA System from Logic, Inc.

Mitchell moved and Reagan seconded that the Council approve the first reading of Council Bill No. 6427 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Jordan, Garner, Adkins, Eldridge, Mitchell, Reagan, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6427 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6427 duly passed and approved and that it be entered among City Records as Ordinance No. 6674.

COUNCIL BILL NO. 6428– PURCHASE, UPGRADES TO THE SCADA SOFTWARE, AUTOMATED CONTROL SOLUTIONS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as “City”) authorizing the purchase and execution of all documents necessary for Upgrades to the SCADA Software from Automated Control Solutions.

Garner moved and Wall seconded that the Council approve the first reading of Council Bill No. 6428 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Eldridge moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 6428 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Eldridge, Mitchell, Reagan, Mutchler, Wall, Jordan, Garner and Adkins, Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6428 duly passed and approved and that it be entered among City Records as Ordinance No. 6675.

COUNCIL BILL NO. 6429- SIDE LETTER AGREEMENT BETWEEN THE CITY AND LOCAL UNION 753 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRIC WORKERS, AFL-CIO

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 Side Letter Agreement between the City and Local Union 753 of the International Brotherhood of Electrical Workers, AFL-CIO, for the Electric and Environmental Services Divisions.

Eldridge moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6429 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mitchell, Reagan, Mutchler, 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. 6429 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Reagan, Mutchler, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6429 duly passed and approved and that it be entered among City Records as Ordinance No. 6676.

COUNCIL BILL NO. 6430- SIDE LETTER AGREEMENT BETWEEN THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2921

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 Side Letter Agreement between the City and the International Association of Fire Fighters, Local 2921.

Mitchell moved and Reagan seconded that the Council approve the first reading of Council Bill No. 6430 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mutchler, Wall, Jordan, Garner, Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Garner moved and Reagan seconded that the Council approve the second and final reading of Council Bill No. 6430 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, Reagan, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6430 duly passed and approved and that it be entered among City Records as Ordinance No. 6677.

COUNCIL BILL NO. 6431 – SIDE LETTER AGREEMENT BETWEEN THE CITY AND THE INTERNATIONAL UNION OF POLICE ASSOCIATION, LOCAL 7

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 Side Letter Agreement between the City and the International Union of Police Association, Local 7.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6431 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Jordan, Garner, Adkins, Eldridge, Mitchell, Reagan, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Adkins moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6431 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Garner, Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6431 duly passed and approved and that it be entered among City Records as Ordinance No. 6678.

COUNCIL BILL NO. 6432- AGREEMENT BETWEEN THE CITY AND THE LEBANON FAMILY YMCA TO PROVIDE FAMILY MEMBERSHIPS FOR FULL-TIME EMPLOYEES OF THE CITY

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 with Lebanon Family YMCA to provide Family Memberships for Full-Time Employees of the City.

Jordan moved and Reagan seconded that the Council approve the first reading of Council Bill No. 6432 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mitchell moved and Eldridge seconded that the Council approve the second and final reading of Council Bill No. 6432 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (8) Eldridge, Mitchell, Reagan, Mutchler, Wall, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6432 duly passed and approved and that it be entered among City Records as Ordinance No. 6679.

COUNCIL BILL NO. 6433- IMPOSING A SALES TAX RATE OF THREE PERCENT (3%) ON ALL SALES OF ADULT USE (RECREATIONAL) MARIJUANA SOLD WITHIN THE CITY OF LEBANON, MISSOURI SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023

An Ordinance imposing a Sales Tax at a rate of Three Percent (3%) on all Tangible Personal Property Retail Sales of Adult Use Marijuana sold within the City of Lebanon, Missouri, pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution subject to the approval by the Voters of the City at the General Municipal Election to be held on April 4, 2023; designating the form of ballot; and directing the City Clerk to provide notice of Said Election.

Mitchell moved and Reagan seconded that the Council approve the first reading of Council Bill No. 6433 and that it be passed to the second reading. Motion carried as follows: Yea: (8) Mitchell, Reagan, Mutchler, Wall, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Jordan moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6433 and that the roll be called for the approval and passage

of said bill. Motion carried as follows: Yea: (8) Reagan, Mutchler, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (0) None.

Mayor Jared Carr declared Council Bill No. 6433 duly passed and approved and that it be entered among City Records as Ordinance No. 6680.

COMMENTS

City Administrator Mike Schumacher- thanked Mayor Carr and Council for the recent salary adjustment for City employees.

Councilman Eldridge- thanked Police Chief Bryan Arnold and his officers in honor of Law Enforcement Appreciation Day.

Councilwoman Mitchell- mentioned streetlights that radiated a purple tint and said they didn't provide much light. She expressed she felt something better was needed for the amount of money spent.

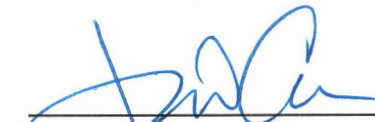
Mayor Carr- said he thought this meeting was a great start to the new year and it was nice to have everyone in attendance. He then shared the upcoming meeting schedule for February.

ADJOURNMENT

Mayor Jared Carr declared the meeting adjourned at 6:35 pm.

ATTEST:

  
\_\_\_\_\_  
City Clerk Laina Starnes

  
\_\_\_\_\_  
Mayor Jared Carr  
Minutes Approved January 23, 2023