

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
April 22, 2024

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on April 22, 2024, at 6:30 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: Mike Evans, Sheila Mitchell, Dan Mizell, Randy Wall, Chuck Jordan, Bob Garner, and Mayor Carr. Absent: Gib Adkins and Jeff Mutchler.

A quorum was declared.

Staff members and others in attendance: City Administrator Mike Schumacher, Public Works Administrator Richard Shockley, Police Chief Jerry Harrison, Purchasing Agent Jessica Meiners, Code Administrator Joe Berkich, Interim Code Administrator Christina Wagner, Electric Superintendent Travis Long, Assistant Park Director Elliot Wilburn, Communications Manager Derek Gean, Downtown Executive Director Sarah Stewart, Downtown Executive Director Assistant Makinna McCubbin, Assistant City Administrator/City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Emergency Services Chaplain Don Anderson, followed by the pledge of allegiance.

PUBLIC COMMENTS

Don Anderson- invited Mayor Carr and City Council to the National Day of Prayer event being held on May 2nd at the Mills Center.

Brett Strickler- asked City Council to revisit the new regulations being considered concerning the number of chickens allowed in the city limits. He said he had 7.5 acres on Raef Road and thought the restrictions were too limited. He also said he would like them to consider allowing roosters on five acres or more of property.

DISCUSSIONS AND PRESENTATIONS

Mayor Lyle Anderson Gold Leaf Awards

Mayor Carr presented Emily Huckaby the adult Mayor Lyle Anderson Gold Leaf Award for her volunteer roles in the Lebanon Downtown Optimist Club, Lebanon Area Chamber of Commerce, and the Lebanon Laclede County Library Foundation.

Mayor Carr then presented Cash Vickers the youth Mayor Lyle Anderson Gold Leaf Award for his various volunteer initiatives.

Local Government Week Proclamation

Mayor Carr read the following proclamation aloud for which he proclaimed May 5-11, 2024, as "Local Government Week."

WHEREAS, local governments in Missouri make important decisions that affect the lives of all Missourians, and

WHEREAS, local governments are the level of government closest to the people, and

WHEREAS, local governments include city councils, county commissions, school boards among others, and

WHEREAS, local governments are the ultimate expression of grassroots democracy, and

WHEREAS, local governments play an essential role in the quality of life in Missouri communities,

NOW THEREFORE, I, Mayor Jared Carr, City of Lebanon, do hereby proclaim May 5-11, 2024

LOCAL GOVERNMENT WEEK

in the City of Lebanon and urge all citizens to join me in recognizing local governments as they serve their communities.

In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Lebanon to be affixed this 22nd day of April 2024.

Chamber of Commerce Presentation

Lebanon Area Chamber of Commerce Director Ashley Mahan said she had been in her role almost a year and was grateful for the support and collaboration from the City. During her presentation, Mahan reported that memberships were steadily increasing and spoke about Chamber's partnerships with Downtown, Lebanon REDI, Lebanon School District, City of Lebanon, and Friends of the Fort. Among other things, she said the Ambassadors Program was being relaunched, talked about the transformation of the Business Builders Luncheon, shared information about the new live morning show, and reported their Quarterly Business After Hours events were going to coincide with First Fridays going forward.

Board of Public Works Update

Public Works Director/Board of Public Works General Manager Richard Shockley presented a Board of Public Works update. Shockley reported the board had met 13 times so far this calendar year, and passed 21 resolutions which pertained to purchases, mutual aid agreements and a partnership with MOCA for home energy audits. He also reported the board had recently reviewed and approved the CIP pertaining to utilities, the FY25 Budget and utility rates which resulted in an \$8.58 per month increase in electric for the average utility user and a \$3.00 per month increase in water for the average utility user. As Shockley spoke about utility rates, he stated the increase was largely due to an aggressive inflation rate on equipment and material (over a 300% increase for water material and over 200% increase for electric material). Shockley also reported that the City's sewer rates would remain the same and wholesale energy costs were stable.

CONSENT AGENDA

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

- Approval of Minutes
 - i. April 8, 2024, Regular Session
- Approval of Warrants
- March Financials
- Quarterly Investment Report
- Mash Up Moonshine Parade Permit

Motion carried as follows: Yea: (6) Evans, Mitchell, Mizell, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

RESOLUTION NO. 503- TAP GRANT- SIDEWALKS OVER EXIT 127

Jordan moved and Garner seconded that the that the Council approve Resolution No. 503 as presented.

“A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY MISSOURI (HEREINAFTER REFERRED TO AS “CITY”) AUTHORIZING THE SUBMISSION OF A MODOT TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT APPLICATION TO ASSIST WITH THE CONSTRUCTION OF A SIDEWALK OVER EXIT 127 FROM THE CORNER OF IVEY LANE AND ELM TO MORGAN ROAD.

WHEREAS, that the City of Lebanon is actively working on pedestrian connectivity throughout the city to address the desire of citizens as reflected in the Community Survey; *and*

WHEREAS, that there is currently no pedestrian crossing over I-44 and no connection between the southwest side and the southeast side with the Middle School and Nelson Park; *and*

WHEREAS, that the MoDOT TAP Grant will partially fund the design and construction of approximately 1,600 linear feet of sidewalk in this area with a cap of Four Hundred Thousand Dollars (\$400,000.00); *and*

WHEREAS, that a project budget is currently being created and is expected to be well over the grant cap amount of Four Hundred Thousand Dollars (\$400,000.00) and the City’s 20% match; *and*

WHEREAS, that City Staff recommends the submission of Said Grant to assist with funding for Said Sidewalk Project.

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 authorizes the submission of a MoDOT Transportation Alternatives Program (TAP) Grant application to assist with the Sidewalk Project over I-44. An aerial diagram of the project area is hereby attached and incorporated within as marked “*Exhibit A.*”

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as this 22nd day of April 2024.

(Seal)

Mayor Jared Carr

Attest:

City Clerk Laina Starnes”

Motion carried as follows: Yea: (6) Mitchell, Mizell, Wall, Jordan, Garner, and Evans; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

RESOLUTION NO. 504- DOWNTOWN BUSINESS DISTRICT EXPANSION INTENT

Walls moved and Evans seconded that the that the Council approve Resolution No. 504 as presented.

“A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY, MISSOURI, STATING ITS INTENT TO EXPAND THE CURRENT BOUNDARIES OF THE LEBANON SPECIAL BUSINESS DISTRICT.

WHEREAS, that Resolution No. 499 stating the intent of City Council to move forward with the second expansion of the Downtown Business District was approved February 26, 2024; *and*

WHEREAS, that shortly following the approval of Resolution No. 499, one of the petitioners for the second expansion withdrew, which ultimately changed the proposed boundaries of the expansion; *and*

WHEREAS, that due to the withdrawal of the petitioner, Staff recommends starting the expansion process over with new property descriptions transparency and recordkeeping purposes.

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 states its intention to expand the Lebanon Special Business District. The proposed real property runs along the south side of the train tracks between Madison Avenue and Adams Avenue and three parcels on the south side of the Market between Jefferson Avenue and Adams Avenue and described as:

BEGINNING at the intersection of the Northeast right-of-way line of Madison Avenue and the Northwest right-of-way line of the St. Louis and San Francisco Railroad; thence Northeast, along said Northwest right-of-way line, to the intersection of the Southwest right-of-way line of Adams Avenue, and said Northwest right-of-way line of said Railroad; thence Southeast, along said Southwest right-of-way line, to the East corner of Lot 7 in Block 29 of said First Railroad Addition; thence Southwest, along the Southeast line of said Lot 7, to the South corner of said Lot 7; thence Southeast, along the Southwest line of Lot 6 in said Block 29 to the South corner of said Lot 6; thence Southwest, crossing the platted alley and along the Southeast line of Lot 9 in said

Block 29 to the South corner of said Lot 9; thence Northwest, along the Northeast right-of-way line of Jefferson Avenue to the West corner of said Lot 9; thence Northeast along the Northwest line of said Lot 9 to the North corner of said Lot 9; thence Northwest along the Northeast line of Lot 8 in said Block 29 to the North corner of said Lot 8; thence Southwest along the Northwest line of said Lot 8 to the West corner of said Lot 8; thence Northwest, along the Northeast right-of-way line of Jefferson Avenue, to a point opposite and perpendicular from the East corner of Lot 2 of the Final Plat of Farmers Produce Exchange recorded in Plat Book 7, at Page 214; thence crossing Jefferson, and along the Southeast line of said Lot 2, to the South corner of said Lot 2 and the Northeast right-of-way line of Madison Avenue; thence Northwest along said Northeast right-of-way line to the POINT OF BEGINNING.

SECTION 2: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby states its intention to expand the Lebanon Special Business District. The proposed real property runs along the northside of 2nd Street beginning in the middle of Block 14 to the east side of Madison Ave and along the south side of 2nd Street beginning in the middle of Block 17 going east to include a portion of Block 18, then north to include two parcels located at the corner of 2nd Street and Madison and described as:

Beginning at the West corner of Lot 24, Block 17 in First Railroad Addition, a subdivision recorded in Plat Book 1 at Page 5; thence Northwest, crossing 2nd Street, and along the Southwest line of Lot 1, in Block 14 of said subdivision, to the West corner of said Lot 1; thence Northeast, along the Northwest line of said Lot 1, crossing Madison Avenue, to the South corner of Lot 15 in Block 13 of said subdivision; thence Northwest, along the Southwest line of Lots 15, 14 and 13, 110.7 feet, more or less to the Northwest line of a parcel of land recorded in Book 225, Page 8914; thence Northeast, along the Northwest line of said parcel, crossing the platted alley, to the Southwest line of Lot 4 in said Block 13; thence Southeast, along the Southwest line of Lots 4, 3, 2 1, and crossing 2nd Street, to a point on the Northwest line of Lot 19 in Block 18 of said subdivision; thence Southwest, along the Northwest line of Lot 19, crossing Madison Avenue, and along the Northwest line of said Lot 24, Block 17 to the Point of Beginning.

SECTION 3: That the City Council of the City of Lebanon, Laclede County Missouri, hereby states its intention to impose an Ad Valorem Tax in the amount of Six Thousand Eight Hundred Eighty-Eight Ten-Thousandths Cents (\$0.6888) per One Hundred Dollars (\$100.00) assessed valuation of taxable, tangible property within the boundaries of the above-described real property.

SECTION 4: That revenues derived from the said tax shall be used for the purposes authorized by RSMO 71.796.

SECTION 5: That a public hearing shall be held on Monday, May 13, 2024, at 6:30 pm in the Council Chambers at City Hall located at 401 South Jefferson for the purpose of hearing all protest and receiving evidence for or against the proposed action of the City Council.

SECTION 6: That a notice of said public hearing shall be published on May 1, 2024, and May 4, 2024, in the Laclede County Record.

SECTION 7: That a notice of said public hearing shall be mailed to all owners of record of real property and businesses located within the boundaries of the above-described real property.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as this 22nd day of April 2024.

(Seal)

Mayor Jared Carr

Attest:

City Clerk Laina Starnes"

Motion carried as follows: Yea: (6) Mizell, Wall, Jordan, Garner, Evans, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

COUNCIL BILL NO. 6671- AMENDING CITY CODE OF ORDINANCES CHAPTER 6 ANIMALS TO ADDRESS CHICKENS

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 6 Animals to address Chickens within the City.

Prior to the second reading, Mitchell moved and Wall seconded that Council Bill No. 6671 be tabled until the next meeting to address citizen concerns. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Evans Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

COUNCIL BILL NO. 6672- AGREEMENT, LAWN MAINTENANCE SERVICES FOR CITY FACILITIES, DUNN MOWING 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 an Agreement between the City and Dunn Mowing LLC for City Facility Lawn Maintenance Services.

Jordan moved and Evans seconded that the Council approve the first reading of Council Bill No. 6672 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Jordan, Garner, Evans, Mitchell, Mizell, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Wall moved and Mizell seconded that the Council approve the second and final reading of Council Bill No. 6672 and that the roll be called for the approval and passage of said bill.

Motion carried as follows: Yea: (6) Garner, Evans, Mitchell, Mizell, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Mayor Carr declared Council Bill No. 6672 duly passed and approved and that it be entered among City Records as Ordinance No. 6916.

COUNCIL BILL NO. 6673- PURCHASE, ELECTRIC MATERIALS FOR NEW CONSTRUCTION ON SOUTH JEFFERSON AVE, GRAYBAR

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving the purchase of Electric Underground Material from Graybar to service new construction on South Jefferson.

Mitchell moved and Mizell seconded that the Council approve the first reading of Council Bill No. 6673 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Evans, Mitchell, Mizell, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Jordan moved and Evans seconded that the Council approve the second and final reading of Council Bill No. 6673 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mitchell, Mizell, Wall, Jordan, Garner, and Evans; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Mayor Carr declared Council Bill No. 6673 duly passed and approved and that it be entered among City Records as Ordinance No. 6917.

COUNCIL BILL NO. 6674- WORK ORDER, PRELIMINARY DESIGN SERVICES FOR ATCHLEY PARK IMPROVEMENTS, OLSSON

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 Work Order No. 39 with Olsson for Preliminary Design Services for the Atchley Park Improvement Project.

Mitchell moved and Evans seconded that the Council approve the first reading of Council Bill No. 6674 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mizell, Wall, Jordan, Garner, Evans, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Wall moved and Mizell seconded that the Council approve the second and final reading of Council Bill No. 6674 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Evans, Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Mayor Carr declared Council Bill No. 6674 duly passed and approved and that it be entered among City Records as Ordinance No. 6918.

COUNCIL BILL NO. 6675- PURCHASE, FIRE DEPARTMENT DUAL CERTIFIED RESCUE AND WILDLAND GEAR, FELD FIRE

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the purchase of Twenty-Five (25) sets of Dual Certified Rescue and Wildland Gear from Feld Fire for the Fire Department.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 6675 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Jordan, Garner, Evans, Mitchell, Mizell, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Mitchell moved and Mizell seconded that the Council approve the second and final reading of Council Bill No. 6675 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Garner, Evans, Mitchell, Mizell, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Mayor Carr declared Council Bill No. 6675 duly passed and approved and that it be entered among City Records as Ordinance No. 6919.

COUNCIL BILL NO. 6676- CODE AMENDMENT, CHAPTER 8 ARTICLE IV DANGEROUS BUILDINGS

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 by repealing Chapter 8 Buildings and Construction Article IV Dangerous Buildings in its entirety and enacting in lieu thereof a newly created Chapter 8 Article IV Dangerous Buildings.

Jordan moved and Wall seconded that the Council approve the first reading of Council Bill No. 6676 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Evans, Mitchell, Mizell, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Second reading scheduled for May 13, 2024.

COUNCIL BILL NO. 6677- CODE AMENDMENT, CHAPTER 8 ARTICLE III CONSTRUCTION CODES AND CHAPTER 18 FIRE PREVENTION, PROTECTION AND CONTROL

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 by repealing Chapter 8 Article III Construction Codes in its entirety and enacting in lieu thereof a newly created Chapter 8 Article III and amending Chapter 18 Fire Prevention, Protection and Control by adding Section 18-32 Fire Code Adopted by Reference; Copies to be Maintained.

Wall moved and Evans seconded that the Council approve the first reading of Council Bill No. 6677 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mitchell, Mizell, Wall, Jordan, Garner, and Evans; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Mutchler.

Second reading scheduled for May 13, 2024.

COMMENTS

Councilman Garner- asked everyone to keep the Eidson family in their thoughts and prayers as the wife and two daughters were severely injured in a head on collision.

Mayor Carr- again congratulated the Gold Leaf Award recipients and then announced the upcoming meeting schedule.

ADJOURNMENT

Mayor Carr then declared the meeting adjourned at 7:20 pm.

ATTEST:


City Clerk Laina Starnes


Mayor Jared Carr

Minutes Approved June 10, 2024